

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 11 SEPTEMBER 1884**

---

Electronic reproduction of original hardcopy

## LEGISLATIVE ASSEMBLY.

Thursday, 11 September, 1884.

Resignation of the Sergeant-at-Arms.—Question.—Immigration Act of 1882 Amendment Bill—third reading.—Pettigrew Estate Enabling Bill—second reading.—Gympie Gas Company Bill—second reading.—Maryborough Town Hall Bill—second reading.—Skyring's Road Bill—second reading.—Maryborough Racecourse Bill—second reading.—Gratuity to Mrs. Buhôt.—Petition of Leonidas Koledas and Thomas Fleeton.—Maryborough School of Arts Bill.—Annear and Company's Claim and Mr. Drysdale.—Local Authorities By-Laws Bill.—Adjournment.

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

## RESIGNATION OF THE SERGEANT-AT-ARMS.

The SPEAKER said: I have the honour to report to the House that I this morning received a letter from Mr. Robert Douglas, resigning his position as Sergeant-at-Arms.

## QUESTION.

The HON. SIR T. McILWRAITH asked the Premier—

1. Has the attention of the Government been directed to the late annexations of territory by foreign nations on the West Coast of Africa with the accorded sympathy of the English Premier, and the probability of these annexations being extended to the islands in the South Pacific, some of which adjoin our shores?

2. Has the attention of the Government been directed to the announcement made by late cablegrams, that the claims of the Dutch to the western half of New Guinea have been held to have lapsed, and that no claims of any European Power to the said portion of that island now exist?

3. In order to preserve and enforce the claims of the Australian colonies to that portion of New Guinea already annexed, and to make sure foundation for our right to the western portion not claimed by any civilised nation, have the Government considered the advisability of at once annexing formally, by officers duly authorised, the western half of New Guinea?

1884—2 K

The PREMIER Hon. S. W. Griffith) replied—

1. The Government have observed a recent telegram from London, stating that the Empire of Germany has assumed jurisdiction over a portion of territory on the west coast of Africa, and they are not aware of any objection having been made by Mr. Gladstone to this action. The Government see no reason for supposing that the annexation of territory in Africa will be extended to the islands of the South Pacific.

2. The Government have also observed a statement in a telegram to the effect that the claims of the Government of the Netherlands to the western portion of New Guinea have been held to have lapsed, but they have no official information on the subject, and are not aware whether there is any foundation for the statement.

3. The Government are not aware that any portion of New Guinea has been already annexed. The abortive attempt at annexation made by a preceding Government was promptly disallowed by the Imperial authorities, to whom alone belongs the responsibility of extending the boundaries of the Empire. The Government have not considered, and do not propose to consider, the taking of any action beyond their proper functions, such as that suggested by the hon. member's questions. They have, however, obtained the consent of this Parliament to the Act guaranteeing a contribution from Queensland to the cost of exercising jurisdiction in Her Majesty's name over the eastern shores of New Guinea, as requested by Lord Derby; and they hope that immediate action will now be taken in accordance with Lord Derby's promise.

## IMMIGRATION ACT OF 1882 AMENDMENT BILL—THIRD READING.

On the motion of the PREMIER, 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.

## PETTIGREW ESTATE ENABLING BILL—SECOND READING.

Mr. FOOTE said: In rising to move the second reading of this Bill it is not my intention to take up much of the time of the House, having on a previous occasion entered fully into the objects of the measure. Since then the Bill has been referred back to the Select Committee appointed to report upon it, owing to a slight inadvertence or informality which has now been rectified. I have no further remarks to make than I offered when the Bill was previously before the House, with the exception of a few words in reference to a remark then made by the hon. member for Balonne. I do not think that the hon. gentleman wished to speak harshly in reference to the matter. It is very possible that he had not read the Bill at that time, and being very careful and jealous of the rights of testators—of persons making a will—the hon. gentleman, no doubt, thought that no Bill should pass this House that had not been carefully and properly revised. The hon. member on that occasion referred to the trustees of the estate as coming to this House and asking to be whitewashed. That is the only remark I wish to correct. I thought it was a very harsh remark, and bore very harshly on the trustees. It is not the case; the trustees are willing to bear all the responsibility attached to their action. Their only object in coming to this House is for the purpose I have previously stated—that is, to obtain power to carry out the objects of the will. With these observations I have much pleasure in moving that the Bill be now read a second time.

Question put and passed.

The committal of the Bill was made an Order of the Day for Thursday next.

## GYMPIE GAS COMPANY BILL—SECOND READING.

Mr. SMYTH said: I beg to move that this Bill be now read a second time. It is somewhat similar to other measures which have been brought in to enable companies to supply

various towns in the colony with gas, and to make coke and so forth. There is no opposition to the Bill by the municipality in which the company intend to carry on operations. I believe the Bill will be a benefit to the town of Gympie, and do not anticipate that there will be any opposition to it.

THE HON. SIR T. McILWRAITH said: Mr. Speaker,—One would fancy that we had no Government at all. Here is a Bill, a most important Bill, introduced, and not a single Minister rises to address himself to it. Surely it is a matter worthy of consideration, when we are asked to grant a monopoly for the supply of gas for years in an important district of the colony. The hon. member himself has said nothing about the measure, but no doubt he has been advised that it will go through as a formal matter. I do not believe in Bills such as this passing as formal matters in this House. Everyone must understand that the measure virtually grants a monopoly to a company. We have seen what has been the result of monopolies of that kind heretofore. For instance take the city of Brisbane. We have here a monopoly which has existed for a number of years, and which has left its mark on the pockets of the consumers of gas in Brisbane. We should exercise great care in dealing with such a Bill as this. I think it is time that some other machinery was used for the examination of the merits of Bills of this sort, than is now adopted, before they come before the House. The Government evidently take no trouble in a matter of this kind. I do not object to this Bill in particular—I am speaking generally; I do not object to the Gympie people being supplied with gas in the best possible way; but I speak now in the interest of the consumers of gas throughout the colony. For instance, look at clause 13, which, after giving power to the company to contract for the lighting of streets and houses, goes on to say:—

“And provided always that if the charges that may be made by the said company under and by virtue of this Bill for such supply of gas shall be found to produce a greater sum than twenty pounds per annum for every one hundred pounds of the paid-up capital of the said company, then, and in such case, the said company shall, at their first meeting after it shall have been ascertained that such greater sum has been produced, reduce the said charges so as that the same shall not produce to the said company a greater rate of clear annual profits divisible upon the subscribed and paid-up capital stock of the said company than the said sum of twenty pounds annually for every one hundred pounds of such capital; and in order that the true state of the profits may be known, it shall be the duty of the directors of the said company, so soon as the profits of the said company exceed twenty pounds for every one hundred pounds by the year, to publish in the *Queensland Government Gazette* annually a full and true statement and account of the moneys received, disbursed, and expended by them, and every such statement and account shall be verified by the secretary of the said company by solemn declaration, to be made before a justice of the peace. Provided that it shall not be compulsory on the said company to reduce the said charges before the sum of twenty pounds per annum for every one hundred pounds of the paid-up capital of the said company shall have been received by each shareholder of the said company in respect of his share or shares therein from the commencement of the said company.”

I should like to know whether that is a reasonable thing to grant to any company to whom we are giving a monopoly for the supply of gas; for although in the course of years we may grant a similar power to another company to compete with this, still it will continue a monopoly; as in the course of years it will have so firmly established itself as a monopoly as to defy competition. The company is not to be forced to reduce their charges for gas until they are paying dividends of over 20 per cent. on their paid-up capital. Who looks for dividends of 20 per cent. in any ordinary business, and why should we allow a profit of 20 per cent. to a mono-

poly? I know quite well that the hon. member may say to me, “Why should you prevent the Gympie Gas Company from having dividends of 20 per cent., when the Parliament of Queensland has authorised Toowoomba, Maryborough, and other towns to pay dividends to the extent of 30 per cent.?” But that is no answer. It simply shows the evil effect of passing these Bills through the House as they have been passed heretofore. Here is a private Bill supposed not to affect the rights of Her Majesty’s subjects in any part of Her dominions, passing through without any comment from the Government, while it gives a company the exclusive privilege of supplying gas in certain districts, and says they are not to be compelled to reduce the price of gas until they pay greater dividends than 20 per cent. on their paid-up capital. As I said before, charters have been given to similar companies in other towns up to 30 per cent.—charters granted authorising them to go on paying dividends up to 30 per cent. before they can be forced to improve the quality of their gas. But that is not any reason why we should grant a monopoly of that kind now. I think, myself, it is an extortionate amount to expect in dividends. But let us see how they have proved the preamble of the Bill. The preamble of the Bill is proved by Matthew Mellor, Esquire, M.L.A. He is the only witness who was examined by the committee, and he is a shareholder in the Gympie Gas Company. This shareholder is the only witness who comes before us to prove that this Bill is acceptable to the whole of the people of Gympie. Had the people of Gympie known that an attempt was being made to establish a monopoly that would hang round their necks for years, and supply them probably with bad gas and heavy charges for years, we should have heard a great deal more about it than we have done.

MR. FERGUSON said: Mr. Speaker,—As one of the committee who sat to consider this Bill, I pointed out to the committee some objections to the Bill which I thought would necessitate some amendments being made by the House. There is no doubt that gas companies throughout the country are now becoming a great monopoly; and there are two or three clauses in this Bill that will require amendment. There is no doubt whatever, also, that our towns must have facilities for getting gas, and gas companies cannot carry on their operations until a Bill to enable them to do so has been passed by this House. The power must be given them by Parliament before they can carry on their operations, either for the benefit of the public or of the company. If this Bill is not exactly what the House thinks it should be it can be altered in committee; but a company has been formed under the Companies Act, and in order that they may be able to carry on their works at all they must have a Bill passed through this House.

MR. SCOTT said: Mr. Speaker,—I think, in Bills of this kind which we have discussed before, no clause has been inserted insisting upon the gas distributed by the shareholders of the company to the public being of a certain illuminating power. I think it would be an improvement if this House decided that a clause of that kind should be put into this Bill insisting that the gas supplied should give a certain amount of illuminating power per cubic foot. This is the case in London now. All the late companies started there, or those which have had their charters renewed, are bound to give gas of a certain quality; and I think it will be well if, when this Bill comes into committee, such a clause as that is included.

Question put and passed.

The committal of the Bill was made an Order of the Day for Thursday next.

MARYBOROUGH TOWN HALL BILL—  
SECOND READING.

Mr. BAILEY said: Mr. Speaker,—I beg to move the second reading of a Bill to enable the council of the municipality of Maryborough to sell or mortgage certain land granted to the said council as a site for the erection of a town hall, and to apply the proceeds to the building of a new town hall on other land granted to the said council as a reserve for a town hall. I may explain to the House that in 1868 a small piece of ground was granted to the council of the municipality of Maryborough for the purpose of building a town hall. It was a very small piece only—I think, 1 rood 34½ perches. Upon that piece of ground the council built a town hall—a wooden structure; but they very soon found that neither was the ground sufficient nor the building good enough for the requirements of the town. In 1882 the council obtained a grant of another piece of land, in measurement 3 acres 2 roods 27 perches, in the immediate vicinity of the town hall. That ground has been perfectly useless so far, only metal, I believe, being put upon it. The present town hall buildings are becoming somewhat dilapidated, and they are not large enough or at all sufficient for the requirements of the present municipal council of Maryborough. They propose by this Bill to sell the buildings and the small piece of land upon which they are erected, and apply the proceeds to the erection of a larger town hall upon the larger piece of ground adjacent. The committee have carefully inquired into this Bill; and in the evidence given before them by the mayor of Maryborough, who specially attended as the representative of the council of Maryborough, that gentleman gave, as the reason why it was desirable to have a new town hall, that the present area of land is quite insufficient for the accommodation of the council, and the building on it being a wooden structure, it is not at all suitable to the requirements of Maryborough. There is a provision in the Bill, however, which the committee, before the Bill was returned to the House, took some exception to. Clause 4 of the Bill says:—

“The proceeds of such sale, or the amount borrowed on such mortgage as aforesaid, shall, in the first place, be expended in paying the reasonable expenses connected with such sale or mortgage, and the balance shall be expended, so far as necessary, in the erection of a town hall, offices, and premises for the public accommodation of the citizens of Maryborough and of the said municipal council, on allotment 2 of section 9A, Town Hall Reserve aforesaid.”

Then came in the following proviso:—

“Provided that the surplus funds, if any, remaining after effecting the objects aforesaid, shall go to and form part of the municipal funds.”

With reference to that proviso, Mr. Ferguson, a member of the committee, asked the mayor this question:—

“You say, in this case the land sells for £10,000, and the building costs £8,000;—will the £2,000 go to the general funds, to be used in metalling streets or any other purpose?”

The answer was—

“Yes, that was the intention. That would be for any other purpose.”

The committee objected that land granted for a specific purpose should not be used for any other purpose; but with that one exception they recommended the Bill to this House. We also had the evidence of the hon. member, Mr. Annear, who has been an alderman of Maryborough for fourteen years, and he stated that—

“At the present time the building used by the council, their property, is a wooden one only. We have another site—a better site: and the proceeds which will arise from the sale of the present town hall and the land on which it stands, should the Bill pass, will be solely devoted to the erection of either a stone or brick building of a permanent character for the purpose of the town hall of Maryborough, on the new site.”

I do not think the Bill requires any further explanation. I beg to move that it be read a second time.

Question put and passed.

The committal of the Bill was made an Order of the Day for Thursday next.

SKYRING'S ROAD BILL—SECOND  
READING.

Mr. BEATTIE said: Mr. Speaker.—In moving the second reading of this Bill, I can only repeat the information I gave to the House on a former occasion, when introducing the Bill. It is asking the House to agree to the closing of—

“A road privately dedicated to the public over subdivision ‘A,’ of portion 59, parish of North Brisbane, county of Stanley, and to open in its stead a road over subdivisions ‘d a’ and ‘d b’ of the said portion.”

I may mention that this does not interfere with any rights which may be possessed by the public or any private individual. It will be a great convenience to the general public, and will also be an advantage to the owner of the property, which is situated down on the north side of the Bulimba road fronting the Brisbane River. The whole of this land, I may say, both in subdivision “A” and the street marked “d a” and “d b,” belongs to Mr. Charles Skyring. By closing the one road and substituting the other, great facilities will be given to people living in that locality, and it will also enhance the value of Mr. Skyring's land, giving him a greater frontage from the Brisbane River to the western line of his land. The Bill has been carefully considered by the committee, and they have recommended it. I therefore move that the Bill be now read a second time.

Question put and passed.

The committal of the Bill was made an Order of the Day for Thursday next.

MARYBOROUGH RACECOURSE BILL—  
SECOND READING.

Mr. BAILEY said: In moving the second reading of this Bill, I must confess that when it was first placed in my hands I had considerable distrust of it. There are many members who know the way in which several racecourse reserves have been treated—certainly not in the interests of the public, but in the interests of speculative individuals, who have incurred certain debts, and have obtained leave to dispose of these reserves, either by sale or mortgage, in order to free themselves of responsibility. It was with the full knowledge of these circumstances that I undertook the direction of this Bill when it was referred to a select committee of this House, and I believe the committee have taken great pains in the Bill to guard the public interests in a way in which they have not hitherto been guarded. The objects of the Bill, on the face of it, are that the trustees shall be able to mortgage, lease, or sell a part or the whole of the land, and apply the moneys raised by any such processes in the erection of new buildings, or the general improvement of the property. Hon. members will see by the evidence that the promoters of the Bill are really honourable men, who wish to carry out the intentions laid down in the measure. I have taken care that the evidence should not only be that of racing men, or men connected directly with the Racecourse Reserve, but also that of representatives of the people of Maryborough, who I think are just as much concerned in the preservation of the Racecourse Reserve, as the trustees of the racing club at present in existence. The mayor of Maryborough, after saying that he had seen the advertisements and so on, is asked as an independent member of the corporation

what his opinions are about the Bill, and he says:—

"I should personally have no objection to a part of the land being sold for the purpose, and the money being expended in buildings or improvements on the property."

He is then asked the crucial question which the committee had all along had in their minds—

"Would you have any objection to the lands being sold and the proceeds applied to racing purposes? You know what that means?"

And he says—

"I should have an objection to the money being applied for payment of the debts belonging to any individual club."

That gentleman saw that the interests of the public might, in a certain case, conflict with the interests of the race club, and he was not willing to sacrifice the interests of the public. Neither were the Select Committee, as you, sir, will presently see. Then the committee examined Dr. Power, who has long been a member of the Maryborough racing club—perhaps I may say one of the principal members. He says:—

"The club, from time to time, finding it necessary to make certain improvements, have spent in all about £600—as near as I can make it out, £590; that is to say, they have cleared, fenced, drained, and made training and racing track. Well, that money was spent by the club with the idea that there were certain lands connected with this racecourse which might be disposed of, and which were not wanted for racing. There is a main road dividing the land. [Indicating the Racecourse Reserve on the map.] The lesser portion, on one side of the main road, which belongs to the reserve, and which is of no use for racing purposes, is that which it is proposed to sell; and it is proposed to fall back on the proceeds of purchase money to repay what has been spent on the improvements upon that large portion of the reserve which is used for racing. The people, of course, get the increased value of the land; the reserve, without the improvements—no racing track, or buildings—would be of no use as a racecourse. I think there are some other portions of the land reserved that are not required; but the idea was to raise about £600 upon what is not required."

To explain what that gentleman meant, we will suppose the land to be in the shape of a parallelogram. A corner is cut off by a road, and that corner is positively useless for racing purposes—it is a bit of waste land. That could be sold for building purposes, and would realise £400 or £500, which amount would go a long way towards releasing the trustees of the club from the debt they have incurred in forming a course—in clearing, draining, etc. Then we have the evidence of Mr. McDowall, who is the district surveyor in Maryborough, a gentleman well known as an efficient officer in the service, and well acquainted with the land. He is of the same opinion as Dr. Power, that a portion of the land might be sold without injury to the reserve, and that, in point of fact, this small portion does not really form part of the racecourse. The trustees ask for a further power to sell the whole of the ground at some future time, and for this reason: that the present course is two or three miles out of Maryborough, on a by-road; that they have very good hopes of obtaining land on the railway line, equally suitable for racing purposes, for the amount which the sale of the original grant would realise, and which would be more convenient of access to the public. That, however, is a future contingency, and is only provided for now to save the trustees the trouble and expense of coming down with a Bill at some future time. The committee, in going through the clauses, and in coming to clause 3, found that it read as follows:—

"It shall be lawful for the trustees to sell or mortgage the whole or any portion or portions of the said lands particularised in the schedule hereto: Provided that no such sale shall be made except with the approval of the Governor in Council, and provided that the purchase money shall be applied towards purchasing other lands to be held under the same trusts, and the erection

of buildings on the said land or otherwise for racing purposes, but the purchaser or purchasers shall not be called upon to see to the application of the purchase moneys."

That was the weak point in former Bills of a similar nature, because it allowed the trustees to sell property and appropriate the money in any way they pleased, and they might even apply the money to the payment of prizes. The public ought to be protected in a matter of that kind—so the committee amended the clause by striking out the word "otherwise" and inserting "other improvements"; and I hope the amendment will be accepted, because it precludes the trustees from wrongly applying the money, and confines them to the expenditure of it upon improvements. And again, in clause 5, the committee thought it desirable to add a proviso. The clause gave the trustees power to lease the land, and they might have leased it as a grazing farm, and they might be prevented from entering upon it by the person in possession. The following proviso was therefore added:—

"Provided further, that no such lease or leases be granted in such manner as may interfere with the said land being used for racing purposes."

I think, sir, that the committee have endeavoured to amend the Bill so as to make it as safe as possible in the interests of the public, and as much as possible for the benefit of the promoters. I beg to move that the Bill be read a second time.

Mr. HORWITZ said: I intend to oppose this Bill. I do not think it is right that any member should come down to this House and ask that power be given to dispose of land granted for special purposes, and make use of the money in any way they please. This grant was given by the Government to the people of Maryborough for a certain purpose, and I am surprised at the people of Maryborough allowing a Bill to be introduced into this House for the purpose of selling about 146 acres of land, when no doubt the money will be squandered away. I hope the Bill will not be allowed to go through. I have been connected with a racecourse in Warwick for a good many years. We were obliged to borrow money, but we have not raised a pound upon the land. The trustees made themselves responsible for an amount of something like £700, and that sum has been paid off. If the Maryborough people want to make improvements upon their course, let them do so, but they should not ask for authority to squander away land granted to them by the Crown. If they paid for the land themselves they could do what they liked with it, but this land has been granted by the Crown for a special purpose, and ought to be applied to that purpose. I enter my protest against the Bill, and I shall do my level best to oppose it.

Mr. FERGUSON: Mr. Speaker,—I to a very great extent agree with the remarks of the hon. member for Warwick, and I think the House should be very careful before allowing trustees to dispose of land which has been given by the Crown for a certain purpose. The trustees of this club, it appears, have got into debt, and the only object of the Bill, as far as I can see, is to enable them to sell a portion of the land to pay off the debt they have incurred. That appears on the face of the Bill, at all events. If trustees are allowed to mortgage land of this kind, it is simply giving them power to squander it, and the public for whose use it was given may lose the use of it altogether. How many instances have we known where the mortgagees have had to foreclose on land of this kind, and the public have for ever after lost the use of it! I need only mention the case of the Brisbane School of Arts. That School of Arts had a site in Queen street, now occupied by one of the

finest buildings in the colonies. That land was mortgaged by the trustees of that institution; the mortgagees had to foreclose upon it, and the institution lost the site for ever. On account of that the trustees had to put up with an inferior site, and in consequence they were not in a position to carry on their institution in the manner they ought. Through losing that valuable site they are now behind the times, and for the last two sessions the House has voted a grant-in-aid of £600 a year to help them to carry on. That is due to a great extent to the manner in which they had dealt with the original grant from the Crown. The House should be very careful not to allow such a Bill as this to pass without seeing that good and sufficient reasons are given for it.

Mr. FOOTE said: Mr. Speaker,—I also object to this measure. It is not a right thing to do, when a piece of land has been set apart and handed over to trustees for a certain purpose, to allow it to be appropriated for other purposes. If the trustees are allowed to mortgage land of this kind they may, under certain circumstances, be compelled to sell, and, as remarked by the hon. member for Rockhampton, the public are deprived of the use of it for ever after, however convenient and suitable it may be for the purposes for which it was granted. Racecourses are often used as places of recreation, and for picnics and other purposes, by the inhabitants of the towns where they are situated, and should therefore be preserved intact. A case analogous to the present one is that of the Ipswich racecourse—one of the best in Queensland; at any rate there could not be a better. The trustees of that racecourse obtained power to mortgage it, and ultimately they got into difficulties; the mortgagee foreclosed, and the course was sold, and it has passed away from the public altogether. However honourable the trustees may be for whom the hon. member is seeking to pass this Bill, and however good their intentions may be, it is quite possible they may get into difficulties. Changes may take place, and other trustees may come in holding different views from theirs. It will be a very dangerous thing to give the trustees power to mortgage land of this kind, and I shall certainly oppose the measure. Even if the second reading is carried, I shall do all I can in committee to prevent it from passing.

Mr. JESSOP said: Mr. Speaker,—As one of the Select Committee appointed to inquire into this Bill, I will give my reasons for supporting it. From the evidence given it appears that the racecourse in question is so far away from the town that people cannot get out to it without a great deal of trouble and inconvenience; and the evidence showed that it was the intention of the trustees to buy another piece of land, on the line of railway, which would be more useful for the purpose and easier to get at. Clause 3 distinctly states that the trustees shall not sell or do anything with the land without the approval of the Governor in Council. Therefore, if at any time they see an opportunity to sell the land, with the view of buying a more suitable piece, they cannot do so without first obtaining the permission of the Governor in Council. That clause protects the Bill from the danger referred to by the hon. member for Bundamba. I need only say, in addition, that I shall support the motion for the second reading of the Bill.

Mr. NORTON said: Mr. Speaker,—I cannot say that I have looked particularly over the evidence taken on this Bill, but I think the question is one which deserves a great deal of consideration. The Bill is one which ought not to be allowed lightly to pass, and on that account it is a pity that some member of the

Government has not already expressed an opinion on the subject. It is a matter in which the Government are particularly concerned, and when it is sought to alter the purpose for which a grant of land was made we ought to know what they think about it. Some three years ago, when I brought in a short Bill on behalf of the trustees of the Brisbane racecourse, that measure was opposed, though not perhaps very strongly, by the present Minister for Works. That hon. gentleman objected—and I think very properly objected—that the power sought for should not be given without good reasons being shown for so doing. I was able to satisfy the hon. gentleman, and he withdrew his opposition. In the present case I do not think sufficient reason has been given. As has been said, cases have occurred in which lands of this kind have passed from the hands of the trustees. You yourself, Mr. Speaker, must remember perfectly well that in your own district of Toowoomba the trustees of the racecourse got into difficulties, and a large proportion of the land had to be sold some year or two ago in consequence. If my memory serves me right, there were some peculiar circumstances in connection with that case: of the three trustees originally appointed, only one was living at the time the sale took place. The whole of the land was not sold—only some eighty-eight acres, which were disposed of for £1,880. There can be no doubt that when that grant was made it was never foreseen or intended that it should be otherwise disposed of than for the purpose for which it was given; and I am certain it was never contemplated that it should be liable for any debts which might be incurred by the club who used it. Particular care should be exercised by the House in seeing that the object of the grant is carried out, or else that there is some very strong reason why a change should be made. If we refer to the 3rd section of the Bill, we find that it is proposed to give power to the trustees—

“To sell or mortgage the whole or any portion of the said lands particularised in the schedule hereto.”

That is all very well; but when we read further we find that provision is made for the disposal of the money raised from the sale of the land; but not in the event of its being mortgaged:—

“Provided that no such sale shall be made except with the approval of the Governor in Council, and provided that the purchase money shall be applied toward purchasing other lands to be held under the same trusts, and the erection of buildings on the said land, or other improvements for racing purposes, but the purchaser or purchasers shall not be called upon to see to the application of the purchase moneys.”

In the event, I say, of the land being mortgaged, there is no provision made for the disposal of the money borrowed, nor is there any protection whatever to the public who are interested in this course. I am sure the committee, when they had the Bill before them, overlooked that, because they amended the clause in other respects, and no doubt in going through it they came to the conclusion that provision was made for the disposal of the money raised on mortgage. I think that the reasons given for the passing of the Bill are not such as should satisfy this House, and I, for one, therefore do not feel disposed to pass it. I should like to hear something said about it by other members of the committee. I am quite sure my hon. friend, Mr. Jessop, when he spoke just now, quite overlooked the matter to which I have referred; and I must say that I do object, unless sufficient reasons are given, to consent to land being disposed of in this way.

Mr. ANNEAR said: It is very evident to me, Mr. Speaker, that the hon. member for Warwick and the hon. member for Bundamba have not read the 3rd clause. That clause distinctly provides that the money raised on the land shall not be put to any other than racing

purposes. Up to the present time the club—of which I am a member, and have been so for many years—has spent £600 in clearing, forming, draining, and fencing the land. The trustees ask to be allowed to sell the piece of land described by the hon. member for Wide Bay, which is outside the course altogether. A road—the Saltwater Creek road—goes through this corner, which does not in any way affect the racecourse. There is another reason, too, and that is that the members of the club have lately erected a grand-stand and other buildings, at a cost of £500, which they have paid out of their own pockets. The passing of the Bill will enable them to pay the £600 which has been spent in clearing, forming, draining, and fencing the course. The hon. member for Bundamba referred to Ipswich. The people there have allowed their racecourse to pass out of their hands. The Ipswich of to-day is not the Ipswich of twenty years ago, when there was a strong racing spirit there. That spirit has passed away, but the people of Maryborough do not wish to follow such an example. I may also refer to Toowoomba, where the people have allowed the racecourse to pass out of their hands. Now, the people of Maryborough do not want anything of that kind. The hon. member for Warwick talked about the money, and what we should do with it if this Bill is passed. I hope the hon. member will look at the statistics, and see how the people of Maryborough have always helped themselves; and if his constituents will only take example from them I am sure they will not go very far wrong. In Maryborough we always pay for the amusements that we have from time to time. I think the land should be strictly kept as a racecourse for the town of Maryborough. The fact that members of the club have out of their own pockets spent £500 during the last six months in erecting buildings, shows clearly that that is their desire; and I am sure that any hon. member who has seen the course will be ready to admit that it is a credit to the colony. The place was originally a wilderness; we had to fell the trees, clear the ground, and fence it in; and now we have a racecourse second to none in the colony. As I have already said, the piece of land referred to is not in any way connected with the course. I quite agree with the remark made by the hon. member for Port Curtis, that we ought to exercise great care; and I hope hon. members will weigh carefully what I have said. Dr. Power, who has taken great interest in the Maryborough club, can bear out the statement I have made that that money has been expended during the last six months. Such being the case, I hope hon. members will pause before they come to a decision which they may afterwards regret.

Mr. ALAND: Mr. Speaker,—I would just remind the hon. member who has just sat down that this Bill does not stop the trustees getting rid of the racecourse. I think that this House should pause and weigh the matter very carefully before it gives power to make away with this freehold. One of the wisest things the Legislature did some two years ago was to pass an Act forbidding trustees of public reserves from mortgaging or selling them. If that Act had been passed prior to the Toowoomba racecourse having been handed over to trustees, very likely it would have been in the ownership of the people of Drayton and Toowoomba to-day, instead of being in the hands of private individuals. It strikes me that the racing spirit is certainly not very brisk in the colony—that, in fact, it is dying out, though I do not know that personally I should be very much grieved to find that that spirit was dying out altogether. At all events, I think that if the country makes trusts, or rather hands over

to a town a large quantity of land like this for recreation purposes, more particularly racing, those gentlemen who make the money which I believe they do make out of racing, and even those gentlemen who lose money as many do over racing, and also those licensed victuallers who profess to make a good deal out of racing—should put their hands in their pockets and contribute towards the necessary expense of carrying on the amusement. I am opposed to the Bill, and I am opposed to it because, at the present time, Toowoomba is being done out of her racecourse. As far as the land being a racecourse is concerned, I can assure you, Mr. Speaker, and you know very well, that I do not care two straws; but I do not like any property that has been handed over to any district by the Government to be taken out of the possession of the people of that district; and I believe from the bottom of my heart that, if this Bill be passed, in a few years' time the Maryborough racecourse will be known no more. It will be the same as the Ipswich and Toowoomba racecourses—nominally a racecourse, but the property will be in the hands of private individuals. Although it is said it is only proposed to sell a portion of the land, there is nothing in the Bill that I can see to prevent the trustees from selling the remainder to-morrow. I think, sir, that when the country once bestows a portion of land for recreative purposes upon any municipality that trust should be held sacred, and that it should be placed without the power of the trustees to be able to alienate it.

Mr. KATES said: The hon. gentleman who introduced the Bill told us that the land proposed to be sold is a corner of the racecourse that is cut off by a road from the bulk of the land, and that the proceeds are to be applied to releasing certain debts resting on the property. In that he was supported by the hon. member for Maryborough, Mr. Annear. But on looking at clause 3, I find it says:—

“It shall be lawful for the trustees to sell or mortgage the whole or any portion or portions of the said lands particularised in the schedule hereto.”

And the schedule mentions 146 acres, which I suppose is the whole block. This does not agree with the statement of the hon. member who introduced the Bill. Had leave been asked to sell the corner of land that is cut off from the racecourse in order to release the debt, I should have been inclined to support the Bill; but the Bill says it shall be lawful for the trustees to sell or mortgage the whole or any portion of the land. I entirely agree with the hon. member who has just sat down, that any piece of land granted by the Crown for a specific purpose—for the use of the public—ought to remain intact for ever: there should be no right given to sell, or mortgage, or interfere with it in any way. I do not see my way clear to support the Bill, and I shall therefore oppose the second reading.

Mr. BEATTIE said: I think there is a difference between this Bill and other applications that have been received for the purpose of enabling trustees to sell land transferred to them. Although the 3rd clause says:—

“It shall be lawful for the trustees to sell or mortgage the whole or any portion or portions of the said lands particularised in the schedule hereto”—

although that portion of the clause gives them that power, it is a power that can only be exercised under the supervision of a higher authority. They can only sell with the approval of the Governor in Council, for the purpose of buying another piece of land to be applied to the same purpose. They must prove their *bona fides* in that respect to the satisfaction of the Governor in Council—that is, that they intend to sell the land for the purpose of purchasing a more convenient site for the public,

It therefore seems to me that some hon. members who have spoken are mistaken in thinking that the Bill gives extraordinary powers. They simply look upon it in the light that if the trustees are allowed to sell or mortgage the land it will pass away from the hands of the Maryborough people. But that is not the case. The Bill protects the people of Maryborough, because, as I have pointed out, it simply gives power, subject to the approval of the Governor in Council, to sell the land for the purpose of purchasing another site. The clause says so distinctly:—

“Provided that no such sale shall be made except with the approval of the Governor in Council, and provided that the purchase money shall be applied towards purchasing other lands to be held under the same trusts, and the erection of buildings on the said land, or otherwise for racing purposes, but the purchaser or purchasers shall not be called upon to see to the application of the purchase moneys.”

I really see no objection to the Bill, although I must acknowledge that I am opposed to granting trustees the power to sell or mortgage properties, unless a condition similar to the one I have pointed out is introduced. If a condition of that sort had been introduced into the Bill relating to the Brisbane School of Arts, we would not have had the remarks made by the hon. member for Rockhampton, because if the trustees had been compelled to prove to the Governor in Council their *bona fides*—that they intended to sell portion of the land vested in them for the purpose of a school of arts and apply the proceeds to purchasing another site, perhaps more convenient for the public—they would, I have no doubt, have been able to make better provision for the school of arts; but they allowed the land to slip out of their hands altogether. I do not see any serious objection to giving the trustees the power asked for by the Bill, seeing that it protects the people of Maryborough by providing that the money shall be applied to the purchase of another site, in place of the present one.

Mr. FRASER said: As the hon. member for Fortitude Valley has pointed out, in order to sell the land in question the sanction of the Governor in Council must be obtained; but the same restriction does not apply to mortgaging. The first step towards parting with property of that kind is to mortgage it; and I am perfectly satisfied that if this property be once mortgaged, from the very nature of the case and its surroundings, it will be gone for ever. So far as its application to racing purposes is concerned, I am perfectly indifferent as to the property being retained, but I think that so far as the public are concerned we ought to be very careful before we pass a Bill of this kind. It has been suggested to amend the 3rd clause so that the same restriction shall apply to mortgaging as to selling; but even then I maintain it would be a very risky provision to make in connection with property of this kind.

Mr. DONALDSON said: I quite agree with the hon. member for Port Curtis and other hon. gentlemen that, in dealing with land invested in trustees, this House should be very careful in passing any Bill to facilitate the selling or mortgaging of the property by which it might pass away from the purposes for which it was granted to the public. As one of the Select Committee who sat upon this Bill, I may say that, although we had not the assistance of any legal gentlemen, we went very carefully through it. There were a couple of amendments made in clause 3; and I see that there is room for further amendments. That is that the word “mortgage” should be treated the same as the word “sale.” There should be provision made against mortgage as well as against sale, unless for certain purposes,

The intention, I believe, of the Bill is that the trustees be given power to sell a small portion of land which is not at all required for racing purposes, in order to pay for improvements that are erected. Further, they also ask permission to be able to sell the whole if necessary. The object of selling the whole of the land is this: I believe that the land is situated in a district where there is no possibility of railway extension at any future time, and is at a great distance from the town of Maryborough, and that there is a possibility of selling the land and buying a more suitable site, and one that will be more accessible. Clause 3 provides that no sale can possibly take place without the consent of the Governor in Council. I think at first it might be guaranteed that the Governor in Council would not consent to the transfer unless the money was properly invested. However, I am anxious to see that the trust shall be properly carried out; but in committee I trust that this matter will receive proper consideration, and that some amendment will be made so as to secure the trust.

The MINISTER FOR WORKS (Hon. W. Miles) said: The hon. member for Port Curtis has made some allusion to my taking exception to a Bill which he introduced for a similar purpose to this. I warned the hon. gentleman then that when he brought in the Bill he was taking the first step to deprive the inhabitants of Brisbane of their racecourse, and I am perfectly certain that if this Bill passes there will soon be no racecourse at Maryborough. The speech of the hon. member for Maryborough (Mr. Annear) was rather extraordinary. He said that he had been a member of the Maryborough racing club for many years, and that they had expended a large sum of money—some £500 or £600 in buildings and fences—and yet now they ask in this Bill to have the power given them to sell and repurchase and erect other buildings. It seems a most extraordinary thing that if they are going to all this expense, of fencing and draining and putting up buildings for the purpose of conducting races, they should ask permission in this 3rd clause to be allowed power to sell and put up more buildings. Upon my word, I think nothing can be more nonsensical than, when they have a racecourse already to want power to sell it and repurchase and put up other buildings. As to the proviso that it must be with the approval of the Governor in Council, I do not think that is worth very much; it depends entirely upon the party. I do not see why Maryborough should be selected as a precedent for every hon. member who wishes to introduce a Bill to sell a portion of the land and mortgage the other, which will be sold by-and-by. I do not know that it would not be far better for the people of Maryborough if they sold the racecourse and attended to other things than horse-racing; because, when jockey clubs come to this House for permission to sell their racecourses, the sooner they give up racing and attend to business the better. I am not going to vote against the second reading of the Bill, but I think it might be improved in committee. I must confess I do not really understand it, and we shall have some explanation of the clause, I hope, when we get into committee.

Mr. DONALDSON: We want to get a better site.

Mr. MIDGLEY said: Perhaps the explanation of this Bill is that the sixteen-perch suburban allotment fever is as rife in Maryborough as it is in other towns. That fever seems even to be breaking out in the healthy and staid old town of Ipswich, amongst many other towns in the colony. It would assist me in



deciding how to vote on the Bill if there was some information given to the House as to whom this petition or request contained in the Bill emanates from. Is it an express wish, in any measure, of the Maryborough people, or only of the jockey club, or trustees? I think that this House ought to have some better authority for acting in the way proposed by this Bill than the request of the trustees. Those trustees do not hold the ground, I suppose, for their own will and pleasure; they hold it as trustees in the interests of the people; and before we do anything with regard to disposing of a large portion of land, such as this is, in close proximity to one of the most important towns in the colony, the wish of the people ought to be in some way expressed. I do not want to say unkind things about any place, or about any individual. I was at Maryborough two years since, and was really delighted and astonished with the growth of the place, and the air of "well-to-do-ness" about everything and everybody there. But I do think there is some danger, although good use may be made of the money, of Maryborough being a little too importunate, and asking a little too much. Perhaps when this racecourse is disposed of for a considerable sum of money, to some land syndicate, or what not, the Maryborough people may come to this House again, or to the Lands Office, with a petition to have another racecourse granted to them, if there is a piece of land available.

Mr. BAILEY: It cannot be done under this Bill.

Mr. MIDGLEY: No; it cannot be done under this Bill, but, where there is a will, the Maryborough people generally find there is a way. If this petition came from the people of Maryborough it would have some effect on my mind in voting for it; but I think that, under the circumstances, we should not be justified in giving the trustees the power asked for in this measure.

Mr. NELSON said: Mr. Speaker,—I do not think the last hon. member who spoke or the Minister for Works can have read the papers and evidence that the committee supplied to the House, because they do not seem to be aware of the object for which the Bill was brought in. The land belonging to this trust consists of two portions, one a considerably large portion on which is the racecourse, and the other a smaller portion which is cut off entirely from the larger by a main road of considerable width. That portion is of no use whatever, apparently, for racing purposes, and the trustees accordingly ask for leave to dispose of it; and the committee have recommended that the Bill be so altered that whatever proceeds the trustees derive from the sale of this portion of land shall be devoted to no other object than the putting up of permanent improvements on the piece which remains. With regard to altogether selling the whole of the racecourse, that is not intended to be done in the meantime. The Bill merely provides for such a contingency arising, perhaps at some future time, simply from the circumstance that the racecourse appears to be in a not very eligible position, the access to it not very good, and that afterwards the trustees may think it advisable to procure a site even further from the town, if it is alongside the railway, whereby access to the racecourse would be greatly facilitated, and the objects of the trustees much better carried out for the benefit of the public. I do not know the locality myself, but looking at the evidence given before the committee, and at the recommendation the committee have made with regard to the amendments in the Bill, I think the House will be quite justified in passing the measure. Moreover,

if it is considered objectionable to give them the power to mortgage, that part can be amended when the Bill comes before us in committee.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: Mr. Speaker,—As I hold very decided opinions on questions of this kind, I may be allowed to say something upon the Bill. I certainly think that land granted for any special purpose to any body of men, whether trustees or other persons, should not be allowed to be used in any way except for the purpose for which it was granted in the first instance. If powers of this kind are given to the trustees they may make any use they like of the land. As was well pointed out by the hon. member for South Brisbane (Mr. Fraser) in reference to the power to sell or mortgage, it is only in the case of selling that the Governor in Council has power to interfere. And if mortgaging is expunged, and selling with the permission of the Governor in Council conceded, it says that the funds may be applied to purchasing other land or for other racing purposes. Now, for other racing purposes may mean debts incurred—the Bill in reality will empower them to pay off the debts they incur in connection with racing.

Mr. NELSON: We have altered that.

The MINISTER FOR LANDS: Some hon. gentlemen have pointed out that a piece of the land is cut off from the piece on which the racecourse is, and that the trustees ought to be allowed to sell that piece and use the funds; but I differ from that view entirely. The land was granted specially for racing purposes, and if it is no longer required for racing it should revert to the Crown. To allow the trustees to use land more than they require is simply giving them an endowment—nothing more or less. The Government might as well give trustees three times as much land as they require for the purposes of the trust, and allow them to cut it up into small lots, so that they may be permanently endowed. The same thing applies to schools of arts, the trustees of which sometimes get more land than is required for building on, and who might just as well come down with a request that Parliament should allow them to sell one-half as an additional endowment. That certainly was never the intention of the Government in making grants. The land in question was given for a special purpose, and to that purpose it should be wholly dedicated, and it should remain there intact for all time. I think it a very dangerous power indeed under any circumstances to enable trustees to deal with land in this way. If there was a special case where a racecourse was desired to be shifted from one part of a district to another, then the trustees might come down with a distinct proposition for purchasing a given piece of land in place of the one they asked power to sell; but in this case they do nothing of the kind. If they get the power asked for in the Bill they may sell the land, and hereafter the people of Maryborough may be left without a racecourse. I think that after receiving a grant of land, if the people of a district cannot collect sufficient funds to carry on without asking for power to sell or mortgage that land, the sooner they give up racing the better.

The COLONIAL TREASURER (Hon. J. R. Dickson) said: Mr. Speaker,—I think the debate this evening will do good, because it will give the country, and trustees of public lands especially, the opportunity of knowing that Parliament is resolved to prevent them abusing, I may say, their trusts in the manner they have hitherto been allowed to do by parliamentary sanction—namely, by mortgaging or selling their land, and getting rid of their trusts in a manner not contemplated when the grants were made. I quite agree with every word which fell from

my hon. colleague the Minister for Lands; but I do think that, while this is a very proper line of action to adopt in future, we ought not at the present time to embarrass the trustees of the Maryborough racecourse, who possibly look to a realisation of a portion of their land—which it is admitted they cannot employ—for the purpose of relieving them of pecuniary embarrassments. I may say that I am in favour of allowing at the present time the disposal of that portion which is outside the course, and which they say can never be utilised for racing purposes; but I am equally opposed to allowing them either to sell subject to the approval of the Governor in Council, or to mortgage with a view to purchasing another piece of land at a future time. I say when that contingency arises, should the trustees come before Parliament with their case, Parliament will then be prepared to deal with the subject; but to give them power in view of a future exigency arising is encouraging them to act in that direction; and I can quite see that there would be a very great difference between allowing them that power subject to the approval of the Governor in Council, and compelling them to come before Parliament at any future time to make good their case. Under the circumstances, I shall support the second reading of the Bill with a view of enabling it to go into committee, but I shall certainly oppose it when in committee in its present form; because, in the case of the racecourse of this city, I consider it would have been much better for the trustees if in the past they had not obtained parliamentary sanction to sell a very extensive area of their land which, at the present time, has attained that increased value which, by judicious holding, would have relieved them of all embarrassments in the past, and provided a handsome income in the future. I quite believe in compelling the trustees of public lands to adhere to the nature of their trusts, and it is only because we have in the past allowed some of those trustees the indulgence that I would sanction the parting with a portion at the present time which it is admitted is not required for the purpose of racing. I may say that I believe in racing, and hope that it will long continue a national pastime. I think it has always been recognised as a national pastime in the country which we are proud to hail from, and I hope it may long continue to be acclimatised in Queensland. Under these circumstances I shall give my vote in such a manner as will, I trust, relieve the trustees of their present embarrassment, but not assist them in getting rid of an area of land which I hope will long continue to be used for sporting purposes.

Question—That the Bill be read a second time—put, and the House divided:—

AYES, 18.

Messrs. Miles, Dickson, Sheridan, Scott, Nelson, Jessop, Archer, Wallace, Beattie, McWhannell, Foxton, Black, Donaldson, Isambert, Annear, Snyth, Bailey, and Fraser.

NOES, 13.

Messrs. Aland, Foote, Norton, Dutton, Bale, Palmer, Ferguson, J. Campbell, Midgley, Horwitz, Kates, Lalor, and White.

Question resolved in the affirmative.

The committal of the Bill was made an Order of the Day for Thursday next.

#### GRATUITY TO MRS. BUHÔT.

Mr. BLACK, in moving—

That this House will, at its next sitting, resolve itself into a Committee of the Whole to consider the desirableness of presenting an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1884-5 a sum of money not exceeding Five hundred pounds, as a

gratuity to the widow of the late John Buhôt, in recognition of the service he rendered in assisting to develop the sugar industry of Queensland at its initiation—

said: I have very great pleasure in speaking to this motion, Mr. Speaker, because I think it has always been recognised as one of the principles of government, that, where it can be clearly shown that an industry is the result of an individual's efforts or energy, that person is entitled to receive some recognition from the State as a reward. It will be necessary in going into this matter to ask hon. members to call to their minds what was the state of affairs in Queensland at the initiation of the sugar industry. I will go back to the year 1862. Two-and-twenty years ago, as hon. members well know, we had growing here in the Gardens, in Brisbane, sugar-cane, an article that was then looked upon by many people with a certain amount of curiosity. They were told that it was sugar cane, but they little thought at that time that those few plants in the Botanic Gardens were likely to lead to the foundation of the agricultural prosperity of Queensland in the future. It was true there was the cane growing, but there were grave doubts expressed by many men at that time as to whether it was possible, although the cane was in existence, that the juice from that cane could ever be manufactured into the article of commerce known as sugar. I am told that several experiments were made to convert the cane into sugar, which resulted in a failure. The juice was crushed by the primitive methods then in operation. It was boiled without the knowledge necessary to ensure success, and the result was what has been frequently described as a treacly substance of no commercial value whatever. About this time the late Mr. Buhôt, a native of the Barbadoes, arrived in Queensland. He was a man of an active, energetic temperament, and who devoted the whole of his life, I am informed, to tropical agriculture. It has never been denied that the late Mr. Buhôt was undoubtedly an expert in the manufacture of sugar; with the enthusiasm characteristic of the man, he at once entered into that pursuit here, for which he was undoubtedly fully qualified. He expressed his certainty that the cane grown in Brisbane at the time was capable of being manufactured into sugar, and to prove the soundness of his views he obtained, I believe, from the present junior member for North Brisbane (Mr. Brookes), the necessary utensils to make the experiment. He obtained some iron pots from the present junior member for North Brisbane (Mr. Brookes), and he appears to have crushed some cane which he got from Mr. Hill, of the Botanic Gardens, by a very primitive method—for, I believe, a lithographic press was all he could get for the purpose at the time; and in a very short time made what—and I have never heard it contradicted—was the first granulated sugar ever produced in Queensland. It was made, as I have said, from cane grown in the Botanic Gardens here, and in utensils provided by Mr. Brookes. Mr. Buhôt made about 6 lbs. of sugar, which was looked upon at the time with the greatest curiosity. There is no doubt in my mind that his efforts at that time attracted public attention more than it would otherwise have been attracted to this matter, and gradually led one and another to improved confidence in the sugar industry; and from that time, two-and-twenty years ago, hon. members know what has been the result. At the present time we have something like 40,000 acres in different parts of the colony under sugar-cane. I am not prepared to say that had the late Mr. Buhôt not made that experiment we should not now be growing sugar, for I believe that later on other people having an equal knowledge of the subject would have arrived in the colony from oth-

parts, and that experiment would eventually have been made; but I have no doubt whatever that he was the first to prove that sugar could be made in Queensland, and from that time he appears to have devoted his energies in teaching and inducing others to go into the industry. It is quite certain that two-and-twenty years ago the people in the colony were only too anxious to see some tropical agricultural industry established. It was two years later than that, when the Government, I believe, thinking that there was likely to be a grand future for our colony in this direction, passed the sugar and cotton regulations—regulations by which people wishing to prosecute tropical agriculture were enabled to get land on terms which were considered especially favourable for them. The Government not only did that, but considered it was only judicious at the time to provide sufficient labour for prosecuting this industry. There is no doubt that Mr. Buhôt's first attempt led many to take up land, and a very large amount of capital was introduced into the colony of Queensland. From that time out it gradually became a colony of very considerable agricultural importance—an importance which has been recognised by the whole world; and it has been the means, I believe, of introducing more capital into the colony in a shorter space of time than any of the other industries which Queensland possesses. It is only right that I should mention that this claim of Mr. Buhôt has previously been before this House. I hold in my hand a report from a select committee appointed ten years ago—in 1874. That committee examined a number of witnesses, and consisted of Mr. Griffith (our present Premier), Mr. Moreton, Mr. Buzacott, Mr. Macrossan, and Mr. Graham. I shall read a portion of the report which that committee brought up at that time. I have looked carefully over the evidence contained in that report, and I must say that I think that committee were perfectly justified in bringing up the report which they did; and I am very much at a loss to know how it was that their report was not acted upon in a favourable way for the late Mr. Buhôt. That report states:—

"That your committee have taken the evidence of Mr. John Buhôt, George Edmondstone, Esquire, M.L.A., Mr. William Brookes, and Mr. Charles Coxen; and have also received and considered certain papers and documents submitted to the committee by Mr. Buhôt in support of his petition.

"That Mr. Buhôt was the first person who actually made granulated sugar in Queensland, from sugar-cane grown in the colony.

"That before the year 1862 (when Mr. Buhôt succeeded in making such sugar) many persons had contemplated the possibility of growing sugar-cane to profit in the colony, but it was not ascertained whether sugar could actually be produced from such cane.

"That your committee are of opinion from the evidence that Mr. Buhôt's experiments were, under the circumstances, the means of attracting greater attention to the cultivation of sugar in Queensland than it would otherwise have received at that time.

"That Mr. Buhôt in the earlier days of sugar cultivation in the colony devoted much time and energy to assisting intending planters in different places, and also, by his writings in the Press, diffused information on the subject.

"That under the circumstances Mr. Buhôt is entitled to the credit of having greatly contributed to the permanent and speedy establishment of the industry of sugar-growing in the colony."

I think most hon. members will agree with me in expressing a certain amount of surprise that after a committee, composed of the gentlemen I have referred to, had brought up a report apparently so extremely favourable to Mr. Buhôt's claims, that report was not acted upon. But between the time that Mr. Buhôt made those first experiments in 1862, and twelve years afterwards, in 1874, a somewhat different state of affairs had come over the colony. Others

had, at that later time, gone into the sugar industry, and a vast amount of new experience had been brought to bear upon it. Those interested in the question had introduced men of still greater scientific attainments than the late Mr. Buhôt; and Mr. Buhôt—who, I must say, was not a man of an amiable frame of mind—had undoubtedly made himself rather unpopular amongst those whom he professed to be so anxious to teach. He was very dogmatic. But that has nothing to do with the claim which I now found on behalf of his wife. He undoubtedly spent the last years of his life in establishing this industry in Queensland. Again we find that in 1867, or five years after Mr. Buhôt's first experiments were made, the Hon. Louis Hope had his claims brought before this House, and in a very able and prominent manner; so much so that this House granted to the Hon. Louis Hope 2,500 acres of land as a reward to him for his energy in "persevering" with the industry. I am quite prepared to admit that the Hon. Louis Hope had undoubted reasons for having his claim acceded to by the House, as a gentleman who invested a large sum of money and persevered in the face of many difficulties that occurred at that time; but that does not take away in any degree from the justice of the claim that I lay before this House: that Mr. Buhôt was the first who attracted public attention to the matter, and proved that sugar could be made from the cane then grown in Queensland. I consider that these are two different claims. The Hon. Louis Hope no doubt sacrificed a great deal, and he received a proportionate reward; but I maintain that Mr. Buhôt also sacrificed a great deal, and that without possibly knowing that his efforts were going to meet with the great success which has undoubtedly crowned them. I believe the family of Mr. Buhôt is well known to many hon. members of this House; and though I do not wish in any way to make an appeal *ad misericordiam* on the subject, I do say that, had he been a man who was less nervously anxious to promote the future welfare of this colony, he would not have sacrificed so many years of his life as he undoubtedly did; and had he been a more selfish man he might have left his family far better provided for than, I am sorry to say, they are. When Mr. Buhôt was examined before the committee, this was what took place:—

"What did you do when you arrived in this colony? What was your first occupation here? I brought letters of introduction to Judge Lutwyche, and I called on Mr. George Raff and Mr. Ham. Mr. Raff asked me if I understood the manufacture of sugar, and I told him I did. He told me that if I could produce one pound of granulated sugar he would form a company and give me the management. I told him to find me the canes, and I would rapidly do so within forty-eight hours. He said if that was all I required he would soon do that, and added: 'But mind that you do not fail; Bowden tried it before, and failed. If you fail, it will retard sugar industry for years.' He gave me a letter to Mr. Walter Hill; I took it to that gentleman at the Botanic Gardens, and there selected canes as nearly fit for manufacture as I could find. They had been previously cut by Bowden; but with what canes I could find I made some experiments. From five gallons of raw juice I made 6 lbs. of cured sugar. This was done at Mr. Brookes's biscuit factory in Queen street.

"By Mr. Graham: You made an experiment in Queen street, which resulted in your producing from five gallons of juice, 6 lbs. of sugar? Yes; which is at the rate of 1,856 gallons of liquor to the ton of sugar; and that is as high a rate as any planter can produce.

"By the Chairman: What appliances did you have? I had two or three common pots which I borrowed from Mr. Brookes, ironmonger. The canes were taken from the Botanic Gardens to Mr. Brookes's biscuit factory, and with the biscuit mill I squeezed the cane."

Well, sir, I do not think it would be right to occupy the time of the House too long by reading what any hon. member can read for himself if he wishes; but so far as I know—and I am very

familiar with the sugar industry since its initiation—it has never been disputed that Mr. John Buhôt was the first person who proved that sugar could be made from cane grown in Queensland. Of course, to us at the present day that does not seem to be a very remarkable thing; but when we consider the smallness of the colony two-and-twenty years ago, and how important it was to us then to have an industry such as this has proved itself to be, I do not think I am asking too much in asking the House favourably to consider this request, and to testify in the way that I have suggested to the great benefits that the colony has undoubtedly derived from the early efforts of Mr John Buhôt.

The PREMIER said: I was chairman of the committee which sat in 1874 to consider the petition of Mr. Buhôt. The committee took a great deal of trouble over the matter, and agreed unanimously to the report the hon. member for Mackay has referred to. The conclusion they came to had nothing whatever to do with Mr. Buhôt's ability or capacity to manufacture sugar, or anything of that kind; they simply enumerated the exact grounds upon which they based their recommendation—that he was the first person who actually made granulated sugar in Queensland; that his experiments were—

"The means of attracting greater attention to the cultivation of sugar in Queensland than it would otherwise have received at that time. That Mr. Buhôt, in the earlier days of sugar cultivation in the colony, devoted much time and energy to assisting intending planters in different places, and also, by his writings in the Press, diffused information on the subject. That under the circumstances Mr. Buhôt is entitled to the credit of having greatly contributed to the permanent and speedy establishment of the industry of sugar-growing in the colony."

After this lapse of time I do not see any reason to change my opinion in that respect. I believe he was entitled to that credit, and it was the practice of this House in former days to reward persons who had been the means, as pioneers, of contributing to the establishment of new industries. I moved the adoption of the report, and when it was negatived I was very sorry for it. I see no reason to alter the opinion I then formed after carefully considering the evidence, and I therefore feel justified in supporting the motion of the hon. member. I think no harm can be done in recognising the services of men who were early pioneers, provided they have rendered good service to the country; on the contrary, great good is done. We have had claims brought here from men pretending to be pioneers, who have rendered no service at all to the country; but I believe in this instance Mr. Buhôt has rendered great service. What was recommended then was a grant of 500 acres, which was considered equivalent to £250. I think that amount ought not to be exceeded if the House is disposed to consider the matter.

The MINISTER FOR WORKS said: I think my name will be found recorded against this motion, or a similar one brought forward some years ago. The hon. member for Mackay has moved—

"That this House will, at its next sitting, resolve itself into a Committee of the Whole to consider the desirableness of presenting an Address to The Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1884-5 a sum of money not exceeding five hundred pounds, as a gratuity to the widow of the late John Buhôt, in recognition of the service he rendered in assisting to develop the sugar industry of Queensland at its initiation."

Well, Mr. Speaker, I am very doubtful whether the sugar industry has been a benefit or a curse to this colony. Any stranger who has been in the House for the last few days, while the Immigration Bill has been under discussion, must

have got a surfeit of black draught that would serve him for all time to come; and I say if this industry is only to be carried on successfully by swarming the country with servile labour it is a curse to Queensland and not a benefit. Why, what has the Government been asked to do by the sugar-planters, by the promoters of this industry, which is said to be the great industry of the colony? They have been asked by these planters to go blackbird-catching to bring labour to the colony to cultivate the sugar plantations. And yet now we are asked to grant £500 to the representatives of Mr. John Buhôt, who, by-the-by, ruined one sugar-planter; and I believe it was the most fortunate thing that could happen to that gentleman, who is now in the Government Service, and getting a very good salary. I think it was a most fortunate thing for that gentleman that Mr. Buhôt was the manager of his plantation, and destroyed his first crop. That one thing compelled that gentleman to relinquish the manufacture of sugar and take service under the Government. The hon. member talked about Mr. Buhôt, and every time he used the name he mouthed it well. He said Mr. Buhôt was the first man to manufacture sugar; but I can tell the hon. member that sugar was cultivated at Port Macquarie fifty years ago.

Mr. STEVENSON: That is not Queensland.

The MINISTER FOR WORKS: And it was cultivated at Brisbane Water by Mr. Scott many years before Mr. Buhôt thought of it.

Mr. BLACK: Was there any sugar made?

The MINISTER FOR WORKS: The House has had dozens of these gratuity-seekers applying to it session after session. I recollect well the first time Parliament was asked to grant a bonus in the shape of a land-grant to Captain Hope. It was then said that he first introduced the cultivation of sugar into Queensland; but I opposed that motion, and I will oppose all such schemes. Do you mean to tell me, Mr. Speaker, that Captain Hope or John Buhôt have done all these services for the benefit of the country? Had they not an eye to their own benefit? What is the use of talking nonsense and introducing such measures? Why, the hon. member for Normanby had a scheme the other day for granting a gratuity to somebody who discovered some port or other! I think the time has come when we ought to have done with all this sort of thing. I should like to know on what ground Mr. Buhôt's relatives are entitled to this grant of £500. What did he do? The hon. member for Mackay has told us he was the first man in Queensland to make sugar from the juice of the cane. Surely there is no very great secret in that, and I cannot see that there is any very great secret in making sugar out of sugar-cane! Is it not done wherever the cane is cultivated? And yet we are asked to vote £500 of the public money to the widow of a man who simply was unsuccessful, in making sugar! Upon my word, a more lame excuse I never heard; and I think my hon. colleague the Premier must have been imposed upon when he consented to sign the report of the Select Committee who recommended the appropriation of any money for such a purpose. I intend to vote against all similar motions; and if I could have got anyone to stone-wall the motion for granting 2,000 acres of land to Captain Hope I would have done so, although it was really that gentleman who first cultivated sugar.

Mr. FOOTE: He never made any.

The MINISTER FOR WORKS: The country, at all events, was robbed of 2,000 acres of land under false pretences. I am astonished at the way the hon. member for Mackay has spoken. Rather than give that hon. member coolies for working his plantations, I would abolish the

sugar industry. It is an admirable thing for the hon. member for Mackay when he gets up to talk about proper regulations for coolies. Why, has not the hon. member used his kanakas as nurses and domestic servants, and in many other ways? What sort of regulations would suit the hon. member? Whenever he gets up to talk upon this question he cries out about proper regulations. They would have to be very proper regulations to suit the hon. member. They would be improper. The hon. member cries out about coolie labour, while he has kanakas to nurse his children and as chamber-maids. I do not think any regulations that could be passed would suit him. I shall vote against this motion.

Mr. STEVENSON said: I did not think that this motion of the hon. member for Mackay would have brought on a discussion upon the Labour question. Last night the members of the Ministry got themselves into a very peculiar position in regard to each other. We found one member of the Ministry contradicting another—and, in fact, two or three contradicting each other—but they are now in a far worse position. We find now a Minister telling us that the industry, to facilitate the carrying on of which the Premier brought in a Bill for the introduction of labour, is actually a curse to the country. That is a most extraordinary position for either the Premier or the Minister for Works to be placed in. When the Minister for Works was absent from the Chamber, I thought he had been gazetted out of the Ministry, but I am glad to see him back again. The hon. member for South Brisbane spoke last night about the House being divided against itself; but at the present moment we see a Ministry divided against itself. The Minister for Works has not quite got at the question at issue. I did not hear the opening speech of the hon. member for Mackay, but I understand he wishes to grant a gratuity to the widow of this gentleman who was the first to make sugar from the cane in Queensland. The Minister for Works takes the matter up in a different way, and says that sugar was grown in the colony long before Mr. Buhôt grew it; but it was never said by the hon. member for Mackay that Mr. Buhôt was the first to grow cane here. What he said was that he was the first to make sugar from cane. I intend to support the motion, because I think it is a fair thing to give encouragement to any man who has helped to develop the resources of the colony in any way whatever. Notwithstanding what the Minister for Works said, that he considered the sugar industry had been a curse to the colony instead of a blessing, I maintain that, for at least the last ten years, this sugar industry has given employment to a great many of our countrymen in the colony. While admitting that it is only by coloured labour that the sugar industry can be profitably carried on, I say that had it not been for that industry several thousands of our countrymen who have been receiving a high rate of wages in the colony could not have been employed. The Minister for Works or the Premier may wish to kill that industry, or they may not, but it has been the means of giving employment to many of our countrymen, not only as ordinary field labourers, but as mechanics and so on. If, therefore, Mr. Buhôt was the first man to show that sugar could be made in the colony, it will give encouragement to others who may wish to develop any other industry to show that we appreciate his efforts in a substantial way. Even the Minister for Works, I am sure, possesses a good heart, and wishes to do something for the widow of this man, whose circumstances are not, perhaps, as good as they might be. I shall support the motion.

The MINISTER FOR WORKS: In explanation, I wish to say that the hon. member has put words into my mouth which are not correct. I said that if this industry could not be carried on without servile labour it would be a curse to the country rather than a benefit. The hon. member put it in a somewhat different light. As to the widow for whom the gratuity is asked, I am prepared to give a subscription if necessary.

Mr. STEVENSON: I will make a personal explanation, too. The hon. member knows perfectly well the circumstances under which the sugar industry has been carried on, and instead of sheltering himself under the plea of servile labour he ought to go straight to the point.

Mr. KATES said: If this is to be established as a precedent I shall certainly oppose it, for if everyone who has started a new industry in the colony were to come before the House and claim £500 or £1,000 it would take a great deal of money out of the Treasury. I myself might claim the reward. Previous to the year 1870, wheat was produced on the Darling Downs, but the manufacture of that wheat into flour had not been very successful. I erected flour-mills on the Downs, and succeeded in making good flour; and that new industry has been the means of employing a great many people, and has been so successful that this year, if that dreaded pest, rust, keeps away, we shall have 500,000 or 600,000 bushels of wheat produced on the Darling Downs. In the same way the hon. member for Oxley (Mr. Grimes) might come forward and claim £500 or £1,000 for having successfully started the arrowroot industry. I do not think it desirable to establish such a precedent as this; it would be a great drain upon the resources of the colony; and I hope the hon. member for Mackay will not go any further, but withdraw his motion.

Mr. FRASER said: When this question was before the House on a former occasion I was one of those who voted against it, and I see no reason for changing my opinion now. I regret very much that it has been brought forward under the present circumstances. I have reason to believe that Mr. Buhôt's family are in somewhat necessitous circumstances, and if the question had been introduced from a charitable point of view I should hesitate before opposing it; but when its merits are made to rest upon the claims advanced on behalf of Mr. Buhôt as being the pioneer sugar producer of the colony I do not think I should be justified in supporting it. It may be perfectly true that Mr. Buhôt was actually the first to make sugar in the colony; but I venture to say, and the facts will prove it, that his subsequent connection with the sugar industry in this colony tended rather to discourage than to develop it. When the question came before the House in 1874, Sir Arthur Palmer, whose remarks are always to the point, spoke as follows on Mr. Buhôt's connection with Mr. Raff in sugar-growing:—

"Mr. Buhôt also said, 'I do not think it necessary to call Mr. Raff'; and he quite agreed with him that it was not necessary to call that gentleman. He believed he had nearly ruined Mr. Raff; he (Mr. Palmer) had heard Mr. Raff say something to that effect. He thought it exceedingly strange that the committee did not call even one of the gentlemen with whom Mr. Buhôt was engaged."

Neither Captain Whish, nor the Hon. Louis Hope, nor Mr. Raff was called. I wish to point out the fact that, though Mr. Buhôt might have been the first to manufacture sugar in the colony, a great deal of his services to the sugar industry did more to injure it than to advance its progress. It is a very singular thing that all the plantations on which he was engaged, and with which he had any connection, have, without exception, turned out failures. That

might not have been Mr. Buhôt's fault in every respect; but it is equally singular that the plantations under different management, in the same localities, have succeeded up to the present time. I should have felt much more at liberty in dealing with this question were it not that I know Mr. Buhôt is not here to reply or to vindicate himself; and thus I regard the motion more as an appeal for charity to Mr. Buhôt's widow than a reward for any merit in connection with Mr. Buhôt's services. I shall, therefore, content myself with saying very little on the matter. I fully recognise the importance of the sugar industry; I have never undervalued it. As a successful industry it has attained great importance, and I believe it is destined to attain still greater importance. I do not think it can be disputed that a considerable number of gentlemen in connection with the industry have already made fortunes out of it. That being so, instead of asking the country to reward the pioneer of sugar manufacture, I think it would be a more graceful thing, and it would not trench much on the resources of those who have benefited largely by the introduction and the success of the industry, if they would each contribute a mite to make up the amount now asked for. If they did that, I think it would show the sincerity of their opinions in regard to the view held, that Mr. Buhôt was the pioneer of sugar manufacture in this colony. I am sorry, from a charitable consideration, that I cannot support the vote.

Mr. FERGUSON said: I feel inclined to support the motion of the hon. member for Mackay, especially after the remarks of the hon. the Premier to-night. He stated that he was chairman of a select committee which sat upon the matter some time ago, and that that committee reported favourably upon it, and recommended that a bonus should be given to this gentleman for his services; and I support it for other reasons. The House has recognised the principle for many years. We paid a considerable bonus to the individual who first cultivated and exported so many bales of cotton; we have paid several rewards for the discovery of new goldfields; and we also paid a large reward in cash as well as a grant of land to the woollen manufacturers who have established that industry at Ipswich. They received, I am informed, £1,000 in money, as well as 1,000 acres of land; so that the House has recognised the principle long ago, and, I believe, still recognises it. I think, sir, that the gentleman, or the family of the gentleman, who first manufactured sugar in Queensland, is as much entitled to a bonus as any of the other persons who have received grants of that kind. The sugar industry I consider one of the leading industries of the colony, and it is likely to continue so. At all events it will if it gets proper encouragement from this House. The amount asked for by the motion is very small, and I think the least the House can do is to grant it to the family of the gentleman who first manufactured sugar out of cane in Queensland, especially as we have granted much larger sums in similar cases before. I shall support the motion.

Mr. ALAND said: I always feel very undecided when motions like the present come before the House, more especially when appeals are made to hon. members to remember the necessities circumstances of the family. However, looking back to the year 1874, when the matter was before the House, I am disposed to pay some attention to the report of the Select Committee that was brought up on that occasion, although it received very slight encouragement from the House itself. In reference to what the hon. member for Rockhampton has said, I do not think

there is very much connection between the bonuses that were paid to the growers of cotton and the question before the House; and I should like to point out, sir, that the sugar-growers of the colony have been equally protected with the growers of cotton, in the olden days. While the cotton-growers received a bonus for the production of cotton, the sugar-growers are protected to the extent of the import duty on sugar, which, I am quite sure, is equal to anything the cotton-growers obtained by their bonus. I shall support the motion so far as going into committee, and I trust that some recognition will be made of the services of Mr. Buhôt. I do not think we have to consider whether he was really successful or not. We know that it was through his instrumentality, at all events, that an impetus was given to the manufacture of sugar in this colony. We know that in all sorts of industries those who start them generally fail. If I am correctly informed, there are very few of the original growers and manufacturers of sugar in the neighbourhood of Mackay who did any good at first. At all events, those who followed them have reaped their reward. I shall support the motion for going into committee.

Mr. MIDGLEY said: I can only be guided in coming to a decision on this question by the conclusion to which the committee came some years ago when this matter was referred especially to their attention; and they, after mature examination into the facts of the case, and the calling of witnesses, decided by a majority, or unanimously, that Mr. Buhôt was entitled to consideration and some kind of recompense at the hands of the State. I need not say how delightful it is to me, with my temperament, to see any matter brought before the House which causes division amongst Ministers. It is a matter of the utmost gratification to me. It affords some sort of shelter or justification for the part which I sometimes play in this House; and it would only complete my gratification if I could hear Ministers ask each other, "Why don't you go over to the other side?" It merely shows that on many matters, men who, generally speaking, are of one mind, or think in the same way, have individual consciences, individual judgment, and individual intentions, and that they make use of them. I should really like what I have said just now to be in some special way inserted in *Hansard*. I think that the *Hansard* staff are really deficient, inasmuch as they do not have marginal notes to *Hansard*. Hon. members ought not only to have their speeches recorded, but there ought to be some kind of marginal interpretation. A speaker ought to be able, for instance, to say,—"This is intended as a joke," "This is intended to be satirical," "This is intended as banter," and so on. The speeches that we make from time to time go forth to the people outside, and there is nothing—there is no interpreting clause—there are no marginal notes to indicate the spirit, temperament, or intention with which they have been spoken. Matters which are said in a joking manner, which is very needful at times to relieve the monotony of debates, go forth as the sober utterances of hon. members. I am sure the hon. member for Balonne will second my suggestion that some such scheme should be carried out. I am sure there is no man in the House who more seriously needs such an interpretation clause than he does. He gets the reputation of being no better than he ought to be for his parliamentary conduct in this House. Perhaps he is no better than he ought to be; but I know that many of these things are read as they were never intended to be read when they were spoken. The consideration with me in dealing with the motion is this—that it has always been customary that the State should recognise the fact that a man who

establishes a new industry, or develops an industry, confers a substantial benefit upon the community; and it has further been the custom of the State to consider that if such an individual were in need, or those dependent upon him were in need, and made application to the State, the man had some claim upon the representatives of the people for some recognition of his claim to remuneration for his services. I may mention in evidence of this the facts that have been already stated. In addition I may mention that there is, I believe, upon the parliamentary records somewhere, a Bill passed promising in prospective a very large award to any man or any company of men who should be the first to produce a certain quantity of pig-iron from smelted Queensland ore. There has been a recognition of this fact throughout; and now the question arises, was Mr. Buhôt a man of this kind? Did he at any critical juncture of the inception, or the birth, of the sugar industry—did he give the colony of Queensland any valuable information; did he place at the service of those who were willing to accept his services any information which proved beneficial, and caused others to go a step further in the matter than he himself could go? I have talked with old colonists on the subject, and they have told me that Mr. Buhôt was a man of this character. Mention has been made to-night that he has no claim on this House, because he was a man of an infirm temper. If all men of infirm temper had no claim because of that infirmity, there would be a good many of them in the poor-house, if we had one. I have known men—ministers of religion even—who have been sadly affected with this infirmity. I have known men engaged in the best of all work of a Sunday morning, and when they should be in the most amiable mood, when they heard an old hen cackling outside in very laudable and proper exultation—up has gone the window and out has gone a boot or some other missile, and they have exhibited anything but a Job-like exhibition of temper. If men for infirmities of temper, which is very often the result of the work upon which they are engaged—a man may be irritable when he is engaged in an important experiment—are not to have their claims recognised by this House, they will fare very badly at the hands of their fellow-men. I believe Mr. Buhôt rendered good service to the sugar industry; and I am not one to speak disparagingly of that industry, as I said the other night. I believe that, so far from having attained its full growth, it is destined to be one of the most flourishing and important industries of Queensland for many years to come. Mr. Kates, one of the members for Darling Downs, considers that he has some claim upon the State because of his flour-milling business. If the hon. member will die, we will give his claim, if it is a small one, our best consideration. But there is this difference: I consider that Mr. Kates, if he can prove that he really has been the means of putting the flour-milling business in this colony on a firm basis, will have some claim, and it might be considered on its merits; but he is in a position in which he does not need any assistance of the kind at the hands of the State. I was very glad to hear that the Premier intended to vote for this motion; but I regretted to hear him say he considered the claim was perhaps too much. If Mr. Buhôt really rendered a good service to Queensland in the matter of establishing this industry, and if he was entitled to £250 ten years ago, instead of being entitled to less now, he should be entitled to a good deal more; and if we are going to pay anything at all I think we ought to do something reasonable, and not anything that that will be little or shabby, and unworthy of

the State. Under these circumstances, I shall feel it to be my duty—although I am a little fractious about money matters, and jealous for the public purse sometimes—to vote for this gratuity to the widow who is in need. I feel justified in voting this sum to the widow of Mr. Buhôt.

Mr. MOREHEAD: I think it is ten years ago—in fact, I know it is that time—since this claim was first brought before Parliament. I opposed it at that time, and I regret to say that I have no reason to alter my opinion now. The hon. Premier himself, who was one of the four or five who voted in favour of the report of the Select Committee being adopted, did not ask even then that the sum of £500 should be given; he suggested that £250, or an equivalent, should be given to Mr. Buhôt. I am rather surprised, as I think most members of the House will be, that any consideration should be given by the Premier to a gentleman—or the widow of a gentleman—who introduced an industry which it is the apparent intention of the present Government to destroy. It is evident, I think, to every member in the House, that the present Government do not consider the sugar industry to be one of any moment at all, or an element to be considered at all in the welfare of the colony, and therefore, believing that, I cannot see how the Government can be so inconsistent as to vote for any award or gratuity to be given to the widow of a gentleman who may or may not have been the means of assisting that industry to come to its present position. I certainly have not heard any argument from hon. members opposite in favour of granting this sum of money, and, as I said ten years ago I opposed it, and I shall oppose it now. The division was 24 to 5 against granting a sum of money to Mr. Buhôt at that time, and I have heard no new ground yet, or any new reason why that gratuity should be given to his widow. I quite agree with the hon. member for Fassifern, that it might be given almost, as he put it, as an act of charity to the widow; but this House has to consider the matter from a more material point of view than a sympathetic one. No doubt there are many widows who may be suffering. I am sure if the matter were dealt with outside the House it would be one that would receive due consideration from hon. members. I do not think that we should be called upon at this late date, ten years after this supposed service was given to the State—a service that I am not sure has been at all proved—to put our hands into the public purse and give £500 to Mrs. Buhôt. I certainly, myself, shall object to it as I did then, however much I may sympathise with her wants and requirements. I assume that Mr. Buhôt was simply a man dealing with his brains and knowledge as a commercial commodity, and it has not been proved to my satisfaction that the sugar industry might not have gone on without Mr. Buhôt having come to the colony at all. If it were proved to the satisfaction of most hon. members that by any action of his he had shown how sugar could be produced in Queensland, no other man having attempted, proved, or had any knowledge of it—that he had come to a new field altogether, and shown that sugar could be grown here, the fact having been a disputed point before—then I could understand that a claim could fairly be made against the State; but that has not been proved. The hon. gentleman behind me, the hon. member for Normanby, tells me that he was the first man who proved that sugar could be grown in the colony; and that might be so. But if the first man who brought cane into the colony had a claim, the man who brought any other tropical or semi-tropical product to the colony had a similar claim. That is my opinion. But I think,

a previous House having decided ten years ago, when the claims of Mr. Buhôt were much greener than they are now—when one would think those claims would be stronger—that House having resolved by a majority of 24 to 5—in a House which at that time only contained thirty-two members, a very small number as compared with the number now—by an overwhelming majority that this gentleman had no claim, I think it is no time now, ten years afterwards, to ask us to burden the community with such a gratuity to the widow as is proposed in the resolution of the hon. member for Mackay. I am sorry myself that I should have to oppose it, for more reasons than one. I pointed out that I should like to do a kindly act if I could; but if it has to be done, let it be done by individual members of the community, and not by the State.

Mr. JORDAN: Mr. Speaker,—I feel that I am at a disadvantage in not having heard the subject introduced by the hon. member for Mackay, and I could have wished to have heard the facts of the case as stated by that hon. gentleman who has this matter in charge. But I have listened to the speeches of some hon. gentlemen who have since spoken, especially that of the hon. member for Fassifern, with whom I am inclined to think that this lady, the widow of Mr. Buhôt, has a claim upon the State—if the sugar industry is really so important as it is represented, as I believe it to be, and as I fully believe it is likely to be. If it is a great and valuable industry which will realise great wealth for the colony, as I believe it will do, I think then, if it can be shown that Mr. Buhôt was instrumental in the establishment of that industry at the beginning of things, no matter how many years have elapsed, though it be one hundred years—or, I should say, twenty years, perhaps—the fact of the claim not having been recognised does not do away with the claim or weaken it in any degree, but, on the contrary, rather strengthens it than otherwise. When we consider the fact that it is not now Mr. Buhôt in person who claims recognition at the hands of the State for his services, but that we have the case of his widow before us, who is said to be in necessitous circumstances, and who has, I believe, a family to provide for, I think those circumstances very materially strengthen that claim if it ever had any existence, and I am inclined to think that it had and has existence. I am not acquainted with the facts associated with Mr. Buhôt's connection with the industry sufficiently to give my own opinion on that subject, but I will say this much: that Mr. Buhôt, brought a letter of introduction to me, in London, from Mr. Walker, chairman of the Imperial Emigration Board, a gentleman whose name is very well known all over the British-colonial Empire, who introduced him to me as a gentleman acquainted with the growth of cane and the manufacture of sugar in the West Indies. I think, if I remember correctly, that I gave Mr. Buhôt a letter of introduction to the Colonial Secretary here (Mr. Herbert), and I have heard since that Mr. Buhôt was the first person who ever succeeded in granulating sugar in the colony. Cane had been grown successfully enough, and molasses had been produced before then; but Mr. Buhôt was the first who taught the colony how to make sugar, and that is a very important fact. I believe that is not denied; and even if it can be shown that Mr. Buhôt subsequently did not succeed in managing a sugar estate so as to make it profitable, I do not think that has much to do with the question. The fact is that all the pioneers in sugar-growing were unsuccessful; and though he knew how to grow sugar profitably in the West Indies, it did not follow that he would be commercially successful in Queensland just in

the first few years before he knew the peculiarities of the juice of the sugar-cane in this colony, where the juice requires peculiar treatment. After years of experience we have learned how to manufacture sugar so as to make it a commercial success; but so far as the treatment of the cane is concerned Mr. Buhôt was successful in showing how to granulate the sugar; and I believe that his exertions in lecturing and in other ways helped considerably to keep alive the hope of success in the hearts of other gentlemen who were disposed to do their best to make the manufacture of sugar a success. And though many lost money in trying to do so, other gentlemen have come in and reaped the benefit of their enterprise and the benefit of Mr. Buhôt's skill in showing in the first place how sugar might be made. Under the circumstances, sir, I do think that the widow of Mr. Buhôt, and the family of Mr. Buhôt, who are now in necessitous circumstances, have a strong claim for consideration, and I think that claim is on the State. It is the State, as a whole, that is greatly benefited by the sugar industry; it is the State that will receive the benefits which we hope to realise—which we realise now to a great extent—and on those grounds I shall certainly support the motion.

Mr. FORTON said: Mr. Speaker,—I am sorry that I cannot agree with the hon. member who last spoke. One naturally feels a delicacy in approaching a matter of this sort when unable to give it his support. The difficulty is that some hon. members who have spoken have made what the hon. member for Mackay referred to as an *ad misericordiam* appeal to the feelings of the members of the House. That hon. member very properly—I notice that the hon. member for Mackay shakes his head—I was going to say that that hon. member very properly put the matter on a different footing. If there is any claim it must necessarily be because Mr. Buhôt rendered important and valuable services to the colony. Now, from what I have been able to gather, I cannot arrive at the conclusion that those important services were rendered by Mr. Buhôt. At all events if they were rendered there are others, very many others, who have equal claims with Mr. Buhôt, or his representative, for compensation. We have already had a grant made to the Hon. Captain Hope, for the part which he took in the inauguration of the sugar industry in this colony. I think it has been explained to-night, by the hon. member for Mackay, that that grant was made because Captain Hope persevered in the prosecution of the sugar industry. This vote is proposed to be given to Mrs. Buhôt because her late husband was the person who was successful in granulating sugar in this colony. As the hon. member for Balonne very properly put it, any person who has been instrumental in inaugurating any industry in the colony would have an equal claim. The growth of wheat and arrowroot has also been mentioned in this connection, and I fail to see, sir, why, if this grant is given, the persons who have been instrumental in promoting those industries should not also receive grants. I certainly object to the gratuity, because I think it is a matter into which the State ought not to go. The cultivation of maize and the growth of the vine are important industries to this colony; sugar is not the only important one. There may or may not have been many precedents for this proposal; my own impression is that there have been very few on all-fours with the case before the House. It is not so very long ago since a proposal was made to give a grant to Mr. Mackay for discovering the port of Mackay, and there have been many other similar motions. This proposal is on a totally distinct



footing to the instances which were given by, I think, the hon. member for Rockhampton. The hon. gentleman instanced the case of a bonus to the Ipswich Woollen Factory. But that was on a different footing altogether from the present proposal. In that case the State itself deliberately held out the inducement to people to go into that particular industry upon certain terms, and the State kept its bargain. I have said that there were other persons connected with the sugar-growing industry who were instrumental in inaugurating it in this colony. Let me give an instance. The hon. member for Mackay said Mr. Buhôt experimented with an iron pot which, I believe, the hon. gentleman stated was borrowed from the hon. member for North Brisbane, Mr. Brookes. I am quite sure that if Mr. Brookes could have foreseen the momentous consequences that would have ensued from the loan of that iron pot he would have brained Mr. Buhôt on the spot rather than have lent the pot. In any case it seems to me that having lent the pot he is entitled to as much consideration as the gentleman who made the sugar—he ought to have a finger in the pie. That is one reason why I object to support this motion.

Mr. FOOTE said: As a rule I am opposed to gratuities. I think the Legislature often puts its hand into the public purse when it ought not to do so, more especially in matters of this sort. Sometimes there are cases which deserve to be acknowledged by this House as having been particularly beneficial in the interest of the country. The hon. member for South Brisbane, Mr. Jordan, claims this as one of those instances, and puts forward Mr. Buhôt as being the first person who had been the means of granulating sugar in this colony. I remember, when we were connected with New South Wales, seeing sugar that had been made by a chemist in the district of Ipswich long before Mr. Buhôt came to the colony. Certainly it was only a small quantity, in a four-ounce bottle; nevertheless it was sugar, and it is quite clear that there were parties here capable of making it before the arrival of Mr. Buhôt. The person I speak of was not a sugar-planter or anything in that way; he was simply a chemist who understood his business. I remember very distinctly the gentleman showing me the sample of sugar he had made. He is still alive and in Ipswich, and will be able to testify to the correctness of my remarks. I fail to see that Mr. Buhôt has done the country any very great service. From the remarks made by the hon. member for South Brisbane, it appears that, in the evidence taken before the Select Committee appointed to report upon this matter some years ago, there was not one of Mr. Buhôt's employers examined before the committee as to his ability in reference to sugar-making. In fact, the suggestion was made that some of them would have been glad if they had never seen him. Still it sometimes happens—it has often happened—that pioneers in matters of this sort are losers, and that others come into their places and achieve a success which they had failed to achieve. The hon. member for Rockhampton has alluded to the Ipswich Woollen Factory and other industries to which the Government have given bonuses, and the hon. member who has just sat down also referred to it, saying that the State had invited the parties in those instances to come forward by an Act of Parliament. I presume that Act is not now in force. I think it was only intended to be in operation for some years. I remember that the silkworm industry was one of the things that was included in that Act. I have a very lively recollection of that, and I remember a plantation not many miles from Oxley. A handsome sum

of money was paid to the parties who had charge of the affair, but the State reaped no benefit from it. I think that in the case of a *bond fide* industry, which has been initiated and developed under an invitation from the Government, such as was contained in the Act to which I have referred, any claim that may be made for a bonus should receive the consideration of the House. But we should be capable of discerning between those parties who merely enter into a speculation in order to acquire the Government bonus, and those who persevere in an industry and make it a success. As to the sugar industry, I think it would have got along without the assistance of Mr. Buhôt, and I fail to see that he has any claim whatever on the State. The hon. member said he thought that the Government intended, as it were to blot out the sugar industry. For my own part I am fully satisfied that that is not the intention of any member on this side of the House with regard to the sugar industry. It is a very important industry, and one which will succeed. It may be in a somewhat depressed state at the present time, but that is no reason why it should not succeed—it is bound to succeed. It is one of those industries which, when it has overcome some of its difficulties, is bound to succeed; and instead of this side wishing to do away with it, last year and this year we have endeavoured to assist the sugar industry by providing those engaged in it with suitable and reliable labour.

Mr. MOREHEAD: The Minister for Works says it is a curse to the country.

The MINISTER FOR WORKS: I said nothing of the sort.

Mr. FOOTE: If the Minister for Works said that, I beg to differ from him.

The MINISTER FOR WORKS: I did not say so.

Mr. FOOTE: The Minister for Works denies that he said so; and I beg to differ from anyone who says so. I look upon it as a very great industry. It is an industry which has done a great deal of good to the colony; and as it is an industry which produces an article that will find a market in any port in the world, it is bound to succeed. I think this House is too liable to put its hands into the public purse in order to meet people of this sort. I do not think this is a place in which motions of charity should be introduced. If there are motions of charity to be brought forward, they should be brought forward on that basis alone. It is not for this House to consider who the persons interested are, or what positions they are in. I contend that the matter was properly dealt with ten years ago, and should not have been raised again. I shall vote against the motion.

Mr. PALMER said: Mr. Speaker,—It is hard to say what rule should guide young members in a case of this sort. The question was decided in a very decisive manner in this House ten years ago; I believe by a vote of 25 to 5. I have some regard for what this House has done before, and I have listened very attentively to all that was said by the hon. member for Mackay in introducing the motion. Although that gentleman said that the person named in his motion, Mr. Buhôt, had sacrificed the best years of his life in introducing the sugar industry into the colony, I have heard that statement qualified by a member on the other side of the House, who said that in his efforts to introduce the sugar industry Mr. Buhôt succeeded in ruining the people he induced to go in for it—that he had ruined his employers. I believe the Minister for Works said the same thing;

and we have heard that the gentleman who employed Mr. Buhôt in introducing the sugar industry is now in the Civil Service. I admit that we owe a great deal to the sugar industry, but we also owe a great deal to other industries, such as pearling, mining, and wheat-growing, as the hon. member for Warwick stated. But we cannot go and supplement the widows of all the people who have failed in introducing those industries. I should be very sorry to be thought uncharitable or niggardly, but I would much rather assist in such matters outside the House than give my vote in their favour inside of it. The claim also on the part of the friends of Mr. Buhôt for introducing sugar has been questioned, as Captain Hope not only made a claim of the kind, but substantiated his claim, and was recompensed for it. I cannot see myself the delicacy which the senior member for Toowoomba has expressed in coming to a decision upon this question. In view of the vote given ten years ago, and the differences of opinion expressed on the case by hon. members who then spoke, I have no hesitation in saying that I shall vote against the motion.

Mr. ANNEAR said: Mr. Speaker,—As the youngest member in the House, I do not want it to be considered that I wish to be too often on my feet; but the information I possess, I think, may cause some members who have spoken to pause before they give a vote upon this question. Seventeen years ago I met Mr. Buhôt on a sugar plantation on the Mary River. At that time sugar-growing on the Mary River was in its infancy; many had tried it and had failed. There was a sugar-boiler on one plantation there who had come from the Mauritius, and he assured his employer that he was a practical man and thoroughly understood the boiling of sugar; but he could not granulate sugar at all. He made something which you could make into a rope that would go pretty well round Brisbane, and that was all. Mr. Buhôt subsequently became manager, and he made splendid sugar upon that estate. I maintain that he was a great benefactor to many persons who had gone into the industry on the Mary River, and who are now making sugar there.

Mr. MOREHEAD: Why did they not pay him?

Mr. ANNEAR: I believe that for the services he rendered at that time to the planters the planters did pay him; but at the same time the hon. member for Mackay has pointed out that Mr. Buhôt rendered a service to the State. I am of that opinion also. I believe that Mr. Buhôt did a great amount of good, and when the Ipswich Woollen Factory has arrived at that state, although having received a bonus, when it will have done one-twentieth of the good to the people in the colony that Mr. Buhôt's services have done for the people of Maryborough in introducing sugar, they will do a very much greater amount of good than they have done up to the present time.

Mr. MOREHEAD: Let Maryborough pay him.

Mr. ANNEAR: Other persons have received grants of a kind similar to this. Very many have received money for prospecting, and other things far more frivolous and of far less use to the colony than the services rendered by Mr. Buhôt. Mr. Buhôt is now dead, but his wife and family live; and I am sure this House will do a just act in voting this sum of money to the wife and family of that gentleman. I shall therefore have much pleasure in voting for the motion of the hon. member for Mackay.

Mr. BUCKLAND said: Mr. Speaker,—I have not had an opportunity of reading the report of the committee, brought up in this House in 1874, 1884—2 s

on this subject; but I have seen that the division upon it at that time was a very decided one—24 to 5—out of a House of something like thirty-two members. That is sufficient to convince me that the report was anything but favourable to Mr. Buhôt's case. I knew Mr. Buhôt soon after his arrival in Queensland, and knew him to be connected as a manager and manufacturer of sugar on many plantations, and in very few instances was he a success. If the House is to be called upon to reward gentlemen who have attempted, and in some cases succeeded, in making an industry a success, I think we have already rewarded many persons by gratuities of this kind—Captain Hope, for instance—equally deserving. This gentleman might set up an equally good claim, and there are other gentlemen I could name—Captain Whish—who spent a large amount of money near Brisbane, and, I think, lost nearly all. Then there is Mr. George Raff, and many others I could name. I have heard nothing in any of the addresses given by hon. members to-night to convince me that this is a case that demands the consideration and attention of the House, and I shall certainly vote against it.

Question put.

The House divided:—

AYES, 18.

Messrs. Rutledge, Griffith, Dickson, Sheridan, Aland, Annear, Isambert, W. Campbell, T. Campbell, Jordan, Stevenson, Ferguson, Donaldson, Macdonald-Paterson, McWhannell, Black, Wallace, and Midgley.

NOES, 21.

Messrs. Norton, Archer, Mellwraith, Morehead, Chubb, Smyth, White, Buckland, Fraser, Foote, Lalor, Govett, Kates, Beattie, Lissner, Palmer, Foxton, Bailey, Dutton, Miles, and Horwitz.

Question resolved in the negative.

#### PETITION OF LEONIDAS KOLEDAS AND THOMAS FLEETON.

Mr. ISAMBERT, in moving—

1. That a Select Committee be appointed, with power to send for persons and papers, and leave to sit during any adjournment of the House, to inquire into and report upon the petition of Leonidas Koledas and Thomas Fleeton, presented to this House on the 19th of August last.

2. That such Committee consist of Mr. Smyth, Mr. T. Campbell, Mr. Ferguson, Mr. Stevens, and the Mover.

—said: The petitioners claim that they have suffered certain hardships through some departmental action. They made certain selections in the North Kennedy district, and, after having fulfilled the conditions prescribed in the Mineral Lands Act of 1872, they were informed that the approval of the Minister for Lands would be withheld on account of certain partnership disputes. Time was given to the parties to object to the granting of this approval, and they had ample opportunity to prove their claims; and not only did they fail to do so, but actually signified the withdrawal of their claims. Notwithstanding this, the approval of the Minister for Lands for the time being was withheld, and, further, the selections were declared forfeited, and advertised for sale in the *Government Gazette*. One selection, at least, was subsequently sold to two of those objectors for the sum of £1,500. The petitioners are labouring under a peculiar hardship. They are deprived of the liberty of taking action at law, because the court has no power to review the action of a Minister of the Crown; and hence these men apply to Parliament for investigation of their claim and redress according to the report of the committee of inquiry. I think the request is so just that I fail to see how any member of the House can object to granting it. If the petitioners were enabled to have recourse to law, then of course the House would be justified in rejecting the motion; but not being able to do so, the House is

in justice bound to grant the relief sought for. I therefore move the motion standing in my name.

THE HON. SIR T. McILWRAITH said: Mr. Speaker,—I consider, as I have expressed myself two or three times before this session, that it is the duty of the Treasury benches to support the Treasury, and to have something to say for their departments. This is a direct attack upon one of the departments, and still we have not had a single word from the Ministry, except from one who silently seconded the motion by nodding his head to you. I will undertake to say that there are not half-a-dozen members who have read the petition of the men called, in the phraseology of the mover, Leonidas Koledas and Thomas Fleeton. It is a petition that was referred to the Printing Committee, and they, for some reason or other going behind the usual custom of not printing petitions unless there is a special reason for printing them, printed this one, and it has been circulated. From it we find the case put before the House by those two men who petition the Government for relief. It is a purely departmental case, as the hon. member has said, and we ought to have had the Minister for Lands get up in his place and tell us how the case stands with the department. Long before the case came before us the hon. member for Rosewood ought to have moved for all the papers connected with the forfeiture of these selections. I forget the exact circumstances of the case, but I know that it had the consideration of the late Government for a long time—their anxious consideration—and from the facts with which they became acquainted they came to the decision that the selections should be put up to auction. I cannot refer to the facts from memory; but I do remember some circumstances connected with the case, and can give the House an idea of them. It was a just decision to which the late Government came, and I submit that, before the House comes to the determination to relegate the case to a select committee who would know very little about it, hon. members ought to be made acquainted with the whole of the correspondence between those two men and the Government. There is a large amount of it, and I believe those documents will explain the case. So far as I remember it, it is this: Certain selections were taken up as a silverfield beyond Townsville, and there were four partners in the concern. Two partners were trying to do the other two. It was a question of diamond cut diamond, in which none of these four men shone very conspicuously for their honesty. The whole thing seemed to be that the Government were going to lose some very valuable silver lands through the machinations of these men, who were laying claim to land which did not rightly belong to any of them. We then, to settle the matter and get at the bottom of the whole affair, did what was the only proper thing to do—put the lands up to auction, and one of the partners bought them for £1,095. Of course the department is in possession of all the facts, and I am simply speaking from memory, with a hazy recollection of one case out of hundreds that came before me. What I submit is that the House has no right to take out of the hands of the department a decision upon the case until at least it has come to a decision from a knowledge of the facts that it is a case that should be relegated to the consideration of a select committee. The Minister for Lands, as I have said, ought to have told us how the case stands with the department; and seeing the motion on the paper and the petition—which I do not believe he has read, for I am sure there are not half-a-dozen members who have—he ought to have been in a position to give us some information. Has the Government

taken up the position that the late Government acted wrongly or unjustly? I have never heard that alleged. The case was impartially considered for months before the late Government came to the conclusion to sell the claim by auction. I am astonished that the Government should allow the hon. member who has moved the motion to give his statement of the facts, which of course are only the statements of those who are petitioning for relief, without being themselves prepared to give an impartial statement of the facts. The hon. member says, why not submit a case of this sort to a select committee of the House? I will tell him why. It is a very dangerous thing to submit to a committee of the House matters which ought to be decided by the Executive. I may refer to the experience of all members of this House and ask if they do not know that there is always a case made out for the claimant if the committee can possibly do it, because they are situated in this way: that there is no one to represent or defend the interests of the country, whilst the whole force of the petitioner's evidence is brought before them. The Minister for Lands does not think it to be his duty to defend the Government. If he thinks the late Government were wrong, why does he not say so? When this case comes before the committee the only evidence will be that of the petitioners, and the committee will report that they have a good claim and will recommend that they be compensated. I do not think the petitioners are entitled to an investigation by a committee of this House until the Government have examined the whole case and stated their opinion that the action of the late Government was wrong. With regard to the composition of the committee, I have asked the hon. member, Mr. Ferguson, whether he allowed his name to be put upon it. There are three members of the other side of the House upon it, and there are two members of this side, one of whom (Mr. Ferguson) is a friend of one of the petitioners. Is that a fair way in which to frame a committee? I have the greatest confidence in Mr. Ferguson, and I believe he would not give an unfair verdict in any case, but I submit that it was a most unfair thing on the part of the hon. member to choose one member from this side whom he knew to be a friend of one of the petitioners, to be a member of the Select Committee. But I go on higher grounds altogether. I say it is not a case which ought to be relegated to a committee of the House. It is one which the Government ought to decide. If they decide that these petitioners have really a claim—that the late Government acted wrongly in refusing to let them have the ground and putting it up to auction—I am perfectly satisfied to meet them. But they decline to say anything of the kind, and have allowed an hon. member to support the petition with arguments purely from the petitioners' side. If the Treasury is to be defended in this way we had better be without a Government. It is certainly a very peculiar state of things if the Treasury is to be defended solely by members of the Opposition, as has been the case up to the present time this session.

THE PREMIER: I do not see that any question has arisen in this case as to the necessity of defending the Treasury. It strikes me from quite a different point of view. Here are some persons who come as supplicants, complaining that they have been unjustly treated, and asking for an inquiry. If they were, unjustly treated by the late Government two years ago, why should the present Government be asked to enter into the matter and form an opinion as to whether their predecessors were wrong or right, and then submit it to a select committee to say which of the two Governments were right? That seems to me the very worst way of obtaining an

impartial decision. Any person having any complaint of injustice or ill-treatment to make is entitled to come to this House and ask for a fair inquiry. That is the point of view from which I regard petitions to the House for redress of grievances. If the matter goes before the committee, it should go without the slightest indication of opinion from one side of the House or the other. No doubt the late Government thought they were right in their action, but I fail to see that the present Government should sit in judgment on the action of their predecessors, especially if they can do nothing. Suppose they came to the conclusion that that action was wrong: the land has been sold by auction, and they cannot give it back to the claimants. It seems to me that if justice is to be done the inquiry should be made first and the decision pronounced afterwards. What the hon. gentleman contends for is that the decision should be pronounced first by the Government, and that they should be bound then to support it at all hazards. The complaint of the petitioners is simply that they were entitled to a piece of land, and that because somebody else had a dispute with them about it the Government assumed the function of deciding the dispute between the parties—a matter to which they were total strangers, and in which they went beyond their functions—and, instead of letting them have the land to which they were entitled, sold it by auction. That is the complaint. If there is anything in it I do not know, and I do not wish to express an opinion, I want to know the facts. There is no question of defending the Treasury. It is rather a question of defending the right of petition to this House. Any citizen with a grievance has a right to ask the House to inquire into it. If he has been wronged the House can provide a remedy; if not, it will let him go.

Mr. MOREHEAD: No one on this side, at any rate, would for a moment dispute the right of any individual in the colony, suffering under a grievance, to petition the House for redress; but it appears a strange thing that if these petitioners are suffering under a grievance they should have waited until now before petitioning for redress. The harm seems to have been done more than two years ago, but they did not petition the House to redress their supposed grievance until the late Government had left office and the present Government were seated on the Treasury benches. These *quasi* aggrieved people did not appeal to the late Government or to the present Government, but they now appeal to the House.

The PREMIER: That is the proper tribunal to appeal to.

Mr. MOREHEAD: I admit that—after every other source has been exhausted; but the department should have been appealed to first. The hon. member who champions the cause of the petitioners must have been aware of this supposed grievance for the last two years and a-half, and yet he has refrained from taking action till now; and even now he asks that the question be referred to a select committee, which, as nominated by him, I have no hesitation in saying, since the disclaimer of the hon. member for Rockhampton, cannot be called a fair one. The proposed members are Messrs. Smyth, T. Campbell, Ferguson, Stevens, and the mover. Mr. Stevens is a gentleman who takes an independent position in the House, voting sometimes on one side and sometimes on the other. In the composition of a committee of this kind it is usual to select three members from the dominant party—that is a phrase which I think will please the hon. member for Rosewood—in the House, and two from the minority.

As a matter of fact, three are taken from the side on which the hon. gentleman sits—one, who, from what I hear, will not act from this side, and the other, who is an independent man and who votes according to his own sweet will. When a question of this sort has to be settled by a select committee, that committee ought to consist of members holding strong opinions. However, it has not yet been shown that this matter should be relegated to a select committee. As it stands at present, it is a purely departmental matter, and, if it cannot be settled as a departmental matter, papers must certainly be put before the House showing that an injustice has been done, and showing very good reasons why that injustice should be inquired into, by what I might almost call the final appeal to a select committee. The Premier has not in any way told the House that there is the slightest necessity for the reference of this particular petition to a select committee.

The PREMIER: The Government can give no redress.

Mr. MOREHEAD: I am very sorry for it. If the hon. gentleman is going to deal with matters of this sort in the way he now apparently proposes, he will give the House a great deal of trouble and will put himself into a very small position. If an injustice has been done—which I, having some knowledge of the facts of the case, deny—the Executive has full powers to set the matter right. If an injustice has been done, and the Executive cannot see how they can rectify the wrong, then it is their duty to come down to this House and say, "A wrong has been done; we have no power within ourselves to rectify it, and we ask you whether you can put it right." But a member outside the Cabinet has no right to come down to this House and ask, in order to shelter the Government from accepting responsibility, that the matter be referred to a select committee, unless indeed he can get no remedy from the Government, and has exhausted every effort that is possible to put right what he considers a wrong. He has no right, I say, to come down to this House and ask it to appoint a select committee to inquire into a grievance, or a supposed grievance. I think that is perfectly clear. The Premier, I assume, may agree with me in that. If the Premier says that the Government cannot put the matter right, and that the only way to do so is by appealing to this House—then that appeal ought to come from the head of the Government, and not from an outside member; at least, so it seems to me. I do hope that the Premier will see the strength of the arguments I use. If matters like this are to be referred to select committees it will lead to serious trouble in the future—it will lead to blocking the public business in this Chamber. If the Government are afraid to accept the responsibility of their position as members of the Executive, they may shelter themselves behind a motion of this kind if they choose, but it will lead, as I said before, to tremendous blocking of the public business. I should like to have heard from the hon. member for Rosewood some reasons for the extraordinary course he proposes in the motion. I think myself that, having failed to give any such reasons, the hon. member shows that he is backed up by the Ministry; at least, I can only believe so, and believe so, too, with regard to the large majority on the other side of the House. I am sure no precedent can be quoted by the hon. member for Rosewood for the action he has taken to-night. I am perfectly certain that even the Premier cannot produce such a precedent. I do not propose to deal with the petition in detail; but I would say that some of the language used in

it—although, perhaps, parliamentary—is not pleasant to read. For instance, take the 6th paragraph, where it states that some objections are “utterly untrue.” Those are pretty strong words to put into a petition; and similar phraseology can be found throughout. The wind-up of the petition is very carefully worded; it has barely escaped, I take it, being thrown out for being a petition for a sum of money. But the great point of my objection is this, as I have said before: that until the petitioners have failed to induce the Executive for the time being to remedy the injustice they suffer from, or assume that they suffer from, there is no right of appeal to this House, and therefore were we to pass this motion we should be establishing a very bad precedent. We should be establishing a precedent which might be good to-day in the eyes of hon. gentlemen opposite, but which might be very bad for them when the time comes—as no doubt come it will—when they will sit upon this side, and we shall be sitting on the other side. I therefore ask hon. members to pause before referring to a select committee a matter which ought to be quite settled by the Executive. When I say quite settled, I mean settled up to a certain point, or disagreed to. Until some settlement or some decision has been arrived at by what I may not unfairly call an inferior court, there ought to be no appeal to a superior one. On those grounds I oppose the motion. I also oppose it on the ground that the committee as it stands is one which does not commend itself to me as a fair one; and I am perfectly certain, whatever the opinion of the hon. member for Rosewood might be, that the good feeling of this House will decline to relegate the matter to a committee unless it is a just and fair one.

The MINISTER FOR LANDS said: Mr. Speaker,—In justice to the petitioners in this case, as well as to the hon. member for Rosewood, I may say that they did appeal to me, and that on looking into the case I found that the late Government dealt with it in such a way that it was practically beyond the power of the present Government to do anything in it at all.

The HON. SIR T. McILWRAITH: Why did not you tell the House that before?

The MINISTER FOR LANDS: No one knows that better than the hon. gentleman himself. He knows that the present Government could not deal with it at all.

The HON. SIR T. McILWRAITH: Then, I say, why did not you tell us that before?

The MINISTER FOR LANDS: There is no information that the hon. gentleman or anybody else wants. We were perfectly acquainted with the facts, both from the inquiry and from the action of the late Government. I looked into the case thoroughly, and I saw at once that it was beyond the power of the Government to do anything. The land had been taken from the petitioners, forfeited, and sold by auction. What could the present Government do in a case of that kind? They could do nothing at all. If they did anything, they would be getting schemes of redress from other people.

The HON. SIR T. McILWRAITH: Why did not you say so then?

The MINISTER FOR LANDS: The hon. gentleman cannot plead ignorance of the matter. If he took all the facts into careful consideration he was not at all in ignorance, and, with all the information necessary to arrive at such a conclusion, I say the hon. gentleman has nothing to justify the charge that I have not done what I ought to have done. I consider I have done all I ought to have done. If I took up the patriotic

role, and brought every matter before this House, in order to right the wrongs done in my office by my predecessors, the House would have quite enough to do without attending to the ordinary business of the country.

The HON. SIR T. McILWRAITH: It was your duty to tell the House all the circumstances of the case.

Mr. LISSNER said: I have a few words to say, sir, about this matter. This proposed investigation may be very necessary and right, or it may not, but there is something connected with it that I should like to know a little more about. I am a well-known inhabitant of the Kennedy as a mining man. I think I am more a miner than anything else, and it is a very strange thing that Leonidas Koledas and the other gentleman did not go to their own representatives if they felt that they had a grievance such as this. The Attorney-General is the senior member, and I am the junior member, for the Kennedy; and I believe I am just as inclined to give fair play to people as any member in the House. I say it looks very strange that, when the petitioners belong to the Kennedy district, instead of going to their own representatives, they should have gone to the hon. member for Rosewood Scrub—at least for Rosewood—to get this petition presented. The only reason I can give, according to my own little calculation, is that the hon. member for Rosewood was once in his life in Townsville, where he started a soap factory. I have had a little experience of mining disputes; and probably the hon. member met Leonidas Koledas there, and they went into an hotel, and fished up this wonderful grievance. I should like to know, sir, before we spend the money of the taxpayers of the colony in appointing a select committee, whether these gentlemen have applied to any other court, to any of the wardens, or tried in any other manner to find out whether they were right or wrong. As to the petition, I do not know who wrote it, but it looks very square—that is, on one side. As this is a matter that refers to my district, I should like to see more of the papers connected with it before I can vote for it being referred to a select committee. I beg to move the adjournment of the debate.

Mr. NORTON said: I think, sir, that if the Minister for Lands had risen in his place when the hon. member who moved the motion sat down, and said what he said just now, it might possibly have prevented the necessity for members on this side of the House rising. But, sir, when the hon. member for Rosewood introduced the motion, members on this side wanted to see if any Minister of the Crown had anything to say about it; and this is not the first occasion upon which matters have been brought forward of which it was expected that Ministers would take some notice, but which they have treated with silence. The conclusion we arrived at was that Ministers were either indifferent regarding the matter—that they did not know anything about it—or that they did not intend to take any action or give any information respecting it, or any reason for allowing the inquiry to be proceeded with. If the Minister for Lands had told us before what he has told us just now—that he has looked over the papers in connection with the case, and he thought it ought to be referred to a select committee—I fancy there would have been no objection to the motion. But the hon. gentleman took no action whatever. He simply sat still, and we wondered what was to happen. I know it has always been usual, since I have been a member of the House, that when a member introduces a motion which affects the Treasury—and this will affect the Treasury—for some Minister of the Crown to take notice

of it. The only conclusion we could come to was that the Government intended to support the motion, because one of them signified his acquiescence in it by seconding it. It would appear, from what has been said to-night, that there is a sort of squeamishness on the part of the Government with regard to taking action in matters settled by their predecessors. We have been told that it is no business of the Government to go into matters that have been settled already; but, sir, it has not been so always, because several things which were settled by the late Government have been brought before the present Government and inquired into and settled in a different way altogether. It is not so long since, that one case, which was settled by the late Government, was reopened and settled by the present Government in a very different way. Final decision was given by the officer acting for a particular department. That decision was supported by a judgment of the Supreme Court, and then the Government made a bogus appointment—it was nothing else—to an office that was already filled—in fact, a sham appointment to afford them some excuse for reversing the decision previously arrived at by their predecessors. I say, sir, that when we see such things as these going on we can hardly take it as an excuse in a matter like this that the Government will not interfere with the action of their predecessors. Why, sir, the thing is too paltry to be noticed. I do not wish to say anything about the matter beyond this: that it is to be regretted that the Minister for Lands, when he spoke on the motion, should again do what he has done on several occasions before—take advantage of the opportunity to attack his predecessor. Perhaps the hon. gentleman may have done it through speaking somewhat hastily, and possibly he himself may be sorry for it. After the statement of the hon. gentleman, for my own part I do not think there is any particular objection to the inquiry being held.

Mr. FERGUSON: I may say, as one of those whose names appear on the motion, that when asked to act as a member of the committee I consented, as I understood it was the usual course adopted by the House to make inquiries into all matters of this kind. With reference to the remark of the hon. the leader of the Opposition, that I am a friend of one of the petitioners, I can only say that I have known the man whose name appears first on the petition for several years as a hard-working miner in the district of Rockhampton. However, I should much prefer, after what I have heard to-night, that the hon. member for Rosewood would ask that the papers in connection with this case be laid upon the table of the House first. If he will move that, I think it will facilitate the work of the committee to a great extent, and put members in possession of facts which they are ignorant of at the present time. If he will take that step I think it will lead to a far more amicable decision than is otherwise likely to be arrived at.

Mr. STEVENSON said: I know nothing about the merits of the case, sir; but I wish to point out that the hon. the Minister for Lands has landed himself in a rather peculiar position with regard to it. He told us that the late Ministry had put the matter in such a position that he could not possibly settle it, and that he had therefore to let it go before a select committee; and afterwards he admitted that he had not fully inquired into the case. That seems a rather extraordinary admission. The hon. gentleman admits that he does not know the facts of the case at all; and yet he asserts that the late Ministry had placed

it in such a position that he could not settle it without referring it to a select committee. I do not understand how he can reconcile the two statements. I should like to ask the hon. gentleman if he has acted in the same way with regard to other applications that have arisen with regard to lands? I do not know anything about the merits of this case; but I understand that it is a matter in connection with some land, and that the petitioners think they have a grievance. Well, I know some other cases where grievances have been laid before the Minister for Lands, and where he has reversed the decision of his predecessor without asking hon. members of this House to get a select committee to inquire into the matter. Perhaps we shall hear something about that before he has done; and I think that the point that has been raised by the hon. member for Rockhampton—which I should have raised myself if he had not done so, and as I did with regard to the case of Mr. Lyster—was a good one. The first thing to be done is to call for the papers in connection with the case, and let every hon. member know in what position the case stands, before asking for a select committee of the House to inquire into it. That is what should have been done at first, and I think that the Minister for Lands, if he knows so much about the case as to know that he is in such a position that he cannot decide, ought to have given some information to-night to show that this is the only course that can possibly be adopted in regard to the matter. He has given us no reasons at all. He simply contented himself by telling us that the late Government had got the case into such a position that he could not possibly settle it, and then he said that he had not gone into the case fully. Now, I think that before he did that, he, knowing that the hon. member for Rosewood was going to bring the case forward, should have got the whole of the facts and been able to place them before us to-night. He ought to have advised the hon. member for Rosewood, before bringing the matter forward and asking the House for a select committee, to call for the papers first, and put the House in possession of the whole of the facts, so that they could have come to a decision on the matter. I think that the junior member for Kennedy (Mr. Lissner) has brought forward a very important point; and it seems to me that, the case having to do with two of his constituents, he should have been asked to bring up the matter instead of the hon. member for Rosewood. That appears to be a very suspicious matter; and I think that before a division takes place hon. members ought to consider that point. It seems a very extraordinary thing that Mr. Isambert, the hon. member for Rosewood, should have been asked to bring the matter forward instead of the hon. Attorney-General, who surely is in a much better position to do so than he; and surely the junior member for Kennedy, Mr. Lissner, ought also to be in a better position. However, I consider this: that before this matter was brought forward the whole of the papers in connection with the case ought to have been given to the House, to afford hon. members an opportunity of coming to a decision whether a select committee is required to inquire into the case at all. Until that is done I shall certainly oppose the motion of the hon. member.

The Hon. Sir T. McILWRAITH said: I think the hon. member for Rosewood is standing in his own light if he does not take the suggestion made to him by the hon. member for Rockhampton. The House is not now in a position to come to the conclusion that the matter referred to in the petition of those two men should be taken out of the hands of the Government and dealt with by a committee. They ought to have the

full information that even the Minister for Lands has confessed he has not got, and he is not able to advise the committee and is not able to advise the House. Before business of that sort should be taken from the responsibility of the Government, certainly all the information that the Government can get should be in the possession of members to show whether they should relieve the Government of that responsibility or not. Hon. members on the other side cheered the remark that was made—that every man has the right, if he feels himself aggrieved, to have a committee of this House. He has no right. The right of the petitioner referred to by the Premier is a right which we grant to everyone. That right was granted to these two men. Their petition was read, received, and it has been printed. That is what they were entitled to. If they want anything more they ought to make out a case; and they are quite in a position to make out a case, by printing the documents in the possession of the Government. Let hon. members not misunderstand me for a moment. If the House consider after a perusal of these documents that a case has been established—one that ought to be referred to a select committee—then I, for one, will vote for it. I should like to see those papers myself, because, as I have said, the matter gave the late Government anxious consideration at the time, and they came to what they considered a right conclusion. Let those papers be put before the House, and let them be discussed by hon. members; and I will offer no objection whatever to a committee being appointed to investigate into the justice that has been done to those men. Nobody can ask for more than that, because the first thing I shall do myself will be to claim that they should take no action whatever until every document is fully before them. The much better way is to give those documents to the members themselves, and let them come to a conclusion as to whether it is a matter that should be relegated to a committee. The Minister for Lands has taken up a position, and so has the Premier, that no Minister has ever done in this House to my knowledge before—certainly not under the late Government. I should like to have seen a member in this House asking, without giving any reason why, that a matter should be taken out of the hands of the Government, and should be referred to a committee of the House. I should like hon. members to point to one single committee, such as this, that was ever asked for while I was Premier. I would like to see any committee that was ever asked for where a Minister of the Crown did not get up and give all the information that was in his possession, from a study of Government documents, and state his own opinion about it. Here the Minister for Lands, no doubt in ignorance of his position, and backed up by the Premier, which makes it all the worse for the Ministry, does not seem to understand that it is his duty to give the House this information. The Premier rises up and virtually says that any man who has a grievance has a right to come forward here and take the responsibility off the shoulders of the Government by claiming a committee. I deny any such right. A parliamentary committee is a tribunal to which we are to refer matters only as a last resource. I do not think that during the whole of the administration over which I presided there was ever an occasion where the Government were not manly enough to take the responsibility to decide upon it themselves, and were prepared to give reasons when the House demanded them. But now it seems to me that the Government are only too glad to shirk every responsibility and put it on to the shoulders of the members of the House. That tribunal, as I said, is not a fit tribunal to try cases of this sort,

for, on the one hand, we have strong partisans seeking to plunder the Treasury; that is, the hon. member for Rosewood, and the men who are behind him, who have a definite object in view—that is, they want to get money out of the Treasury. We have a Ministry who, seeing that plainly on the face of the petition, do not think it their business, as defenders of the Treasury, to even read the papers and tell the House what they think. I can fancy a case of that sort coming before a committee. There are three members who are supporters of the hon. member himself, there is one distinctly chosen from this side of the House on the ground that he has been a personal friend of one of the petitioners, and there is another who has distinguished himself by voting with the Government on every important question throughout the session. They actually ask a question of that sort to be relegated to a committee when it is the duty of the Government to decide it themselves. I have no objection to the Government deciding against our decision. I remember the late Minister for Lands often bringing the case before us, and we gave it our most anxious consideration. Our only desire was to save the Treasury, and we did save the Treasury. The case was this: that there were four men, each of whom was trying to get a very rich claim, and I do not believe any of them were entitled to it. The Government came to that conclusion. They offered it for sale by auction, and one of the partners bought it. The other partners have since sent a petition to this House to take the matter into consideration. Now, sir, is that a matter to be taken into consideration before the Ministry have revised the decision of their predecessors? The ground I take up is this: Before the House is in a position to ask that this matter shall be relegated to a committee they ought to have the whole of the papers before them. We shall then be prepared to say a good deal more; but it will be a very hopeless case for the hon. member to make any progress whatever before the question is dealt with in a proper and just manner—in a manner that does not relieve the Government from their due responsibility.

The PREMIER: Mr. Speaker, — I differ entirely from the hon. gentleman as to the functions of the Government. The Government may do a great deal to redress the wrongs done by their predecessors, but in some cases they cannot do so. However, I decline to express any opinion about the merits of this case. The complaint of the petitioners is that they have suffered wrong—that land which ought to be theirs has been sold by auction over their heads to somebody else. If it were within the power of the Government to give that land back, it would be the duty of the Government to inquire into the case, and, if they came to the conclusion that it ought to be given back, to restore it to the petitioners. But it is beyond the power of the Government to do so. If the Government investigated the matter, and formed the conclusion that their predecessors had done a wrong, what could they do to carry that conclusion into effect? Absolutely nothing. I do not know that it is the duty of the Government to investigate and form opinions on the actions of their predecessors in every case. I fail to see that they have any duty of the kind, unless in the event of arriving at a conclusion they can give effect to that conclusion. The Government have quite enough to do in carrying on the work of the country without revising what has been done in the past, merely on speculative grounds, to see whether they agree with the action of their predecessors or not. If a man seeks to redress a wrong, I take it the proper tribunal for him to go to is not the Government, which cannot give him redress, but Parlia-

ment, which can do so. That is my view; and the hon. gentleman takes a different view. He might be right, and I may be right; I think I am right. The views he entertains on government generally are very extraordinary in many particulars; they are not such as are commonly held in countries governed on constitutional principles. The hon. gentleman is perfectly welcome to his opinions, but he must not expect us to adopt them when they differ from the commonly received opinions of mankind. In the present case it is of very little consequence whether the papers are printed before the committee is constituted or after—it will make very little difference indeed. But I do think that it is important that, if a matter is to go before a select committee, no conclusion should be arrived at by the House before that matter has been investigated by the committee. I decline to express any opinion on the merits of the case, except to say that if the facts are as expressed in the petition, and the petitioners have suffered injustice, I suppose the committee will report accordingly; but if the facts prove that they have suffered no wrong, they will report that the petitioners have no claim for consideration.

THE HON. SIR T. MCILWRAITH: Will they?

THE PREMIER: I should hope so. They are the proper tribunal. The Government are quite prepared to do their duty, and nothing the hon. gentleman may say will weaken the Government, but may possibly strengthen them. The Government are prepared to perform their functions, but they are not prepared to usurp the functions of spending public money, because they come to the conclusion that their predecessors have done an injustice. I think the proper thing is to appoint a committee to investigate the case; and it is of very little importance whether the papers are laid on the table first or not—whether they are printed now or next week.

MR. ARCHER said: Mr. Speaker,—I must say that what we have just heard from the Premier is not the slightest answer to what fell from my hon. friend the member for Mulgrave, who stated—what no one will deny who has any knowledge of parliamentary government—that in every case brought before the House which involves a pecuniary loss to the Treasury it is the duty—

THE PREMIER: There is no pecuniary loss in the present case.

MR. ARCHER: It is the duty of the Government to inquire into every case brought before them; and the contention of my hon. friend was that the Government in this case neglected its duty. Not a single member on the Government side took part in the debate until several on this side had spoken, when the Minister for Lands got up and informed us that he had looked at some papers, but had not considered the case far enough to come to a decision. But it was the duty of the Minister to whose department the case related to have risen after the member for Rosewood sat down, and given us his views. That is the function of the Government. But it was only when this side of the House called attention to the fact that there was nothing known of the matter that the Minister for Lands got up; and what he did tell the House certainly did not strengthen the opinion that it was a case for a select committee. If the Government had taken the trouble to inquire into the matter, and had seen whether these people suffered a wrong or not, they would have been able to inform the member for Rosewood whether they would have supported or not the motion he made; and having the papers, and the means of arriving at a conclusion, they ought to

have informed themselves of the matter in such a way as at once to have told the hon. member for Rosewood whether or not they would support his motion for a select committee. If the Ministry had satisfied themselves that these men had suffered no injury, it would have been their duty to vote against a select committee; and if they thought damage had been suffered by these men they ought to have said distinctly that they were prepared to vote for a select committee. That was the contention of my hon. friend—that the Government abrogated their functions; and I think it is clear to everyone in the House that they have not done what has invariably been the rule ever since the House existed—that in all cases where the Treasury is attacked the Ministry should get up and speak with no uncertain sound on the matter.

MR. MOREHEAD said: Mr. Speaker,—It is interesting to hear the Premier;—who, I fancy, has retired from the precincts through feeling exhausted, not only with the length of his speech, but with the weakness of his argument; possibly the weakness of his argument has led him to adopt this scheme of retirement;—have the hardihood, I may call it, to say that the leader of the Opposition adopted a peculiar mode of argument—his words were “which differs from the commonly received opinions of mankind.” I do not quite understand what the Premier meant by using those words. Possibly he has been so mixed up in his foreign relations that he possibly cannot now express himself in the good English that he used to employ. That, I suppose, can be the only solution of the complicated way in which he tied himself up in that particular statement. Now the hon. gentleman has expressed himself strongly in favour of the relegation of matters of this kind to committees of this House. Has the hon. gentleman not got before him the lamentable defeat he suffered when he appealed to the Supreme Court, with reference to the decision arrived at by the only judicial committee that can be appointed by this House? Does he not remember the lamentable defeat he got in the Supreme Court, when he sued the leading journal of this colony for daring to libel His Highness and this House? Did not a jury of our fellow countrymen say this: that the nomination of that committee was as described by that journal—that it was a packed committee—a committee that could only bring in one verdict? A stronger condemnation of the system of reference to a committee could not be delivered than was given by the verdict of that jury in this city of Brisbane. But I will go further than this, and point out that the hon. gentleman has done some things utterly at variance with the recommendations of committees of this House. I mention this in order to show the variableness of the hon. gentleman. He has absolutely given Mr. P. F. Macdonald a large sum of money. Of course, when I say “he,” I mean his Government; in mentioning his name I include his Government; they are the satellites who revolve round him; his is the master mind—he certainly rules the lot, although to rule the lot may not be a high occupation. I say he gave Mr. Macdonald a large sum of money unauthorised by Parliament, and in direct contravention of the decision of a committee of this House. Again, if report be true—and I will ask the hon. member for Maryborough whether it is or not—he, unauthorised, gave a large sum of money to the junior member for Maryborough, Mr. Annear. These things the hon. gentleman has done; in one case he paid a large sum of money without the sanction of Parliament, and in the other against it. Now, to suit his own special purpose, he says



this particular matter must be referred to a select committee. I think I have clearly shown that the hon. gentleman has landed himself in a three-cornered dilemma. I have shown him that reference to a committee has been proved to be futile; it has been proved to be ruled simply by a party vote. A jury here have shown that this is the case, and that the strictures of the *Courier* were perfectly justifiable and correct. I have also shown him that, in defiance of the decision of a committee, the appealing authority of which he speaks, he has given a very large sum of money to Mr. P. F. Macdonald; and I have further shown that without any reference to any committee, without any reference to this House, he has paid a large sum to the junior member for Maryborough. Hon. members must admit that the hon. gentleman has placed himself in an extraordinary and peculiar position. How he is to get out of the difficulties in which he has landed himself, I do not know. Had he landed himself in only one position, I know his way of evading and misrepresenting matters—but I think the word “misrepresent” is not parliamentary—I objected to it myself last night, and I withdraw it—of evading his responsibilities would have allowed him to escape out of one difficulty. But I do not see, having closed, as I should think, every hole, that it is possible for the hon. gentleman now to escape—how he is going to set himself right. As regards the hon. the Minister for Lands, although that is fighting with meaner game, I do not think there is very much to be said. The hon. gentleman has said that this case is so bad that he can do nothing with it—that these men have been so badly treated that he was perfectly helpless, and the only way was to appeal to the House. As has been pointed out by the hon. member for Mulgrave, the leader of the Opposition, if the case was so glaring as to demand investigation, if ever an impropriety had occurred in the department when it was perished over by his predecessor, the Hon. Mr. Perkins, who was Minister for Lands in the late Administration, why did he not say so? Why does he allow the German staking-horseto take charge of the matter? Why does he leave it in the hands of that gentleman, who really felt complimented the other night on being called the father of the Defence Bill? Are the Germans to rule this colony or are they not?—because the question is growing in the minds of most men in the colony day by day. I say that—without hesitation I say that—the Minister for Lands shows that the hon. German who represents Rosewood is the power behind the throne. The Minister for Lands has told us distinctly that he was not able to cope with this matter; that, although a great wrong had been committed, he could not right it, and they, therefore put up the leader of that “leedle Sherman vote,” to put matters to rights. I think the time will come when the “leedle Sherman vote” will be a very “leedle vote” indeed. The white men will put a stop to this German business, and the sooner it is put a stop to the better. But this matter clearly shows that the Minister for Lands, who is desirous of putting his sons and his overseers and all those who serve him, whether they be black or party-coloured, in such a position that they can occupy the land—that this great Australian patriot is to be overshadowed and overruled by the “leedle Sherman vote.”

Mr. ISAMBERT said: I am very sorry that such a questionable tone has been adopted in the arguments of hon. members on the other side of the House. I do not wish to go in opposition to hon. members, nor do I intend to waste the time of the House; and in deference to hon. members on the other

side, of whom I entertain a higher opinion even than they have this evening shown they entertain of themselves, I will agree to the adjournment of the debate until Tuesday next, for the production of the papers in connection with this case. I consider it due to myself and the Government, to say that I knew nothing of this matter until I was asked to present the petition to Parliament. I then asked Koledas whether he could not get redress from the Government, and he said “No.” I never troubled the Government about it. All I did was to ask the Minister for Lands whether anything could be done in the matter, and he replied “No.” I have no objection to the adjournment of the debate.

Mr. NORTON said: Mr. Speaker,—With the permission of the House, I would like to say that I misunderstood the Minister for Lands just now. I understood the hon. gentleman to say that he had gone through all the papers in this case, and I therefore assumed that he accepted the responsibility of the action of the hon. member for Rosewood. It appears, however, that the hon. gentleman has not been through the papers.

Mr. ANNEAR said: Mr. Speaker,—My name has been referred to by the hon. member for Balonne. I shall take the first opportunity when the whole of the papers are laid upon the table of this House—

The HON. SIR T. McILWRAITH: They are laid on the table.

Mr. ANNEAR: Not all.

The HON. SIR T. McILWRAITH: Yes.

Mr. ANNEAR: There are a few more yet.

The HON. SIR T. McILWRAITH: The Minister for Works has said we have all.

Mr. ANNEAR: There are other papers called for. The hon. member for Port Curtis was the first to call for papers. The whole of the papers are not complete yet, but when they are, so far as I know them, I shall address myself to this House upon the treatment which my firm has been subjected to; and no one knows that treatment better than the hon. leader of the Opposition, who is a practical engineer. I have it from one of his late colleagues that he stated that no men had ever received such outrageous treatment as my partner and myself have received in carrying out the construction of the Maryborough and Gympie Railway. The treatment that has been meted out to us I shall prove to this Assembly. I will prove to this Assembly and to this country that the Government, or some members of the Government, kept men in positions whereby they robbed my partner and me of £20,000. I will prove that as clear as daylight; and I will prove that those men who were kept in employ at large salaries will not be again employed in the positions they hold in this colony. My position here is perfectly clear.

The HON. SIR T. McILWRAITH: Hear, hear!

Mr. ANNEAR: I want no man's favour, and I fear no man's frown. My conduct has been perfectly honest since I have been in this colony—over twenty-two years. My transactions will bear the light of day. When these papers are all printed I will take an opportunity, though it will take me time to do it—but though it should take me a whole sitting to show it, it shall go forth to this colony—the treatment we have received. I believe that had the leader of the Opposition been aware of one-tenth of the treatment meted out to us he would have stopped it at once; and when he has heard it I am confident that that gentleman will be convinced that I have been treated in the manner I have named.

Question put and passed; and, on the motion of Mr. ISAMBERT, the resumption of the debate was made an Order of the Day for Thursday next.

#### MARYBOROUGH SCHOOL OF ARTS BILL.

Mr. BAILEY said: Mr. Speaker,—I beg to move—

1. That the Maryborough School of Arts Bill be referred for the consideration and report of a Select Committee.

2. That such Committee have power to send for persons and papers, and leave to sit during any adjournment of the House, and that it consist of the following members, namely:—Messrs. Mellor, Ferguson, Donaldson, Beattie, and the Mover.

I hardly know for what reason this motion was made "not formal"; but I will give very briefly the reason why this Bill has been brought in upon the petition of the trustees of the Maryborough School of Arts.

The PREMIER: There have never been any reasons given before until the second reading of a Bill.

Mr. MOREHEAD: This is not a formal motion.

Mr. BAILEY: It is desired that a certain portion of the ground granted to the trustees of the school of arts at Maryborough may be sold. Many years ago a school of arts quite good enough for that time was erected on a portion of this ground. They want now a much better building, and the only way by which they can raise the necessary funds for its erection is by selling a portion of the land granted to them, which is now actually waste land, and which is not used for the purposes of the school of arts or any other purpose. By selling that portion of the land, they will be able to realise an amount sufficient to enable them, assisted by public subscriptions, to build a larger, more commodious, and more suitable building for the town. That is briefly the object of the Bill.

Question put and passed.

#### ANNEAR AND COMPANY'S CLAIM AND MR. JOHN DRYSDALE.

Mr. BAILEY said: I beg to move—

That there be laid upon the table of this House, the preliminary Letters and Correspondence which led to the inquiry held by the Chief Engineer (Mr. Stanley) in reference to Mr. John Drysdale, in connection with the return laid on the table of the House on 3rd instant by the hon. the Minister for Works.

My reason for moving this is that no less than three members of the Assembly have moved for papers in connection with the contractor's work on the Maryborough and Gympie Railway, but there are papers still wanting. The last returns which I saw refer to papers which we have not got yet, and as it is very evident, from what the hon. member for Maryborough said to-night, that we are to have a discussion upon this subject, I should like hon. members to be in possession of all the papers on the subject.

The HON. SIR T. McILWRAITH: Will this motion have the effect of giving the whole of them?

Mr. BAILEY: As far as I know. I only know that in the last returns laid before the House these papers are referred to, and they are not among the papers we have got so far.

Question put and passed.

#### LOCAL AUTHORITIES BY-LAWS BILL.

On the motion of the PREMIER, the House in Committee affirmed the desirableness of introducing a Bill to declare the powers of local authorities with respect to imposing license fees, tolls, rates, and dues, and for other purposes.

The Bill was read a first time, and the second reading made an Order of the Day for Monday next.

#### ADJOURNMENT.

The PREMIER said: Mr. Speaker,—It is not my intention to go on with any more Government business to-night; and I now beg to move the adjournment of the House. I shall ask the House to adjourn till Monday.

Mr. MOREHEAD: No.

The PREMIER: I have been asked by a good many members in this House to commence the Monday sittings.

Mr. MOREHEAD: You said, for non-contentious business.

The PREMIER: We do not propose to go on with the Land Bill, but there is the Defence Bill, a matter which might very fairly be taken on Monday evening.

Mr. MOREHEAD: No.

The PREMIER: It has received the support of both sides of the House, and, as I understand it, it is a matter which may very properly be taken on Monday evening. I am sure that is the opinion of many members of the House. The Bill which has just been introduced relating to the powers of local authorities is another measure which might very well be taken. I therefore ask the House to meet on Monday evening at half-past 7. I believe it will meet the convenience of a very large number of members of the House, although to many it will cause considerable personal inconvenience—to no one, I think, more than myself. On Tuesday the Government propose to proceed with the Land Bill, and on Wednesday to take the debate on the Financial Statement. I am not able to give any further information with respect to the conduct of business the following week; but I wish it to be distinctly understood that, in the meantime, with the exception of two or three minor Bills, of which my hon. friend the Colonial Treasurer has given notice, the matters to which the House will be asked to give its attention will be questions of finance and the Land Bill. I ask permission to move, without notice, that this House now adjourn till Monday next.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I do not think it is proper for the House to commence Monday sittings next week. We have scarcely recovered from the fatigue of the Financial Statement. For my own part I was at work all last night and all to night. I have my own private business to attend to on Friday and Saturday; I go to church on Sunday; and yet the hon. member has the effrontery to ask me to come and discuss the Defence Bill on Monday, and then be prepared to answer the Colonial Treasurer's Financial Statement, which occupied two hours and a-half in delivery. I have a particular desire to forward the business of the country, and am only too glad to hear the hon. member say he is going to take the Land Bill on Tuesday; but it is quite impossible for hon. members to do their duty to themselves and the country if they have to come on Monday. This Ministry has had more facilities for Government business than any Ministry I have had experience of since I have been a member of this House. This is the first Thursday since I have been here of which this Government has not had a complete monopoly; and that never happened in my experience before. Thursday was always taken up by private members. The Government have enjoyed that privilege, and now, after that extraordinary speech of the Colonial Treasurer, the hon. the Premier asks us to come down and discuss the Defence Bill on Monday. It is no doubt a non-contentious Bill

to a great extent, but I should like to see men who have given volunteering their study come forward and assist the passage of the Bill. I should be to a great extent a listener, but I should be none the less working all the time, because I want to see the effect of the measure on the country. The hon. member must see that it is an unreasonable thing he is asking. I used to consider it was unreasonable to ask members to come on Monday towards the end of the session; but here, though we have not come to the Estimates, and have gone through none of the important Bills, the hon. member says, "Come on Monday." The thing is ridiculous. I am sure the hon. member has too much sense to press such a motion. He knows perfectly well that the Opposition have every desire to forward the business of the country. My object is to have a good, short, sharp session, and I am perfectly prepared to facilitate the debate on every important measure. I have done that right through.

The PREMIER: Hear, hear!

The HON. SIR T. McILWRAITH: Surely the Government are not going to overwork us! Because if it leads to overwork I can get plenty of speeches delivered on the Defence Bill, to relieve me.

Mr. MOREHEAD said: Mr. Speaker,—There is no one knows better than the Premier, that he got this House to agree that there should be Monday sittings, by distinctly telling us that they would be for non-contentious work only. "Non-contentious work" was the expression he used. Does he mean to say that the Defence Bill is a non-contentious Bill?

The PREMIER: I do.

Mr. MOREHEAD: I will contend against the Bill from commencement to end, so he can hardly call it non-contentious. I believe the Bill to be a very bad Bill.

The PREMIER: You are not the only member of this House.

Mr. MOREHEAD: The hon. member says I am not the only member of the House. I admit it, but I am a very contentious member of the House; and he can hardly say that this Bill will be a non-contentious one. I tell him distinctly that if he attempts to push on that Bill on Monday evening he will not get one inch with it. We want to adjourn till Tuesday, and we will adjourn till Tuesday; or, if not, we will waste a Monday evening—I can assure him of that—if the Defence Bill comes on. If the hon. member can suggest any non-contentious Bill, I shall be happy to deal with it. So long as we have to deal with contentious matters it is hardly fair to sit on Monday evenings. I hope the hon. member will not press it. He certainly will do no business on Monday. I appeal to him if he is a man of his word, which possibly he may be, to say whether my interpretation of his words is correct or not—that is, that we are only to deal with non-contentious business on Monday.

Mr. JORDAN said: Mr. Speaker,—I am under the impression, sir, that it will not be convenient for hon. members on this side of the House to come on Monday. The hon. member for Balonne has given one very good reason why we should not meet on Monday night—that he is determined to fight; and I have a reason—a very poor one beside his—which is, that I cannot be here. That is of no consequence to other hon. members of the House, but it is of great consequence to me, because I like to be present when work is being done.

The HON. SIR T. McILWRAITH said: The Premier will understand that my desire is to give the Government every facility that I possibly can

The Premier must have seen that from my action all through; I have always facilitated the disposal of private business in order that we might get on to the Government business. I shall be only too glad, on account of the country members, to meet on Monday; but I am quite sure in the present state of business we cannot do it. I am very glad, however, to know that the hon. gentleman is going on with the more important business on Tuesday. I do not think the Defence Bill is so contentious as the hon. member for Balonne makes out. There is no hurry about it, and we can discuss it quietly after having disposed of more important measures.

Mr. MOREHEAD said: If I am in order I will read exactly what the Premier said in moving that Monday be a sitting day, to show that I have not misrepresented the facts. I take this from *Hansard* of the 6th August:—

"Mr. MOREHEAD: Only business of a non-contentious character will be taken on Monday, I suppose?"

"The PREMIER: Yes, and I would take no business that any member desired to discuss who could not be present."

Well, Mr. Speaker, I shall not be present, and I desire very much to discuss the Defence Bill. I think, for that reason, the House should not meet on Monday evening next.

Mr. STEVENSON said: I can hardly understand the hon. the leader of the Opposition, and the hon. member for Balonne, waxing warm over the motion of the Premier. The Premier had not the least idea of sitting on Monday, and if the motion had not been objected to on the Opposition side of the House the hon. gentleman would have got some of his own supporters to oppose it. The hon. gentleman simply wanted to make a show, and he was only too anxious that the House should adjourn until Tuesday.

Mr. MACDONALD-PATERSON said: I think the last speaker is somewhat incorrect, for I am quite sure the hon. the leader of the Government fully intended that the House should meet on Monday; but when it was pointed out to him that the leader of the Opposition would not be able to attend church on Sunday if he carried his motion he at once repented. The hon. member for South Brisbane (Mr. Jordan) is probably influenced by the same feeling, and I give both those hon. gentlemen credit for their intentions.

The HON. SIR T. McILWRAITH: The hon. member is quite mistaken. Even if I did not go to church on a Sunday, I should not occupy my time by studying the Financial Statement.

The PREMIER said: When I asked permission to move without notice that the House adjourn until Monday next, I thought that in so doing I was complying with the expressed desire of a majority of hon. members; and I am rather surprised that they have not expressed the same views in the House that they have done outside. The motion, of course, can only be made with the consent of the House, and if that is not obtained it cannot be put. I take this opportunity of recognising in the fullest manner the assistance we have received from the hon. gentleman who leads the Opposition. I am obliged to him for the assistance he has given the Government in the conduct of their business, and I look forward to similar assistance for the remainder of the session. I do not agree with the hon. member for Balonne when he attempts to bring the Defence Bill under the category of contentious business. When a large majority of the House agree to a certain extent upon any measure placed before them, the fact that one member does not agree to it can hardly be given as a good reason for not considering the measure as non-contentious. It is certain we shall have to sit either on Monday nights or

Friday mornings at some time or other during the session. Some hon. members think that the time has arrived for us to do so, and, personally, I think the sooner we begin to sit four days a week the better, as I think hon. members would prefer to do their heavy work while the cool weather lasts. Although I shall certainly not press my request as far as the coming Monday is concerned, I may express the hope that hon. gentlemen will take seriously into their consideration the propriety of meeting on Monday nights, and continuing to meet on Mondays until the end of the session. We may, at least, take the lighter work on Mondays. I do not think we can stand more than three days in each week of the heavier work, nor is it desirable that we should try. I will ask hon. members to take the matter into their consideration during next week, and be prepared to meet for the future on Mondays. I now ask leave to amend my motion, by substituting "Tuesday" for "Monday." I may say that I will ask the House, before proceeding with the Land Bill on Tuesday, to read the Bill relating to By-laws a second time.

THE HON. SIR T. MCILWRAITH said: I hope the leader of the Government has not fixed Wednesday for the discussion of the Financial Statement to suit the members of the Opposition. The hon. gentleman must see that the position in which he has put the business is rather disjointed. We take the Land Bill on Tuesday; then the Financial Statement on Wednesday, and that will take up the whole of the day, and as much of Thursday as we can spare. I do not know whether the Government have any reason of their own for making the business so disjointed, but it is certainly no convenience to the Opposition. I would much rather discuss the Land Bill when we have got rid of the Financial Statement.

THE PREMIER: We have a reason for arranging business in that way.

THE HON. SIR T. MCILWRAITH: It is not for the convenience of the Opposition that the discussion on the Financial Statement should be postponed until Wednesday. It appears to me a most extraordinary thing to take the Land Bill first, then the Financial Statement, and then go back again to the Land Bill.

MR. MOREHEAD: I take exception to what has fallen from the Premier in regard to his interpretation of what was conveyed to this House by him when the word "non-contentious" was used; that is to say, matters to be dealt with on days outside the usual routine of the House. He has stated that he never for one moment pretended that the Defence Bill would be embraced in the category of measures debarred from being dealt with on the additional sitting day. It is a very contentious measure, and it is contentious because you do not go in for defence unless you are attacked; but, putting that on one side, the Bill is one of supreme importance to this colony, and I, therefore, distinctly object to the hon. gentleman telling this House that the discussion on such a Bill can be covered by the arrangement arrived at by the House as regards matters to be dealt with on off-days, so to speak. With regard to the Land Bill, it is to be regretted that the Premier is not prepared to push on with it. I suppose the Minister for Lands has got to be blistered and turned out. That he has been blistered is certain, and that he is to be turned out, I hope. Why should we have these large intervals in the discussion of the Land Bill, instead of going on with it, as suggested by the leader of the Opposition, from day to day? It is the most important measure we have before us; let us finish it one way or

the other; let us have no playing with it, as the Premier seems inclined to do. The Minister for Lands is already getting "sicklied o'er with the pale cast of thought"; he is suffering under the Land Bill, although I believe he has ceased to be a freeholder. Let us have none of this backstairs influence or trickery going on with regard to the Land Bill. If, according to the Premier, it is necessary to the colony, let us have it and finish it before we do anything further. I am certain the country will not be satisfied until this vexed question—vexed still more by the Government—is settled.

MR. DONALDSON: I think that some consideration should be shown to the country members. We have already been here over two months, and shall probably be here for another six months; and as it will be necessary to sit four evenings a week, the sooner we begin the better. I do not wish to interfere with the arrangements of the leaders of the House, but I am very anxious that the House should meet on Mondays, and I trust that a start will be made after next week. With regard to the word "non-contentious," a measure could not be non-contentious if it was in the power of any hon. member to say that he intended to contest it. If Monday evenings are to be devoted solely to non-contentious business it will be useless to meet at all on that day, for there is hardly a measure brought forward that can properly be called non-contentious. I trust the Government will show country members some consideration, so that the session may be brought to an end as soon as possible.

Question—That the House do now adjourn till Tuesday next—put and passed.

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