

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 18 NOVEMBER 1884

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blacks on Canobie Station, Flinders River, during the absence of the manager, for no earthly reason which he could find out, and after the blacks had been promised protection by myself, the owner of the station, and by the manager. I believe the same gentleman was also connected with the shooting of a decrepid old man, two gins, and a child by the troopers. I know this House during last session passed a very strong opinion upon the case of a gentleman who had neglected a kanaka girl after she had met with an accident in his service. I think the House will also express an opinion upon this case. I am inclined to think that the Colonial Secretary, who has found a remedy for many abuses in the kidnapping system and other things, may also exercise his ingenuity to obviate some of the difficulties of this system. I am not prepared to make out a case against the police—there is not much of “Exeter Hall” about me, nor am I very squeamish in matters of this kind—and no one living in the outside districts can be very particular in these matters; but I consider the action in this case so uncalled for and so unnecessarily severe that some attention should be called to it. I will read a part of the article to which I have referred as appearing in the *Courier*—

MESSAGES FROM THE GOVERNOR.

The SPEAKER announced the receipt of messages from His Excellency the Governor conveying His Excellency's assent, on behalf of Her Majesty, to the following Bills:—Native Labourers Protection Bill; Maryborough School of Arts Bill; and Townsville Gas and Coke Company Bill.

MEMBERS EXPENSES BILL.

The SPEAKER announced the receipt of the following message from His Excellency the Governor:—

“With reference to message No. 8, transmitting a Bill ‘to provide for the payment of expenses incurred by members of the Legislative Assembly in attending Parliament,’ His Excellency the Governor, in accordance with the provisions of the 18th section of the Constitution Act of 1867, now recommends to the Legislative Assembly that provision be made in the said Bill for payment of the expenses of all members of the Legislative Assembly at a rate not exceeding two guineas for each day during which a member attends in his place in Parliament.”

On the motion of the PREMIER (Hon. S. W. Griffith), the message was ordered to be referred to the Committee of the whole House appointed to consider the Bill.

LOAN ESTIMATES FOR 1884-5.

The SPEAKER also announced that he had received a message from His Excellency the Governor, forwarding the Loan Estimates for the year 1884-5.

On the motion of the COLONIAL TREASURER (Hon. J. R. Dickson), the Estimates were ordered to be printed and referred to the Committee of Supply.

MOTION FOR ADJOURNMENT.

Mr. PALMER: Mr. Speaker,—The part of the article to which I have been more particularly referring reads as follows:—

“An Italian charcoal-burner, who resides at the foot of the spur, noticed the troopers stealthily ascending it, and shortly afterwards heard shots and screams. According to Alecky's version, King Billy was shot while asleep. Tommy, a black about twenty years of age, who was the only other male in the camp, jumped over a precipice and escaped—which is little short of marvellous, as the rock from which he leaped was covered with bullet marks. Two gins and a piccaninny still remained in the camp. The elder of them—King Billy's spouse—took hold of a ‘waddy,’ and began to abuse the troopers, when one of them clubbed his rifle and beat her brains in. The other

LEGISLATIVE ASSEMBLY.

Tuesday, 18 November, 1884.

Motion for Adjournment.—Messages from the Governor.
—Members Expenses Bill.—Loan Estimates for 1884-5.—Motion for Adjournment.—Annexation of New Guinea.—Members Expenses Bill—committee.
—Supply—resumption of committee.—Adjournment.

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

MOTION FOR ADJOURNMENT.

Mr. PALMER: Mr. Speaker,—I suppose I had better move the adjournment of the House, as I desire to call attention to a matter which, if I did not speak of it, some other hon. member would perhaps call attention to. It is with regard to an article in the *Courier* of Friday, 14th November, respecting the shooting of some blacks at Herberton. The article is from the correspondent at Herberton to the *Northern Standard*—a Townsville paper. The first part of it refers to the apprehension of two aboriginals for the murder of two white men on the Walsh River, and their disappearance, I suppose, in the usual form and in the orthodox fashion. This was done by Mr. Sub-Inspector Nicholls. Although I think, myself, that most men will agree that the blacks who perpetrated the murder are deserving of death, and they would get little mercy at the hands of any bushman, at the same time when it is known that the men shot could not possibly, according to the letter I refer to, have been guilty of the murder, and that one was employed by a magistrate of the territory, and also that they were apprehended under warrant, I think some further notice should be taken of the affair. I think Mr. Sub-Inspector Nicholls is the officer who, while in the police, shot several

gin was then shot in company with the piccaninny, which was about six years old. A fire was then made, and the bodies thrown into it. The troopers then returned to Irvinebank, and, in company with the orderly (Stewart by name), left for Herberton the next morning at daylight. Alecky, however, soon began to relate the previous night's doings, and, on his assertions coming to the ears of Mr. Moffat, who is a justice of the peace, that gentleman determined to inquire into the matter, and ordered Alecky to conduct him to the spot. This was done, and the bodies of the blacks were identified as the remains of King Billy and two well-known gins. The piccaninny, however, could not be identified. By a strange chance, the faces of all the victims remained uninjured. Mr. Moffat immediately rode into town to acquaint Mr. Mowbray, Police Magistrate, with the circumstances, but that gentleman was absent in Thornborough. A policeman was sent out to view the bodies, and by wire it was ascertained that Mr. Mowbray would hold an inquiry on the Thursday. On that day Mr. Mowbray left town with Mr. Bowkett for Irvinebank to inquire into the matter, but on arriving there and visiting the scene of the slaughter not a vestige of human remains were visible, a large fire having been evidently built on them the previous night. Notwithstanding this unexpected turn, evidence was taken, and the facts clearly proved, there being over fifty persons who had seen the bodies. A number of cartridges with the Government stamp and a couple of pairs of handcuffs were found the morning after the occurrence. The evidence has been forwarded to the Colonial Secretary, and it is probable further inquiry will be made."

There seems to be no crime specified to justify the shooting of those blacks at all. They have been living close to the township, and in no case could they have been the blacks who killed the unfortunate men on the Walsh River, and for whom the police were out. I suppose hon. members will scarcely think that a force which is officered by white men in Her Majesty's uniform are capable of committing such deeds; but those who have more experience of Queensland know full well that it is not an uncommon thing. I believe myself that there is in the force a germ that could be made very useful if it was properly developed; but under the present system it is the old thing over and over again; and I only make these further remarks to urge upon the Colonial Secretary to take some steps to put a check upon this useless waste. I have in my experience of aborigines found some very useful men; some of the best servants I almost ever had as stockmen and stockriders have been native boys trained up from their childhood, and they are still with me. I know that better use can be made of blacks than to shoot them down indiscriminately. There is no doubt, from the burning of the bodies, that the persons concerned had some idea that what they had done was not consonant with their duties at all as a police force. I further contend that a great deal of the crime that is committed by the blacks is the effect of the severities that are carried out by the native police. Others have to suffer for what they considered to be their duty. I beg to move the adjournment of the House.

The PREMIER said: If the statements contained in that article are true, there is no doubt that there has been a foul murder committed. I have no information at the present time as to the details of the case. The matter was reported to me some time ago, and I immediately directed an inquiry to be held. The inquiry has been held; but the report has not yet reached me. It is on its way down; and when it does reach Brisbane the Government will take such steps as it is possible to take in the matter, and the hon. member may be sure that they will not allow any atrocities of that kind to go unpunished if it be in their power to punish those who are guilty of them. I will certainly not, so long as I have the administration of the Police Force, allow that kind of thing to go on. In the mean-

time I can give no further information beyond saying that what ought to be done has already been done.

The HON. SIR T. McILWRAITH said: I am glad to know that the Government are going to take action on the information that appeared in the *Courier* of Friday last.

The PREMIER: We took action long before that article appeared in the *Courier*.

The HON. SIR T. McILWRAITH: I do not know the circumstances, and the Premier need not be so sharp. I am glad to know that the Government have taken action, whether on the advice of the *Courier* or not. It is one of those cases that are not indefinite as to whom to make the charges against, such as others that have been brought at various times before the House. Here is a regular charge of murder of black men, and it should be proved the same as in the case of a white man. It is an opportunity such as a Government rarely has, and it is satisfactory to know that steps have been taken to clear the matter up. Another thing that very much astonishes me is the cool way in which the hon. member for Burke talks about murders having been committed in his experience. That is a thing that ought to be cleared up. I was certainly horrified to hear the remarks the hon. member made, as I have been connected for many years with squatting pursuits, and I have never known of any murders committed. I have never known any person, with the exception of one, who confessed to having killed a black. It is the duty of the hon. gentleman to give further information to the Colonial Secretary, and see that such atrocities shall not possibly exist in a colony like this. I administered the Police Force for some time, and I can say that no such case as that referred to by the hon. member for Burke ever came under my notice, nor had I the slightest chance during that time of investigating any case upon such definite information as is volunteered in this. I know that under my predecessor, Sir Arthur Palmer, a large number of cases were brought forward, and when investigated were found to be unfounded. Now we have something tangible to work upon, and the best efforts of the Government ought to be exerted to get at the bottom of this foul scandal.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: I cannot allow the remarks of the leader of the Opposition to pass without notice. The hon. gentleman said what was incorrect when he stated that, during the administration of Sir Arthur Palmer, complaints against the native police had been investigated and found to be wholly unfounded. A great many cases were brought to light and proved to a moral certainty, and, if a fair investigation had followed, the perpetrators of the atrocious murders should have been punished as they deserved. I may give one instance that came within my own knowledge. I was at Tambo at the time, and had in my employ a blackboy and his gin, who were shepherding. One day a native trooper came into town and got drunk, and boasted that he would go out and shoot Dutton's blacks. He went out and shot the man and his gin in their gunyah. The gin was found with a bullet through her breast, which came out at the back, and she was brought in to the station in that state; but the man was shot dead. That man had been in my service for eight years, employed during that time in shepherding. The Government were asked to investigate the case, and they sent up a man named Sadlier—a man who, if he had his due, ought to be hanged himself. He took care to suppress all the evidence he possibly could, and the result was that the murderer got off without even a reprimand, as far as I under-

stand. That is only one case of a great many I have known; and in many cases the greatest possible difficulties were thrown in the way by the Government to prevent anything like the truth being arrived at. I have protected the blacks for years past, and I took every care to let it be known that they were under my protection, and that I would protect them with my own rifle against the native police, or anyone else when necessary. The case I have mentioned was an exceptionally bad one, and was very clearly proved against the man who perpetrated the outrage.

The HON. SIR T. McILWRAITH said: As a matter of explanation, I wish to say that the hon. gentleman has thoroughly misunderstood my remarks. I referred to investigations that took place under my predecessor, but that is seven or eight years ago; yet the hon. gentleman instances one case with the object of heaping odium upon myself and Sir Arthur Palmer. The hon. gentleman never rises except to take a most unfair advantage of his opponents.

The MINISTER FOR LANDS: Sir Arthur Palmer was at the head of the Government when the complaint I referred to was made.

The HON. SIR T. McILWRAITH: That is ten years ago.

The MINISTER FOR LANDS: It was during one of his administrations. The hon. gentleman says the charges brought against the police, when he was in office, were unfounded. I say they were not.

The HON. SIR T. McILWRAITH: I never said anything of the sort. I referred to what took place during the tenure of office of my predecessor. Why does the hon. gentleman fix a wrong charge upon me? As to the charges brought against Sir Arthur Palmer for what he did or did not do ten years ago, the hon. gentleman ought to think shame of himself for referring to them. I should like Sir Arthur Palmer to be present just now. He would make mincemeat of the hon. gentleman.

Mr. JORDAN said: I was very glad to hear the reply of the hon. the Premier to the member for Burke, and I am also glad to hear the remarks of the leader of the Opposition. It is evident they are in accord with one another, that the murderers should be brought to justice, and dealt with accordingly if the charges are true. I judge from what the hon. member for Burke said that cases of this kind are not uncommon, although the leader of the Opposition says he had no cases of the kind brought under his own personal observation when he was Colonial Secretary. The House I am sure will be satisfied with his statement on that point; and, as to whether this case mentioned by the Minister for Lands happened during his time of office, of course that is settled also by the explanation we have heard. I daresay Sir Arthur Palmer would give a good account of himself in the matter, although the facts as stated by the Minister for Lands appear at first sight to lead to a different conclusion. I am afraid this matter of the black police is past regulating and improving. I recollect one of the first things that impressed me, on my arrival here twenty-seven years ago, was that I saw a troop of those fellows in the streets with their officer hanging about an hotel. On inquiry, I was told they were the native police of Queensland, and I heard wonderful accounts of them—how they would throw off their clothing, and, slipping into the scrub, pursue the blacks of other tribes. I found out afterwards that they were brought from distant parts of the colonies, and were

eager to hunt their opponents like bloodhounds, and that they thirsted for blood; and I have come to the conclusion that the system is an atrocious one. I can speak with some knowledge on the subject, because I purchased a cattle station twenty-six years ago at Caboolture, where the blacks had been very bad, and I repeat what I stated the other day, although what I then said was taken exception to by the hon. member for Blackall, who was the previous owner of the station. The housekeeper at the station had been murdered by the blacks, and it had been abandoned, but when we took it up we came to the conclusion that conciliation was the best policy, and we never found it to fail. When the blacks coming over from Bribie Island speared the cattle I took it for granted they were hungry, and let them alone. I think we ought to abolish the present system altogether. So long as we employ those fellows, they will be like so many bloodhounds, and they will ever be a lasting and eternal disgrace to the colony.

Mr. GRIMES said: I am pleased to hear this matter brought forward, and we ought to be gratified with the promise of the Government that it will receive attention at their hands. The native police are a disgrace to the country, and I hope the Colonial Secretary will be able to have these murderers brought to justice.

Mr. PALMER, in reply, said: I am quite satisfied with the reply of the Colonial Secretary, and I believe he is doing his utmost to throw light on the subject. I can quite understand that in these cases it is very hard to sheet the matter home to the perpetrators; but, by calling attention to this case, something may be done to assist in throwing light on the occurrence. The leader of the Opposition says that such cases are uncommon, and that I treated the matter very coolly, just as if it was an everyday occurrence. Well, I certainly did not want any sentiment on the question. I merely stated the facts as they appeared in the newspapers. Perhaps my experience, twenty-three or twenty-four years ago, in new country, when it was first settled, and years before the police ventured into the district, when we had to protect shepherds and cattle from being knocked about, has deadened my objection to people taking the law into their own hands when placed in such circumstances. When people's lives are in danger, perhaps they are not as particular as they ought to be. I must say that I have always endeavoured to act in a conciliatory way towards the blacks. I have found them so useful that it was to my advantage to do so. I remember I wrote to the late Government on the question, giving them some hints, and asking them to support me in new country that was to be taken up, but I did not receive that recognition I was led to believe I should get; in fact, I got rather snubbed for my pains, and I did not trouble them with any further correspondence on the subject. The matter I have to-day brought forward has now been referred to by several hon. members, and I hope the whole affair will be thoroughly opened up by the Colonial Secretary, as he generally deals with matters of that kind.

Question put and negatived.

ANNEXATION OF NEW GUINEA.

The HON. SIR T. McILWRAITH said: I should like to ask, without notice, whether the Premier has received any despatch or any information that has not been published in the newspapers with reference to the so-called annexation of New Guinea; or are there any papers dealing with the question? If so, will the hon. gentleman lay them on the table to-morrow?

The PREMIER said: There is no information at all with reference to New Guinea, other than that I have seen in the *Courier* newspaper. The only communication that has been received is a telegram from the Government of New South Wales, asking if Queensland will be represented in the Council of Advice for New Guinea; and also a circular from that Government asking whether Queensland will increase its contribution towards the expenses. I have no objection to lay that on the table. I may add that we have no objection to this colony being represented in the Council of Advice; but we require further information of what is proposed to be done in New Guinea before we consent to increase our proportion of the contribution.

The HON. SIR T. McILWRAITH: Then there is no truth in the telegram in the *Courier*, that all the colonies except Victoria had consented to increase the subsidy from £15,000 to £30,000—no truth, I mean, as far as Queensland is concerned?

The PREMIER: None whatever; the answer is as I have stated. We want further information before we come to a decision on the subject.

MEMBERS EXPENSES BILL— COMMITTEE.

On the motion of the PREMIER, the Speaker left the chair, and the House went into Committee to consider this Bill in detail.

Preamble postponed.

On clause 1, as follows:—

"1. Every member of the Legislative Assembly shall be entitled to receive and be reimbursed the expenses incurred by him in attending Parliament at the rates specified in the schedule to this Act.

"2. The allowances for mileage and passage money shall not be payable in respect of more than one journey to and fro in or for any one session, unless in the event of an adjournment extending over thirty days, in which case they shall be again payable after such adjournment.

"3. For every day on which the Legislative Assembly is appointed to sit, and on which a member does not give his attendance, there shall be deducted from the sum which would otherwise be payable to him in respect of a daily allowance in the schedule specified, a sum bearing the same proportion to the whole of such sum as the number of days on which he fails to give his attendance bears to the whole number of days on which the Assembly is appointed to sit.

"4. The allowances aforesaid shall be payable from time to time as and when the expenses shall have been actually incurred.

"5. Provided that no member shall be entitled to receive in respect of his attendance in any one session of Parliament a larger sum than two hundred pounds over and above the allowance for mileage and passage money."

The HON. SIR T. McILWRAITH said the Premier had stated that he was going to propose an amendment in the schedule. The clause ought not to pass until the Committee knew what the amendment was.

The PREMIER said the clause simply stated that an allowance would be paid; it did not say the amount. Whatever amount was to be paid would be on the daily allowance in the schedule. The amendment in the 3rd paragraph of the schedule would read thus:—

"For each day during which any member gives his attendance in Parliament, or is necessarily absent for the purpose of attending Parliament from the town or place in which he usually resides or carries on business."

The HON. SIR T. McILWRAITH said that paragraph 3 of the clause would require a great deal of attention. There was no doubt that the intention was to make a deduction bearing some proportion to the extent of a member's absence, but it would not have that effect. Up to the present time there had been sixty sitting days. Taking the particular case where a member had been absent all the time except one day, he

would receive for that day's attendance £5 14s., together with the whole of his expenses. If his expenses to and from Cooktown amounted to £20, he would get £26 for one day's attendance. If he did not attend at all, but left home with the intention of attending, he would get the whole of his expenses to Brisbane and back.

The PREMIER said he would endeavour to explain the principle of the paragraph. So far as town members were concerned, it had no application; if the House sat four days a week, they only got paid for four days a week. In the case of a member absent from his usual place of business, the allowance was for every day he was so absent—seven days in the week. The amount of the allowance in that case would be fourteen guineas; and if there were four sitting days in the week, the amount deducted for each day he was absent would be one-fourth of fourteen guineas—£3 13s. 6d. If he were present only one day out of the four he would be paid £3 13s. 6d. instead of fourteen guineas; if two days, £7 7s. 0d.; if three days, £11 0s. 6d. If there were three sitting days in the week, the amount to be deducted for each day's absence would be £4 18s. 0d.; if there were five sitting days, of course the amount would be less. He did not know of any better way of providing for deduction in case of non-attendance. The hon. member had suggested the possibility of an hon. member coming all the way from Cooktown and returning without attending Parliament; but, as the allowance would only be 1s. 6d. a mile, it would be hardly worth while. Of course if a member came down, and in consequence of a sudden prorogation of Parliament was unable to attend, it would only be fair that he should receive the allowance.

The HON. SIR T. McILWRAITH said the hon. gentleman had explained what he wished it to be; but his explanation was not in accordance with the real provisions of the clause. Taking the case which he had suggested, of a member being in his place one night out of sixty, the amount he would draw for that would be £4 16s. It did not figure out as the hon. member put it at all.

The PREMIER said the hon. member was taking a longer term into consideration. The illustration he (the Premier) had given was for one week.

The HON. SIR T. McILWRAITH said the Bill referred to a whole session, not to one week.

The PREMIER said the same method of discovering the amount to be deducted would apply, whatever was the length of the session. Supposing the session to last 100 days, a member who was present every day would be paid for 100 days; but if, as the hon. member suggested, he was only present one day out of sixty sitting days, he would only get one-sixtieth of the whole allowance. The three factors to be taken into account were the number of days a member was necessarily away from his place of business, the number of days the House sat, and the number of days he was absent.

Mr. ARCHER said the whole number of sitting days in the session would have to be ascertained before the calculation could be made.

The PREMIER said there would be no danger of any error being made. If the payments were made monthly, then during a month of thirty days the amount due to a member would be sixty guineas. If the House sat twelve times, and he had only been present once, he would get five guineas. It was quite simple.

The HON. SIR T. McILWRAITH said the hon. gentleman had explained what he meant the clause to be, but it did not work out as he

intended. Whether a member was absent one, two, or three days, he would be fined a varying amount. It would be constantly diminishing as his attendance increased, but not in the same proportion. It would be constantly diminishing at a different rate all through the session.

The PREMIER: That is so.

The HON. SIR T. McILWRAITH said the intention of the Bill was to fine an hon. member per day the same amount for non-attendance; but instead of that, if a member was one day in attendance, he would receive all expenses, plus £4 16s.

The PREMIER: It all depends on circumstances.

The HON. SIR T. McILWRAITH said it ought not in any case to be more than £4 16s. He did not see the equity of the clause at all, nor did he see the principle which the hon. member aimed at. Another part of the clause—"The allowances aforesaid shall be payable from time to time as and when the expenses shall have been actually incurred," showed the clumsy way in which it was done. All allowances were part of expenses. It provided that they could claim the expense as it was incurred, from day to day, so that he could get his screw from the Sergeant-at-arms as he went out at night. He considered that he had incurred a certain amount of expense up to the present time. Well, would they allow by the clause part payment of expenses? Supposing he wanted to go downstairs, and had not the wherewithal in his pocket to get what he wanted, could he get an advance under that clause? He thought the clause would allow that to be done.

The PREMIER said that, with respect to the last observation of the hon. member, he proposed that the amount of expenses should be paid monthly. With respect to the other remark, the hon. member said the deduction ought to be the same for every day. If there was payment for the days a member was absent from home, surely the amount of the deduction should be proportionate to the period of his absence from the House. Surely that would be the fairest way to deal with the matter. If a man was present in Parliament half of the time, it was fair to give him half the amount; and if he was present three-fourths of the time, they should give him three-fourths of the amount. What the extent of the time would be would depend entirely on the length of the session. In some sessions there might be only one sitting a week. It was practically allowance by the week to country members, and allowance by the day to town members. The deduction was calculated according to the number of times a member was absent from the House.

The HON. SIR T. McILWRAITH said he would like to know on what principle the amount was to be limited. The Bill was intended to provide for the payment of the expenses of members; but it was now—as he had always said it would be—a Payment of Members Bill instead of being a Members Expenses Bill. The hon. member had declaimed against paying members, and said that members who came a long distance ought to be reimbursed their expenses. Why should not townspeople who attended the sittings be paid for their attendance just the same as the other members? He would like to know on what principle the amount was to be limited to £200. Was it with the object of curtailing the sessions of Parliament? If a man was worth two guineas at the commencement of the session he was surely worth as much at the end of the session. Why should there be a kind of premium held out to country members to slip off before the work was done? He could not understand the principle on which the limit was made.

Mr. MACFARLANE said there was something very confusing in the 3rd subsection of the clause, which he thought might be simplified a good deal. He would suggest a much simpler way to deal with the matter—that each member, whether he was a country or town member, should be paid for every day he sat. If he was a town member let him be paid two guineas a day, and if a country member, three guineas for every day he sat. He thought that would simplify the matter very much, and would be much better than the plan proposed.

The HON. SIR T. McILWRAITH: How does the hon. member for Ipswich stand in that case?

Mr. MACFARLANE said he was not speaking for himself at all. He was speaking for country members.

The HON. SIR T. McILWRAITH said he was not asking a personal question at all. All he wanted to know was, how would Ipswich stand in the case pointed out by the hon. member? They had to consider those things. If town members chose to go to Sandgate with a free pass they would be country members.

The HON. SIR T. McILWRAITH said the question he put was worth answering. Why was the amount which members were to be paid arbitrarily fixed at £200?

The PREMIER said many reasons could be given for limiting the amount. The principal argument against payment of members was that it would tend to create a class of professional politicians, who would look upon the income they received for attending Parliament as a means of livelihood. He did not wish to encourage the creation of such a class; and by fixing the maximum for a long session at £200 it would scarcely encourage anybody to go into business as a professional politician. In a session of ordinary length, that amount would be fair remuneration; any exceptional cases that might arise were not worth taking into consideration. He proposed to omit the words "from time to time as and when the expenses shall have been actually incurred," with the view of inserting the words "at the expiration of each calendar month."

Mr. BLACK said he was scarcely satisfied with the Premier's explanation. The principle on which the Bill was introduced was that of reimbursing their expenses to members who had to come from a distance to attend Parliament—to put country members on the same footing in that respect as those hon. members who were so fortunate as to reside in or near the capital. The present session would be one of six months' duration, and town members would be fully recompensed for their attendance, as far as their expenses were concerned. But take the case of a country member—one living in the North. A total absence from home of thirteen weeks would absorb the whole of the £200. What would then be their position, presuming they left at the end of thirteen weeks? It seemed to be left optional with them whether to go or remain. According to the clause as it stood, town members would be fully reimbursed for their expenses, while country members would be reimbursed to the extent of only one-half.

The PREMIER said that very likely such an arrangement would result in the sessions not lasting so long. That had been the result in New Zealand, where a large number of the members came from the country. The present session here had been one of unusual length; but three months might be considered the average length of a session.

Mr. BLACK said the next important thing to know was, when would the roll of members be made up—at the opening of the sitting or at the

close? If at the end it might very likely tend to short sessions; but if a member could put his head inside the door, get his name taken down, and then disappear for the rest of the sitting, it would hardly have that result, and the member would not be giving value for the remuneration he was receiving. To insert a provision that the roll should be taken on the rising of the House would insure that members would be actually present to attend to the business of the country.

The PREMIER said that was a matter that could be better dealt with by the Standing Orders Committee.

The HON. SIR T. MCILWRAITH said the question was one which should not be left to the Standing Orders Committee, without some direction as to the way in which that order should be framed. According to the Bill, a member appearing for a minute inside the door would be entitled to a day's pay for work which he had not done. That would be unfair, and it should be explained whether attendance meant five minutes or five hours. The best way would be to utilise the Sergeant-at-arms by making him the time-keeper of the House, and pay them as bricklayers' labourers and others took their wages from their employers.

The PREMIER said it would be absurd to make a provision that members should be present throughout a sitting. For instance, during a very long speech a member might want to leave for a quarter of an hour to transact private business, and still lose none of the arguments, and get back in time to hear the end of it and take part in a division. It was not possible to lay down any rule of that kind; it must be left to a great extent to hon. members' honour. Surely they would be honourable men; and if any dishonourable man got returned, who failed in his duty with respect to the attendance for which he was paid, the probability was that he would not remain a member very long. In some places payment was voted in a lump sum per annum. In Victoria every member had a salary of £300 a year, which he could draw, if he chose, without ever looking near the House. But those were details which might safely be left to arrange themselves.

The HON. SIR T. MCILWRAITH said he did not understand exactly what it was that was to be left to their honour and conscience. If it was with regard to receiving money that was felt not to have been honestly earned, some kind of conscience clause should be introduced which would enable a man to dispose of the money in some other way. What was left to their honour? To say whether for a particular day they would take the money that was actually credited to them? As the Bill stood, hon. members would give up troubling their honour as to whether they had earned the money or not.

Mr. NORTON: I do not know whether the hon. gentleman intends the Bill to apply to this session or not.

The PREMIER: It does not apply to this session.

The HON. SIR T. MCILWRAITH: I take it it applies to this session.

The PREMIER said no Act was retrospective unless it was specially made so. It would only take effect from the day it was assented to, and, as it stood, it would not apply to the present session.

Mr. STEVENS said he was unfortunately not present when the discussion on the second reading of the Bill took place. He was aware that the present was not the proper time to make a second reading speech, but he should not like the measure to pass without placing on record his strongest objection to it in every form. He had always been opposed to payment of

members ever since he had considered the subject at all, and what little he had seen of it was in another colony, where he was thoroughly convinced it did not work well and never had. He thought it was unfair to tax a large portion of the colony for the benefit of those districts which returned members who were to be paid for their services. If a district thought it possessed a man who had considerable qualifications as a member of Parliament and was unable to pay his own way, the people ought to club together and pay his expenses for him. He considered it would be utterly wrong for the rest of the colony to pay for the support of that member. At any rate if the Bill passed he hoped it would not be retrospective, or deal with any portion of the present session. If it did the people would have very good reason indeed to raise a great outcry against their voting themselves a sum of money for their services.

The HON. SIR T. MCILWRAITH said that, with reference to the point as to when the Bill should come into operation, an objection was taken on the second reading by a number of gentlemen that it would apply to the present session. That point had never been replied to, and he came to the conclusion that it would apply to the present session. If the Bill were assented to on the last day of the session, the expenses would have been incurred; so that the Government would have it in their power to give orders to the Clerk to prepare an account for each member from the commencement of the session. The hon. gentleman would see that, under the strict verbal reading of the Bill, hon. members from the North would be fully entitled to their expenses back, and the account not having closed, they were, for the same reason, entitled to the whole expense.

The PREMIER said he did not see anything in the Bill at all to suggest the interpretation that it would be retrospective. No law was retrospective unless it was expressly provided that it should be so. They might insert the words "from the first of January."

The HON. SIR T. MCILWRAITH said he was not asking to amend the Bill.

The PREMIER said it would take effect from the day it was assented to. If Parliament sat a day after that, it would be payable from that date.

Mr. SCOTT said he did not believe in payment of members and he never did; but if the Bill came into operation he did not see why it should not be retrospective and apply to the present session, as much as to any future session. He was not arguing in favour of the Bill, but the expenses of members were as great during the present session as they were likely to be any session, and members would certainly be entitled to them.

The HON. SIR T. MCILWRAITH said his reason for bringing the matter forward was—first, to see what the Bill meant, and then to say what he thought about it. He believed it would be retrospective, but the Premier said it ought not certainly to have that meaning. If they made up their minds that they should be paid so much a day from the passing of the Bill, they should have the same right to be paid from the commencement of the session. What they ought to do was to say that the Bill should apply to future members of Parliament, certainly not to themselves, or to a future Parliament. He should support an amendment to that effect.

Amendment agreed to.

Mr. NORTON moved the following new paragraph, to follow the last line of the clause—

Provided, however, that no payment shall be paid to any member under the authority of this Act, until after the election of another Parliament.

The PREMIER said the usual way of expressing that idea was to say, "Provided the Act shall not take effect until after the dissolution of the present Parliament."

The HON. SIR T. MCILWRAITH said he was not at all satisfied with the reason given for limiting the amount to £200. He did not think it was correct, or that the Premier had drawn the right conclusion when he said it would have the effect of shortening Parliament. It might have the opposite effect. According to the clause, hon. members were to get two guineas a day for the actual sitting days, and members who came from a distance were to be paid for the actual days they were necessarily away from their homes on duty. In the case of a member coming from a distant constituency the two guineas a day would soon reach the minimum beyond which he was not to receive pay, but it took the town member a long time to reach the minimum. As a matter of fact it would require a long session to enable a town member to draw £200, and consequently town members would have an object in keeping the House together, and protracting the sitting of Parliament. Take the last three sessions as examples. The session of 1882 had fifty-nine sitting days; 1881, forty-eight days; and 1880, seventy-six days. Did the hon. gentleman think the town members would like the session to last only that time? None of them would reach the minimum; but long before fifty-nine days had expired the country members would be sitting as unpaid men. The tendency of the Act would therefore be for town members to prolong the session and country members to leave before the session was over. The difficulties of working Parliament was that the town members attended too much, and the country members not enough, to their duties. The clause as it stood would increase the evil, and would not improve Parliament. He did not see why there should be any minimum. If they were worth two guineas a day at all they were worth it after doing sixty days' good work.

The PREMIER said the hon. gentleman was not speaking from the point of view of one believing in the Bill, and therefore it was not to be expected that he would try and improve it. The principle that there should be an unlimited amount paid would amount to this: that if the session lasted ten months members would receive £600 or £700 a year. That was not desirable, and it was necessary to fix a maximum. If the hon. gentleman thought that the disproportion was unfair between town and country members, then there was no objection to reduce the fees to town members; but he thought £200 was a fair maximum.

The HON. SIR T. MCILWRAITH said the statement of the hon. member must be against his experience of him (Sir T. McIlwraith) in the House. The hon. gentleman's reasoning was this: that because he (Sir T. McIlwraith) objected to the principle of the Bill, he, therefore, would not assist in improving it. He had objected to nearly every Bill introduced by the Government; but there was no one who had more materially assisted in improving the Bills brought in. He was sure the hon. gentleman did not speak from his experience in the House, and especially during the session. He accepted the inevitable; but seeing they had got to do that he made the Bill, or tried to make it, as satisfactory as possible. He did not believe in the Bill, and he believed in the details of it still less. They acted on the principle that the country members deserved some consideration, and they were not receiving fair play, because while the Bill represented full payment to town members it did not do the same for the country members.

The principle that would have been a great deal better would have been a salary to each member and the expenses of each in addition; and the objection that it would attract men who would not attend to their duties could be rectified easily enough by the constituents. If a man earned his money badly the constituents had the remedy in their own hands; but here they were passing a Bill dealing with the payment of members which made a marked distinction between country and town members.

Mr. SCOTT said he agreed with a great deal that had fallen from the hon. member for Ipswich (Mr. Macfarlane), and if the distinction proposed by the hon. member were adopted it would equalise matters, and all members would have an equal desire to bring the session to a close. If town members were treated with more consideration than country members the result would be that one section would be desirous of prolonging the session and another of bringing it to an end.

The PREMIER said the proper thing to do first of all was to say that it was absolutely necessary there should be a maximum; they were not going to have a minimum—that was out of the question. Then came the point—what was to be taken as a fair average length of a session, and let the amount of remuneration cover that. That was the only principle they could go on, and that was the principle that had been adopted. They might look upon sixteen weeks as a fair average length of a session. If that was not sufficient, then it could be increased, or the amount to town members could be reduced if the proportion fixed was unfair. He did not think it was. In a session of ordinary length the town members would not get anything like the maximum.

The HON. SIR T. MCILWRAITH said the objection arose entirely from the hon. member establishing two principles on which to pay two different classes of members. He made one principle that town members were to be paid for their attendance in Parliament, and another that country members were to be paid for their absence from home. The consequence was that during an ordinary session the advantage that was supposed to be given to country members would be taken away. The present session had lasted sixty days, and was likely to last forty more—that was 100. The whole advantage that it was supposed would be given to country members for such had been taken away, and the town members would get the full advantage of the principle in the Bill. It was a very difficult thing to adopt two different principles; but he thought the country members deserved more consideration than the town members, because of the greater sacrifice they made in attending Parliament; and it had always been on that principle that the system of payment of members had been supported in the House. Now, they were passing a Bill in which that principle was ignored altogether, and in which the country members were actually placed at a disadvantage—or, rather, were put on the same footing as town members. They ought to give a fixed sum all round, with the expenses to which members were put, from the time they left home to the time they got back.

The HON. J. M. MACROSSAN said he thought a difficulty of that sort must have arisen in many of the States of America, where members were paid. In most of them, he believed, the number of sitting days for which members could be paid was fixed. It was worthy of consideration whether the same plan should not be adopted here. They might take the average length of the last five sessions, and fix that number of days as the number for which members

would be paid. Then there would be no objection on the ground of a difference between town and country members.

Mr. DONALDSON said he thought the principle of paying country members for the time they were absent from home, and the town members for the number of days they sat, was not a fair one. Before the town members could get their full allowance they would have to sit about ninety-five days, which meant twenty-four weeks of four days a week; in other words, if there was any desire on the part of town members to spin out the session in order that they could earn £200, the House would have to sit twenty-four weeks of four days each. The country members, by being paid for each day, would only be absent from home about fourteen weeks; and if three weeks were allowed for travelling, a session of eleven weeks of four days each would enable them to earn the maximum. He pointed that out to show the discrepancy between the system of payment for town and country members.

The HON. SIR T. MCILWRAITH said that to put members on an equality—taking the suggestion of the hon. member for Townsville—a certain number of days could be fixed, and then they could begin afresh. Supposing fifty days were taken as the number for which members would be paid; they might fix that and then commence again. That would be more equitable to the country members.

The PREMIER said that that was exactly the same thing as taking off the limit. There was more in the suggestion of the hon. member for Townsville than that. The plan of fixing a certain number of days for a session was adopted in Canada and in some of the American States. He believed that sixty or seventy days would be a fair number. Of course a good deal would depend on whether the House sat three or four days a week. He was under the impression that the result would be that earlier in the session the House would sit four days a week; that would be a great advantage, and would shorten the sessions very much indeed. Perhaps they might fix sixty-six days, which was about sixteen weeks, as quite long enough; that might be taken as the average length of a session, and the amount calculated on it. What then was a fair remuneration? If they fixed £200, that would be at the rate of £600 a year. In that sixteen weeks hon. members would probably only get £120; and, except in extraordinary cases, that would be perfectly fair.

Mr. DONALDSON said he had pointed out that the two principles adopted were not equal. In the one case town members would have to attend twenty-four weeks of four days a week; whereas country members would only be absent from home fourteen weeks, and, allowing three weeks for travelling, they would only be eleven weeks in the House.

The HON. SIR T. MCILWRAITH said the proposal could not be made to work fairly; it would be unfair to the Northern members. The Northern or Western members would have come to their limit before the session closed, and the town members would not. In some sessions, the Northern members would be sitting for a time without payment, while the Southern members would be receiving payment.

Question—That the clause as amended stand *art of the Bill*—put.

The HON. SIR T. MCILWRAITH said he had not heard any sufficient reason why they should depart from the principle of the Bill as originally framed—that country members were to be paid for the time they were absent from home, and town members for their attendance at Parlia-

ment. The minimum should be struck out altogether. He moved, therefore, that paragraph 5 be omitted.

The PREMIER said he hoped the amendment would not be carried, because he looked upon it as really unprecedented and very absurd to provide for an unlimited amount of payment. Unless they had some limit, if Parliament sat 200 days in the year the town members would get 400 guineas, and the country members something like 700 guineas.

Mr. BLACK said that as the Bill stood at present it meant the payment of the full amount of their expenses to town members, and to the country members about half. It might be more equitably arranged in many ways; the amount per day might for example be reduced. If they admitted the principle that members generally were entitled to their expenses, there was no reason why they should not be entitled to the whole of them. According to the Bill, country members were only to be reimbursed their expenses for thirteen weeks; for the rest of the time they were not to be reimbursed at all. He was opposed to the Bill altogether, but as it had been admitted by a majority in the House as the future policy in that respect, there was no reason why the principle should not be carried out equitably.

The HON. J. M. MACROSSAN said the objection as regarded subsection 5 might easily be met by limiting the number of sitting days for which payment should be made. All the members would then be paid alike. It would be quite anomalous if a number of members were sitting in the House receiving pay whilst a number of others were receiving none. That would be quite unprecedented. He thought sixty-five days would be a fair average to fix as the limit.

Mr. BEATTIE said he thought that would hardly do justice to country members. Under the present proposition, suppose the session averaged sixty days, a town member would get £120 for four days a week, and a country member £210. If the plan suggested by the hon. member for Townsville were adopted, the country member would simply get £120. The principle of the Bill was, that the town member should be paid for the time he attended Parliament, and the country member for the whole seven days in the week.

The HON. SIR T. MCILWRAITH said that was supposed to be the principle of the Bill, but it was not so in reality. If the Bill had been in operation during the present session, from the 8th of October till now—the 18th of November—no country member would have been receiving anything. The 100 days would have been up on the 8th of October. He had referred to several back sessions, and found that in every case, had the Bill been in operation, country members would have ceased receiving any payment for their services—or expenses, as it was put—long before the session closed; while the town members would have gone on receiving payment. That would certainly have a bad result. Parliament had suffered from the absence of country members, and the effect of the Bill would be to offer inducements to the town members to prolong the session, and to country members to absent themselves. That, he thought, would be avoided by taking away the maximum amount. What were the objections to that course after all? According to the Premier, it might result in a very long session; but there were more ways of bringing a session to a close than one. The Government always tried—he spoke for himself, and he knew he could speak for the hon. gentlemen opposite—to have as short sessions as possible, and they would always have a certain

amount of influence over their followers to prevent them from prolonging the session. If they had made up their minds to be paid, they should be paid equitably. There should be no class of members in the House who could complain of inequitable treatment. He believed that the clause would act inequitably as it stood now, and it would be much better if they left it out. Of course that would cost the country more money, but that was nothing at all if they were going in for payment of members.

Question—That the words proposed to be omitted stand part of the Bill—put.

The Committee divided :—

AYES, 21.

Messrs. Griffith, Dickson, Miles, Rutledge, Dutton, Sheridan, T. Campbell, Foote, Smyth, Beattie, Grimes, Macfarlane, Midgley, Higson, Buckland, Annear, White, Jordan, Isambert, Mellor, and Groom.

NOES, 14.

Sir T. McIlwraith, Messrs. Moreton, Macrossan, Archer, Norton, Chubb, Donaldson, Stevenson, Ferguson, Palmer, Lissner, McWhannell, Lador, and Black.

Question resolved in the affirmative.

Clause, as amended, put and passed.

On clause 2, as follows :—

“The amount payable to each member of the Legislative Assembly under the provisions of this Act shall be assessed and certified by the Auditor-General from time to time, and when so certified shall be paid out of the consolidated revenue to each such member.”

The PREMIER said he would move the omission of the words “Auditor-General,” with a view to insert the words “Clerk of the Legislative Assembly” in their place.

The HON. SIR T. McILWRAITH said he saw the hon. member was coming to his senses. To put in the “Auditor-General” instead of some officer of the House was a most ridiculous proposition, and it was perfectly against all principles on which the Auditor-General was appointed, and was not a part of his duty. The Auditor-General reported to the House. They said what was to be done, what moneys were to be spent; and the Auditor-General reported whether they had been paid in accordance with their wishes or instructions. If hon. members had to go and get a certificate from the Auditor-General, and go to the Treasury and get their pay every month, it would be a disgrace to the colony.

Question put.

The HON. SIR T. McILWRAITH said he wished to know why the Clerk should assess the amount? The Clerk should have the power to certify, but not to assess. He thought they could leave hon. members to give a return of their expenses without having them assessed.

The PREMIER said he had no objection to leave out the word “assess,” and he would withdraw the other amendment to do that.

Amendment, by leave, withdrawn.

On the motion of the PREMIER, the words “assessed and” were omitted from the clause.

The PREMIER moved the omission of the words “Auditor-General,” with the view of inserting the words “Clerk of the Legislative Assembly.”

Amendment agreed to; and clause, as amended, passed.

On clause 3, as follows :—

“No member whilst in the receipt out of the consolidated revenue of an official salary or any annual payment shall (to the amount of such salary or payment) be entitled to receive any such allowance as aforesaid”—

The HON. SIR T. McILWRAITH said the clause was not a fair one. He did not see why,

because a man had an annual payment from the consolidated revenue, it should prevent his receiving payment as a member of Parliament. He did not see why even a Minister should not receive pay as a member of Parliament. The clause could only apply to them and to pensioners, and it would prevent pensioners from becoming members of Parliament. If Ministers made up their minds not to receive pay as members that was right enough, but there was no reason why it should apply to the other class.

The PREMIER said he agreed with the hon. gentleman to a certain extent, and was talking over the matter with the Colonial Treasurer, when the hon. gentleman rose to speak. He moved the omission of the words “or any annual payment.”

The HON. SIR T. McILWRAITH asked why Ministers should be excluded? They were not, in his opinion, overpaid now—although that had nothing to do with the question. The payment a Minister received was for work done outside Parliament; and, now that they had decided to recognise the principle of payment of members, why should Ministers not participate in it?

The PREMIER said there was no particular reason except that a Minister's salary was supposed to include his services both in and out of Parliament. Besides, it would be a pity to give Ministers any inducement to prolong a session, instead of being anxious, as at present, to shorten it as much as possible. It was a universal rule, in Bills of that kind, that Ministers should be excluded.

The HON. SIR T. McILWRAITH said all he wanted was a reason, and he was quite satisfied with the one given.

Amendment agreed to; and clause, with a consequential amendment, passed.

On clause 4, as follows :—

“Nothing in this Act shall be construed to make the office of member of the Legislative Assembly an office of profit, or otherwise to affect the capacity of any member to sit and vote in Parliament.”

The HON. SIR T. McILWRAITH said that if the Legislative Assembly Act enacted that no person holding an office of profit under the Crown, excepting certain officers therein designated, was eligible to be a member of Parliament, it was scarcely proper to say that, notwithstanding that Act, it should be legal. The proper way to proceed would be to amend the Legislative Assembly Act. The present course was simply an underhand way of repealing certain portions of that Act, and of the Constitution Act.

The PREMIER said the object of the clause was simply to remove any doubts that might arise. He did not think the clause of the Act applied to members of Parliament receiving expenses; but, in the event of any question arising, it would be desirable to have the question authoritatively settled.

Mr. ARCHER said the objection to the clause—that it was an underhand way of repealing a portion of the Legislative Assembly Act—had not been met by the Premier.

The PREMIER said it was not so. The words of clause 5 of the Legislative Assembly Act were :—

“Any person holding any office of profit under the Crown, or having a pension from the Crown during pleasure or for a term of years, shall be incapable of being elected or of sitting and voting as a member of the Legislative Assembly”—

with certain exceptions named. That clause had nothing to do with members of Parliament who did not hold office; nevertheless, it would be desirable to remove any doubts that might arise on the point.

The HON. SIR T. McILWRAITH said the clause in the Legislative Assembly Act seemed to provide distinctly against the payment of private members of Parliament. It said that—"Any person holding any office of profit under the Crown"—

The PREMIER: Under the Crown!

The HON. SIR T. McILWRAITH: What a distinction! It was just as much an office of profit under the Crown as the Premier's. Everybody paid out of the consolidated revenue might be designated as occupying an office of profit under the Crown. The fact of the matter was, it was to members of Parliament that the clause especially referred. It applied to them more than to almost any other class. The fact of including the members of the Government showed that, if it had been the intention or custom to pay members of Parliament, there was not the slightest doubt that members of Parliament's salaries would have been included, and the clause would not have been valid without it. Not only that, but the Constitution Act, in clause 6, excluded them:—

"Any person who shall directly or indirectly, himself or by any person whatsoever in trust for him or for his use or benefit or on his account, undertake, execute, hold, or enjoy in the whole or in part any contract or agreement for or on account of the Public Service shall be incapable."

He should imagine that in the present Bill they were making contracts for themselves on account of the Public Service. It was purely an agreement made by the Parliament with the consent of the Treasurer. The agreement was decidedly expressed that for their services they should be paid at the rate of two guineas a day. It was an agreement that would come under clause 6. The hon. gentleman was fond of arguing that that applied to contracts only. He did not think so.

The PREMIER said the hon. gentleman had given an illustration of what he had said. At any rate, the clause would cut the knot and solve the question.

Clause put and passed.

On clause 5—"Short title"—

The PREMIER moved the addition of the words "and shall commence and take effect."

Mr. MACFARLANE said he thought it would be better to leave the clause as it was. He did not see why they should make it date from 1885; the work for the session of 1884 was as important as the work was likely to be in 1885, and on those grounds he should support the clause as it stood.

The PREMIER said the insertion of the words would make no difference, as the Bill would not take effect this year. It would be better to make it take effect from a fixed date, than as the hon. member opposite wished it.

The HON. SIR T. McILWRAITH said that what the hon. member for Ipswich wanted was to be paid for all he had said during the present session, and he hoped the amendment would be put in such a way as would carry out those ideas. The hon. Premier said the 1st of January; people had been talking about a Christmas sitting, and the chances of that were increased when they saw that the Loan Estimates amounted to £9,980,000. He did not believe they ought to pay themselves; the proper way to do it was to pay the next Parliament, if they were to be paid at all. They should not apply it to the present Parliament. He would vote against applying it to any member during the present Parliament. Why not pay themselves for the work they had done already? It would be quite consistent. It was as bad to steal a couple of guineas as to steal half-a-sovereign. Why not go in for the lot?

Mr. MACFARLANE said that his reason for preferring to leave it as it was, was that some Bills took effect from the time they pass, while others took effect from a specified time.

The HON. SIR T. McILWRAITH said the hon. member would agree with him that the Bill would enable him to be paid for the whole session.

The PREMIER: No.

The HON. SIR T. McILWRAITH said he believed it would. He would get Mr. Bernays' certificate that he had attended for so many days, and then sue the Treasurer for the whole amount.

Mr. SCOTT said if the Bill was to take effect from next Parliament, or if an amendment was proposed to that effect, he should support it; but if that was not carried he should move that the Bill take effect from the commencement of the present session.

Mr. NORTON: No; last session.

Mr. SCOTT said he did not see any reason why members should not be paid from the beginning of the present session. They were straining at a gnat and swallowing a camel, when attempting to make the Bill apply only from the 1st January, and not from the beginning of the session.

Mr. FOOTE said he understood the 5th clause to mean that the Act should take effect from next year. He would support the amendment of the Premier, that the Act take effect from January, 1885; but if that was lost, and an amendment proposed that the Act should only apply to next Parliament, he would support that also. If the Act was made to take effect from the next Parliament the country would have an opportunity of expressing its opinion of it; but, as it was, he thought they had no business to appropriate money for themselves.

The PREMIER said, in order to allow the hon. member for Port Curtis to move his amendment, he would withdraw the one which had been previously proposed.

Mr. NORTON moved that the following words be added at the end of the clause—"and shall commence and take effect from and after the dissolution of the present Parliament."

Mr. MIDGLEY said the Bill so far was one which would commend itself to the people of the colony, but he would not be a party to making it retrospective. It would be quite right and fair that they should be paid from the commencement of the next session, and the Government would then be acting consistently in their way of dealing with the Triennial Parliaments Bill. It would not be the square thing to make the Bill retrospective, nor would it be so acceptable to the people in that form.

Question—That the words proposed to be added be so added—put.

The Committee divided:—

AYES, 12.

Sir T. McIlwraith, Messrs. Archer, Norton, Chubb, Black, Macrossan, Lulor, Scott, Foote, McWhannell, Palmer, and Stevens.

NOES, 22.

Messrs. Rutledge, Miles, Dickson, Griffith, Sheridan, Dutton, T. Campbell, Moreton, Midgley, Grimes, Beattie, Macfarlane, Ferguson, Lissner, Donaldson, Smyth, White, Buckland, Jordan, Isambert, Mellor, and Groom.

The PREMIER said he proposed to amend the clause by adding the words "and shall commence and take effect from the 1st of January, 1885." He thought it was proper that he should give the reasons why it was more convenient to fix a date on which the Bill should come into operation. A Bill of that kind had passed that House on three occasions, but it had

not passed into law. It was possible that it might not become law on the present occasion, although it passed that House by a large majority. In that case it would be the duty of the House to pass it again; and it would be convenient to pass it in exactly the same form as it passed on the present occasion. Therefore he wished to fix the 1st of January, 1885, which would not make it retrospective; it would not become law during the present session. If, however, it was found necessary in a subsequent session to pass the Bill, they would still provide that it should take effect on the 1st January, 1885, and it would be retrospective to that extent. He begged to move that the words be added.

The HON. SIR T. McILWRAITH said he understood that what the hon. gentleman said amounted to this—that, while he disapproved of making the Act retrospective so far as the present session was concerned, still if it should be necessary to bring it forward at a future time it would be quite justifiable then to make it retrospective. He (Sir T. McIlwraith) thought that the objection which now existed to making it retrospective would exist then.

The PREMIER said that when the Assembly had determined that public money should be expended in any particular way they were justified in insisting that their wishes should be carried out.

The HON. SIR T. McILWRAITH said there were other ways by which the same end might be effected. The necessary amount might be put on the Estimates, as had been done in other colonies. Did the hon. gentleman mean that he did not intend to take that action?

The PREMIER said he hoped it would not be necessary for the Government to put the amount on the Estimates. It would be far more satisfactory to pass the measure as it had been introduced.

Amendment agreed to; and clause, as amended, put and passed.

On the schedule, as follows:—

- | | |
|---|---------|
| | £ s. d. |
| "1. For each mile, beyond the first three, which shall for the purpose of attending Parliament be actually and necessarily travelled by land by the nearest practicable route between the usual residence of the member in Queensland and the nearest seaport or railway station, or the place where Parliament shall be appointed to sit, whichever shall be nearest to such residence ... | 0 1 9 |
| "2. The actual cost of passage by sea to and fro between any such seaport and the place where Parliament is appointed to sit. | |
| "3. For each day during which any member is necessarily absent for the purpose of attending Parliament from the town or place in which he usually resides or carries on business ... | 2 2 0 |

The PREMIER moved the omission of the words "during which any member" from the 3rd paragraph, with the view of inserting the words "on which a member gives his attendance in Parliament, or during which he."

The HON. SIR T. McILWRAITH said that before the amendment was put he should like to ask why, in the 1st paragraph, it should be "each mile beyond the first three." Why should three miles be chosen? If a man went only three miles he would have no travelling expenses at all; he would use his ordinary means of conveyance.

The PREMIER said it was not a matter of much consequence. They had to put in some figure, and three was as convenient as any other. The allowance would only be paid once in a session.

Amendment agreed to.

Mr. PALMER said he desired to ask the Premier how the Bill, if it were passed, would affect him?

An HONOURABLE MEMBER: You should have asked that before.

Mr. PALMER said he was in a sort of doubt as to what position he would be in when it was passed. He did not know whether he was a town member or whether he was a country member. Being a resident of Brisbane was the effect of his being returned by a Northern constituency. He did not know himself what he was.

The PREMIER said he could not tell the hon. member.

The HON. SIR T. McILWRAITH said the meaning of the Bill was that the hon. member for Burke was entitled to an allowance of two guineas a day from the time he left his place until he got back, provided it did not exceed £200.

Schedule, as amended, put and passed.

Preamble agreed to.

On the motion of the PREMIER, the CHAIRMAN left the chair, and reported the Bill with amendments. The report was adopted.

On the motion of the PREMIER, the third reading of the Bill was made an Order of the Day for to-morrow.

SUPPLY—RESUMPTION OF COMMITTEE.

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

The COLONIAL SECRETARY moved that the sum of £33,888 be granted to Her Majesty for the service of the year 1884-5, for the salaries and contingencies for Petty Sessions. He thought hon. members would perceive that the vote "Petty Sessions" was printed differently to what it was in previous years, when the whole amount was placed in a tabulated form, which caused considerable difficulty in ascertaining the different items really voted for the different officers. This year each place was mentioned separately, and the salaries paid to the separate individuals were set down separately. He would first call attention to a most important change which it was proposed should take place respecting the Metropolitan Police Magistrates. The Clerk of Petty Sessions in Brisbane for many years had held the office of assistant police magistrate, and had actually been a great deal more a police magistrate than a clerk of petty sessions. The principal part of the work of the Clerk of Petty Sessions had actually to be done by the deposition clerk. His nominal salary was £375, but with large fees he must have been receiving probably over £600, but it was now proposed he should be appointed to perform the duties of a police magistrate. The business of the capital required the constant attention of two police magistrates. That was natural enough when they considered the great increase in the population of Brisbane. It was proposed his salary should be £600, which would really be no increase to the emolument of the officer. Then it was proposed that the Clerk of Petty Sessions should receive a fixed salary of £400, which was very much less than many of the clerks of petty sessions in the interior got; but those officers were appointed under conditions which they could not interfere with. It was proposed to promote the present deposition clerk, who for many years had performed the duties of clerk of petty sessions—not for many years, but, at all events, for a considerable time; and a salary of £400 was put down as a proper

remuneration for him to receive. The second clerk would get his present salary of £200 as deposition clerk. The second deposition clerk was to be appointed at a salary of £150, and there were also two clerks—one at £100, and one at £50. The result, apparently, was an increase of £475 on the vote; but he would be much mistaken if the fees received at the Treasury would not very nearly, if not entirely, cover that sum. It would be observed that at a number of the places the only expense put down was that of acting clerk of petty sessions. In the small courts the senior officers of the police acted as acting clerks of petty sessions at a remuneration of £25. Amongst the country courts the first instance where there was any change was at Aramac; but, before referring to that, he should say that as the allowance in lieu of quarters was an illusory kind of vote, it had been in every case added to the salary. There were no quarters, and it was not likely there would be any. It was no use to pretend that a magistrate was entitled to them; for he never got them, and there was no probability of his getting them. The allowance was simply an increase of salary, and he had put it down on a proper basis: thus it would be found that in every case allowance in lieu of quarters had been added to the salary. Passing then to Aramac, on the last Estimates the magistrate got a salary of £350, and an allowance of £50 in lieu of quarters. The present appointment was a new one, and it was proposed his salary should be £350, instead of £400 which his predecessor had. At Ayr there was no change, except that to the salary of the Police Magistrate the sum of £50 was added, which he previously received in lieu of quarters. Beenleigh was the first place where a change was made in the salary of a clerk of petty sessions. Fees having been abolished it was proposed to pay a fixed sum of £250, which was not too much for the officers who occupied those positions in country towns. At Blackall there was an increase of £50 to the Police Magistrate, who also acted as clerk of petty sessions; that officer previously received £50 in lieu of quarters, besides fees as clerk of petty sessions, and it was now proposed that he should receive £500—a small increase which the officer well deserved. At Boulia there was no change. At Bowen the salary of the Clerk of Petty Sessions was raised from £190 to £250—the general proposed salary of clerks of petty sessions in country towns. The same increase had been made at Bundaberg, and an assistant clerk was also proposed at a salary of £50. At Cairns it was proposed to appoint a clerk of petty sessions at a salary of £250. During the past twelve months he had been receiving requests at frequent intervals from the Police Magistrate at Cairns for the appointment of a clerk of petty sessions, without whom the work could not be carried on; and that request had been complied with. At Charleville there was an apparent increase of £50, but that was because the Police Magistrate there also acted as clerk of petty sessions, and the extra sum was compensation for loss of fees. At Charters Towers there was an increase of £50 to the Clerk of Petty Sessions as compensation for loss of fees. At Clermont and Copperfield the Police Magistrate received a salary of £400, with £50 in lieu of quarters and £50 for visiting Copperfield; it was more satisfactory to put down the items in one lump sum of £500 for him as police magistrate at both places. The Clerk of Petty Sessions was to receive a fixed salary of £300, which included £50 for visiting Copperfield. At Cooktown there was an increase of £50 to the Clerk of Petty Sessions as compensation for loss of fees. An additional sum of £50 was put down for the Police Magistrate of Cunnamulla, who also

acted as clerk of petty sessions, on the same principle that was applied in all similar cases, for loss of fees. At Geraldton there was a proposition for a new police magistrate from the commencement of next year. Many complaints had been made as to the difficulty of administering justice there. There were a few magistrates in the district, but they lived at considerable distances, and as there were many kanakas and Asiatics in the district it was deemed desirable that a police magistrate should be appointed. At Gladstone the rule with regard to compensation to clerks of petty sessions had been carried out, and also at Goomdiwindi, where the Police Magistrate acted also as clerk of petty sessions, although it was doubtful whether, in the latter case, the extra £50 would cover the loss of fees. At Gympie it was proposed to give the Clerk of Petty Sessions compensation to the amount of £80 for loss of fees; but that was a place where there was a great deal of business, and where it was necessary to put down an increased sum for that purpose. At Herberton there was an extra £50 given to the Police Magistrate for visiting Watsonville, which had lately been made a place for holding petty sessions. It was proposed to appoint a police magistrate for Howard and Tiara at the beginning of the year, at a salary of £450. The business there was increasing very much, and at present, when any difficult case arose, the Police Magistrate at Maryborough had to go there to hear it, and that gentleman had quite enough to do at Maryborough. One officer would do the work of both places, and the salary proposed was the same as that for other country towns. At Ipswich it was proposed to increase the salary of the Clerk of Petty Sessions from £280 to £350, as compensation for loss of fees. It was doubtful whether that would be sufficient compensation, but that was one of the cases where it was exceedingly difficult to arrive at the exact amount, and the sum put down was considered a fair remuneration for the office. At Isisford the compensation for loss of fees was put down at £25 only; but as a matter of fact the fees there were very small. At Mackay it was proposed that the salary of the Police Magistrate should be increased from £450 to £500, which was not too much for the office in that town. At Maryborough it was proposed to increase the salary of the Police Magistrate from £500 to £550. That was a distinct proposition for an increase of salary. Mr. Buttanshaw had held the office for a great number of years; he was the presiding magistrate in one of the largest towns in the colony, and it was considered that after so long a term of service his salary should be placed on a more satisfactory basis. The salary of the Clerk of Petty Sessions there was the same as at Ipswich—namely, £350. A new allowance of £50 was proposed to be given to the Police Magistrate at Mount Britton for visiting Nebo, and the allowance was not more than enough to cover the expenses connected with it. At Muttaborra there was a sum down for a new clerk of petty sessions at £250; the business there had increased so much that the appointment was found necessary. At Nanango there was an apparent increase of £50, but the Police Magistrate was also clerk of petty sessions, and the £100 put down would only represent an actual increase of £20 or £30. There was an increase of £50 proposed to the Police Magistrate and Clerk of Petty Sessions at Normanton. Then came Pine Hill, which was a new place, where it was proposed to give the Police Magistrate £450. The duties were formerly performed by the Police Magistrate at Springsure, who visited Emerald and then went on to Pine Hill. Pine Hill was a very considerable town, and there was a large amount of police-

court work going on. Representations were made to him some six months ago as to the importance of establishing a court of petty sessions there and having a magistrate there always to attend to that place and visit Emerald. There should always be a police magistrate at any considerable town near the terminus of a railway line. The Police Magistrate at Port Douglas was down for an increase of £50. He had been getting £400, which was a very miserable pittance indeed to live upon and maintain a family and keep up a respectable position; so he could not refuse to recommend an increase to that officer. The Clerk of Petty Sessions was also to have an increase to £250, the same as in other cases. At Ravenswood the Clerk of Petty Sessions received a nominal increase of £20 in lieu of fees. At Rockhampton the Clerk of Petty Sessions was put down at £400. He had previously received £300, the largest amount received anywhere except in Brisbane. The apparent increase of £100 was not really an increase, but a diminution in that officer's income, when the fees received by him formerly were taken into consideration. At Roma the salary was proposed to be increased from £400 to £450, for reasons applicable to other places. The gentleman now there received £450 previously, and it was understood when he was transferred, that he was to suffer no diminution in his official income. At Spring-sure there was a diminution, because the Police Magistrate, also Clerk of Petty Sessions, received £50 in lieu of quarters and had been relieved of his duties in visiting Emerald and Bogantungan, and the allowance for visiting was discontinued. He held some other offices which would be found in the schedule. The Clerk of Petty Sessions at Stanthorpe had received an increase to £220 as compensation for losing fees. At St. George the Police Magistrate's salary was apparently raised £100. The previous magistrate had received £300, and £50 for quarters and £75 for visiting Bollon, which made £425. The present Police Magistrate was getting £450, before he was sent there, so that there was no real increase. The Clerk of Petty Sessions received £200 instead of £150. At Surat the Police Magistrate's salary was nominally raised from £350 to £400; and the same rule applied in the cases of Tambo and Taroom. At Toowoomba the Clerk of Petty Sessions had been placed on the same footing as the same officers in other similar places. At Townsville the Clerk of Petty Sessions received £400 instead of £325 being compensation for the loss of fees, and he thought the country had gained rather than the clerk of petty sessions by the change. At Warwick the Clerk of Petty Sessions received £250 instead of £200. Those were the chief changes in the Estimates. It had been a matter of considerable trouble to adjust those salaries, as the information in the hands of the Government was very meagre and there was a difficulty in not doing an injustice. He had endeavoured not to do so in framing the Estimates, and he thought he had succeeded. In one or two instances he had been informed that some officers would suffer a diminution in income; but there had been no objection or applications for increases, so that he flattered himself, in dealing with the matter, that he had dealt fairly. Under the head of "Contingencies" there was a relieving police magistrate. There were very many police magistrates, he had not counted them; but there was always one on leave, and sometimes more; and as it often occurred that a police magistrate was wanted to visit a part of the colony to make inquiries under some special circumstances, it had been suggested to him a great many months ago that it would be very convenient if there was an officer called a "relieving police magistrate," and he therefore proposed to appoint one at a salary of £500 a year.

The HON. SIR T. McILWRAITH said he had no intention of raising a debate on the subject he was bringing before the Colonial Secretary; but one of the first items before them included the payment of the police magistrate who conducted the investigations into the late accident on the Southern and Western Railway. He would like to ask how the Government proposed to deal with that matter? When the Government informed the House that there would be an investigation into the accident by one of the magistrates, the information was received with considerable approval. The intention of hon. members in expressing their approval was to show that they appreciated keeping the investigation outside the Railway Department, and it was expected, of course, that the colony would benefit thereby. The Acting Police Magistrate of Brisbane was appointed, and he had taken a large amount of evidence, but had handed in no report at all, and so far as the public were concerned no inquiry had been held. He wished to know what the Government intended to do with that evidence? Would it be printed and put before hon. members, and when would it be before them? Had the Government made up their minds to any course of action consequent on the evidence that had been given at that inquiry?

The COLONIAL SECRETARY said the evidence taken, as hon. members must have seen, was extremely voluminous. The inquiry held was the ordinary inquiry held under the Inquest of Deaths Act. That was considered the most satisfactory way of doing it, but the evidence was so voluminous that the Government had not had an opportunity of reading it. The matter had been under the consideration of the Government, and was still, and he expected to be able to say in a few days that they had decided on a course of action. What was to be done was not yet finally determined upon. An alteration had, however, taken place by which all trains were now run on the staff and ticket systems. That was an important alteration, considering that, before the accident, at least 50 per cent. of the trains were not run on those systems. The matter was under consideration, and the Government might be able to deal with it at the Cabinet meeting to-morrow. There had been no time to deal with the subject since the report was received, but it would be dealt with immediately. With respect to the evidence, if it was desired that it should be laid on the table there would be no objection to doing so.

The HON. SIR T. McILWRAITH: I understand there is no report.

The COLONIAL SECRETARY: No; only evidence.

The HON. SIR T. McILWRAITH said if there were any more effectual means than another of burking inquiry, it was the course that had been adopted. They had had evidence week after week that everybody was sick of, and a lot had been taken which encumbered the really valuable evidence. The approval of the House was plainly expressed when they were told that an independent gentleman would conduct the inquiry, but it now appeared that he had taken evidence and had since remained perfectly passive. Whether that gentleman had anything to do with the character or quality of the evidence was a matter of doubt, but it was important to know how a lot of it had come to be given. He (Sir T. McIlwraith) could not understand a gentleman in the position of the Assistant Police Magistrate being allowed to finish up an important duty by simply handing over the evidence for the Government to deal with. He ought to have expressed an opinion upon it.

If he was not going to analyse the evidence he should never have been appointed. He (Sir T. McIlwraith) was looking with anxiety to know what the Government were going to do. The House ought to have the evidence, and were entitled to it, but the Government should not dream of coming to a conclusion without having a sufficient inquiry into the accident. The assurance that trains were now run on the staff and ticket systems conveyed no meaning to a tenth part of the people of Queensland or to a tenth part of the members of the House. He knew that every Minister for Works had been assured that those systems were used, and had got up a defence on the strength of that whenever the department had been attacked. But who understood the meaning of the staff system? He was sure the Minister for Works did not, and if the hon. member would take a spare five minutes, and let the House understand the meaning of the term, and give some assurance that there was a decided improvement in the system, it would be a source of comfort to themselves and their wives and families. The staff system had been held up as the finest system in the Australian colonies whenever they talked about railways, and now it came out that they had not been using it at all. But since it had been used they were assured by the Colonial Secretary that it was all right. He was sure the public would not be satisfied until they found out a great deal more than had been brought out in the evidence. A more lame conclusion could not be come to by any man. A man was appointed to hold an inquiry; he took evidence, and handed it over to the Secretary for Works. Why, that was simply playing with the lives of the people of Queensland; and if inquiry was buried in that way they would never get at the bottom of the matter. He did not intend to raise a debate at that stage, but had brought it forward so as to give the Government time, before the Railway Estimates came on, to be prepared with information.

The COLONIAL SECRETARY said he very much regretted that the Assistant Police Magistrate had not sent in a report. It was understood that he would report, but he (the Colonial Secretary) could not make the gentleman give an opinion if he did not want to.

The HON. SIR T. McILWRAITH: Can't you, by Jove! I would find a means of making him.

The COLONIAL SECRETARY said the Government were capable of forming an opinion on the evidence, and that would be done at the earliest possible date.

The HON. SIR T. McILWRAITH said the hon. gentleman knew well that the evidence might be made abortive by the Assistant Police Magistrate not giving an opinion. It was valuable to know how the evidence came out at all. If a report had been framed on that point, it would have been an immense amount of assistance to everyone; but he (Sir T. McIlwraith) understood he had simply sent in the notes that had been taken. Even although Mr. Day was incapable of giving an opinion, he still could have given a report on matters of which he himself only had a knowledge. He ought most undoubtedly to give a report as to how the evidence was called at all events. They did not understand at all where the witnesses came from; some of the evidence was most rubbishy stuff, and did not bear on the matter at all. Was it Mr. Day who called the witnesses, or who called them, and how did such evidence get before him? If he was incapable, as he practically acknowledged, of drawing a conclusion, he was capable surely of giving that information. Let him tell the story, no matter what it

was. How did he get into such a position, and how did he conduct the inquiry? The hon. Premier said that he could not make the gentleman give a report, but why should he not—why not refer the evidence back to him and make him report? If he was not capable of reporting he should have had the common sense to decline to accept the responsibility of conducting the inquiry. He hoped the Government would insist on having a report, for no one could come to a conclusion as matters at present stood. Was the evidence called by the Railway Department, and did anyone represent the Government? No one apparently represented the public; it was the interests of the public that ought to have been protected. It seemed that everyone who was likely to be blamed gave evidence, and supported it by witnesses; but the real interests of the public appeared to have been totally ignored. If the gentleman was incompetent and incapable of drawing a conclusion, let that pass, but he should give an account as to how he conducted the inquiry and where he got his evidence.

The COLONIAL SECRETARY said that all the persons who were supposed to be liable to blame were examined; and he thought, after reading the evidence, that ample information was given to show what was wrong.

Mr. STEVENSON asked whether they were to understand that the Assistant Police Magistrate was requested to make a report and refused to do so?

The COLONIAL SECRETARY: No; he was not asked.

Mr. BEATTIE said he was glad that the matter had been brought forward. Certainly it was a most extraordinary inquiry; but it was hardly worth while referring to the evidence then, because he intended to do it when the Loan Estimates came in. There was another matter—the Water Police—which he would like to refer to, because he was not present when the vote was passed. Considering the large number of vessels, and the class of vessels now coming to Brisbane, it was very necessary that something should be done with regard to the Water Police. There was a port regulation that steam vessels were only to go at a certain speed within the precincts of the city. Hon. members who were acquainted with the Brisbane River knew that the bank from Norman's Creek right down to Lytton was continually being washed away owing to the speed at which those vessels went. There was no possibility of getting a conviction in any case, because those on board always declared that the vessel was going at half-speed, although she might be driving as hard as she could go. That was a serious matter. He knew parts of the river at Kinellan, for instance, where during the last six or seven years the bank had been washed away forty feet. In other parts of the same magnitude as Brisbane—even in Rockhampton and Maryborough—it was found necessary to have water police for the convenience of the port; and he thought it would be well if the number in Brisbane was increased by two or three, so as to have a boat pulling on the river observing all those things, looking after the interests of the shipping, and seeing that the regulations were carried out.

The HON. SIR T. McILWRAITH said that, before the subject he had mentioned was passed over, he might say that he had no desire whatever to reflect on Mr. Day, the Acting Police Magistrate. He remembered with what satisfaction the House heard the assurance of the Government that a police magistrate would make the inquiry. They were assured that in that way, by having

some authority outside the Railway Department to make it, they would be able to get information that could not be got if the inquiry was held by the department. He understood from the hon. member for Bowen that the inquiry was held under the Inquests on Deaths Act, which did not require that a report should be made; it only required that the depositions should be sent to the Attorney-General. That being the case, it seemed that the reflections he had passed on Mr. Day were scarcely justified. At all events, the general expectation was that the inquiry would lead to a report showing what the whole system of railway management was which led to such a catastrophe. As Mr. Day was not compelled to send in a report, the fault lay with the Government in adopting that mode of investigation. Everyone expected that a great deal of light would be thrown on the working of the department, by Mr. Day's report. As it was, he thought it was wrong to put such an investigation into his hands at all.

The COLONIAL SECRETARY said the reason why it was considered advisable to hold the inquiry under that Act was, that it was the only means by which evidence could be taken on oath; and it was thought desirable that the evidence should be on oath. He thought that the evidence had thrown an immense deal of light on the general management of the Railway Department; at all events, he knew a great deal more about it than he did before, and so, he believed, did his colleague the Minister for Works. He thought they had enough information now to enable them to come to a conclusion as to the right thing to do, although, as he had said, he would like to have had a *résumé* of the facts from the gentleman who presided at the inquiry. With respect to the matter mentioned by the hon. member for Fortitude Valley, his attention had not been called to the necessity for a Water Police patrol, but he would have inquiries made into it.

The HON. SIR T. McILWRAITH said the hon. gentleman stated that he thought a great deal of light had been thrown on the matter by the evidence. He (Sir T. McIlwraith) did not read carefully all the evidence, but he read enough to see that there was a lot of trash in it. He had watched carefully to see if a single man explained the staff and ticket system. If there was any such evidence given, he was quite sure that nobody who read it knew any more about the system at the end of the inquiry than they did before it took place. There was, so far as he knew, not the slightest evidence that threw any light on the matter.

Mr. FOXTON said he thought the hon. gentleman was slightly in error, possibly from not having read that particular portion of the evidence. Unless he (Mr. Foxton) was mistaken, he himself took special care to get the staff and ticket system described; and he thought it was described by one of the witnesses.

The HON. SIR T. McILWRAITH: Who was that?

Mr. FOXTON: I think either Mr. Curnow or Mr. McKean.

The COLONIAL SECRETARY said he had just learned that Mr. Day expressed his willingness to send in a report if desired.

The HON. SIR T. McILWRAITH asked whether the Government had asked Mr. Day to send in a report?

The COLONIAL SECRETARY: They will to-morrow morning.

Mr. SALKELD said he supposed the Committee and the general public were of opinion that

Mr. Day was appointed to hold the inquiry in order to make sure of getting all the facts of the case. He had noticed in one of the newspaper reports that the permanent head of the department was present the whole of the time, and that when one of the witnesses was giving evidence the Acting Commissioner got up and contradicted him. Now, one object of having the inquiry held independently of the department was, he thought, to protect the officers of the department from anything like intimidation; and so he did not like that at all. It was sure to have a deterrent effect on others who were giving evidence.

The HON. SIR T. McILWRAITH said that after the intimation just given by the Colonial Secretary he would of course withdraw what he had said about Mr. Day in reference to his neglect to supply a report. He was sorry they had been led to discuss Mr. Day in the way they had, and he was sorry the Government had not shown more alacrity in accepting the offer of a report from him. He wished to know whether the evidence in the report would be the same as that reported in the newspapers, or whether it would be Mr. Day's own notes of the evidence that was taken.

The COLONIAL SECRETARY: Mr. Day's own notes, I believe.

The HON. SIR T. McILWRAITH said he saw there were certain legal gentlemen there. There was the hon. member for Carnarvon to represent one of the parties who was liable to be blamed in the matter; there was Mr. Sheridan to represent—what? the Government or the Railway Department, or what?

The COLONIAL SECRETARY: The Government.

The HON. SIR T. McILWRAITH: Was there anyone there looking after the interests of the public?

The COLONIAL SECRETARY said he did not distinguish between the Government and the public. The Crown Solicitor was the officer instructed to see that the necessary inquiry was made to elicit all the facts and ascertain if anyone should be proceeded against criminally.

The HON. SIR T. McILWRAITH: From whom did Mr. Sheridan receive his instructions?

The COLONIAL SECRETARY: The Crown Solicitor.

Mr. BEATTIE said that from the evidence he had read it appeared to him that Mr. Sheridan was there on behalf of the Railway Department; and he was very much pleased indeed that the hon. member for Carnarvon was there watching over the interests of somebody, because he certainly brought out a great deal of evidence that astonished the public generally. It appeared to him that Mr. Sheridan was simply the counsel appointed by the Railway Department to defend them from anything that might be detrimental to the interests of the Railway Department, and not for the benefit of the public generally.

Mr. FOXTON said he had had an opportunity of witnessing the manner in which Mr. Sheridan conducted his part of the examination; and he thought it was his duty to testify that that gentleman endeavoured to elicit the truth as far as possible, no matter whether it was a principal of the department or a subordinate who was likely to suffer by the questions he put. He had no hesitation in saying that Mr. Sheridan endeavored to get out the truth, no matter who in the department might suffer.

Mr. McWHANNELL said he would like to call the attention of the Colonial Secretary to the fact that the Police Magistrate at Aramac

was not given any allowance in lieu of quarters, nor any increase of salary, while other police magistrates—the one at Ayr, for example—had their salaries increased to compensate them for the stoppage of allowance for quarters. In addition to that, the Police Magistrate at Aramac was deprived of the fees attaching to the office, and the salary in that way was decreased by about £75 a year. The argument used by the Colonial Secretary in favour of the Police Magistrate at Port Douglas was equally applicable to the Police Magistrate at Aramac, because that gentleman had a family of eight children, and the cost of food and clothing was at least double of what it would be at Port Douglas. Certainly he got £100 for visiting Muttaborra; but it actually cost him more than that. If he kept a horse, it would cost him more than £100 a year; and every time he went by Cobb's coach it cost him £4 for the return journey, besides the expense of living for several days at Muttaborra, which was very considerable. He would, therefore, ask the Colonial Secretary to place a sum of £50 on the Supplementary Estimates by way of increase.

The COLONIAL SECRETARY said he did not think the hon. gentleman could have been listening to him when he gave an explanation on that matter. He had then pointed out that the appointment was a new one. The officer was appointed with a salary of £50 a year less than his predecessor, and he knew that when he was appointed. There was no change in his remuneration. That gentleman was appointed at £350 as police magistrate, and £100 as visiting magistrate to Muttaborra, making the £450, which was all that appeared on the Estimates.

The HON. SIR T. McILWRAITH said that anyone could see how miserably inadequate that payment of £350 was to a place like Aramac. They were paying one magistrate where living was as cheap as in any part of Queensland, and where travelling was cheap, £450 a year; but here was a magistrate living at Aramac, where living was very expensive, whose salary was only £350 a year, and he had also to visit Muttaborra. He did not know why £450 was given to one, and £350 to the other.

The COLONIAL SECRETARY said he was very much disposed to agree with the hon. member. The salary was put on the Estimates at the old rate, and he was disposed to think that £400 a year ought to be the minimum allowance at any place. He was also aware that Aramac was one of the most expensive towns in the colony—at present, perhaps, the most expensive place to live in.

Mr. CHUBB said he would like to allude to one subject which the Colonial Secretary had referred to in general terms—allowances in lieu of quarters to magistrates. He found, speaking in round numbers, that there were twenty-eight magistrates to whom an allowance of £50 was given in lieu of quarters. That amounted to £1,400, which would be, at 5 per cent., the interest on £28,000. Quarters should be found for those officers inasmuch as a great many of the other officers of the Public Service were provided with quarters—such as Police, Customs, Telegraph, Post Office, and many of the Railway officials, and he was quite satisfied from his own observation, and from information he had received, that the proposed allowance of £50 did not by any means amount to the sum necessary to pay the rent of quarters. He believed that in the Northern towns, and in most of the Western towns, it was impossible for a magistrate to get a residence under £70 or £80 a year. He was quite satisfied that the amount which was put down was totally inadequate to supply them with

quarters. Another thing that happened was that when they were removed every few years they suffered a considerable loss in realising on their furniture. There was always a loss there. Then they had to secure another residence at a considerably increased sum on that allowed by Government for quarters. There was another objection which had been pointed out to him by a magistrate of one of the Northern towns. That gentleman happening to give an adverse decision to his landlord, immediately received notice to quit, and he could not find another residence in the town without great inconvenience. Another one had spoken to him in reference to the position he was placed in in one of the coast towns, where, in consequence of the arrival of ships of war and other visitors, he was called upon to exhibit a certain amount of hospitality to them. It would be a saving of money to the Government to build quarters instead of paying so much a year for those gentlemen. Some of them were provided with quarters already built, but the great majority were allowed money. He believed there would be a saving in the long run if quarters were built, so that when a magistrate was transferred from one district to another he would find a Government residence ready to go into, instead of having so much allowed a year for quarters.

Mr. SMYTH said that, as it was, there were some of the magistrates who had been in one place for ten or fifteen years, which gave a great deal of dissatisfaction to many persons who thought they had been there too long. The magistrates formed acquaintances with sets of men, and very often they had to decide in cases with which their best friends were connected, and no doubt with whom they had a certain amount of sympathy. Those magistrates often accumulated a lot of cattle, horses, and lands; in fact, some of them were the biggest landowners in a district.

Mr. BLACK said he did not think the salary given to them, as a whole, was so excessive that they were to be debarred from the ordinary comforts other people indulged in. He did not see why a police magistrate should not have a horse or a cow. No doubt if a magistrate became a squatter or extensive landowner that might be unreasonable, but he did not think that magistrates, so long as they attended to their duties for which they were paid, and to which they were appointed, should be debarred from any reasonable means of adding to their comfort or even to their means. In connection with the Estimates under consideration, he was very glad to note the form in which they were laid before the Committee, to make it more clear to the Committee and to the country what salaries those officers got; but to prevent any misunderstanding on the subject he would like to ask the Colonial Secretary a question. He would take, just as a sample of the others, the case of Springsure. They found in the Estimates that a magistrate for Springsure was put down at £500 a year. He wished to know whether that £500 a year was the whole of the salary that magistrate received, or was to get?

The COLONIAL SECRETARY: I said it was not.

Mr. BLACK said that it did not then carry out the intention. In framing them in that shape, it was intended the Estimates should show the country the actual salaries every Government officer was receiving.

The COLONIAL TREASURER: You must refer to the schedule to see that.

Mr. BLACK said he would read out from the schedule, which the Colonial Treasurer had referred to, what the salary and fees of the magis-

trate of Springsure used to be, and he would like to know how many of those offices were still maintained by that gentleman, so that the Committee would be able to ascertain what the salary really was which he got. They found on page 9 of the schedule to the Estimates—"Police magistrate, also clerk of petty sessions, £400; visiting Emerald, Bogantungan, and Pine Hill, £100." Those two items added together made the £500 he was now in receipt of.

The COLONIAL SECRETARY: No; I explained that £100 was struck out.

Mr. BLACK: Then there was "Allowance in lieu of quarters, £50; district registration, £12; acting land commissioner, £65; acting land agent, £12; registrar district court, £20; savings bank officer, £25; compiling electoral lists, £20; and fees in intestacy, £1; making a total of £705. According to the present estimate they were led to believe that the salary was £500. But it appeared that that was not so, and he should like to know the amount actually received by this officer.

The COLONIAL SECRETARY said that in former Estimates a great deal of confusion was caused by the frequent foot-notes, which were not always complete, and it was considered desirable that in future the Committee should know the actual amount they were voting to each officer. An effort was made to frame the Estimates on that basis, but it was found that in many country districts the officers performed were paid for by so many different departments that it would lead to more confusion than before, even if it were possible. It was, therefore, thought better, after full consideration, to adopt the principle followed in New South Wales, and accompany the Estimates with a schedule stating the sums received by each officer, by way of remuneration, from the different departments. As to the Police Magistrate at Springsure, the total amount which he would receive next year would be £634. The remuneration as registrar would still be paid at the rate of 3s. per entry, and other items which he received as acting land commissioner, acting land agent, savings bank officer, etc., belonged to other portions of the Estimates. The schedule was necessarily compiled to show the remuneration received last year, which was the nearest they could get.

Mr. MACDONALD-PATERSON said it had been clearly understood by himself and the hon. members on his side, that for the future no fees were to be paid to any public officer, but all fees were to be paid into the Treasury but the officer should get compensation in lieu of them, and that the total sum paid to the officer should be shown on the Estimates-in-Chief. He was sorry to find that he had misunderstood the intentions of the Government, even if he had not been misled. At any rate he had completely misunderstood the state of the case, and had been under an entirely wrong impression concerning it until that very moment.

The COLONIAL SECRETARY said that if the hon. member had been in his place earlier in the evening he would scarcely have made those remarks. The explanation with regard to the registrar's fees had been made on more than one occasion. The amounts were found to be so large—in some cases upwards of £200—that to take them away would have too greatly reduced an officer's income; while to give an increased salary to that extent would have been an injustice to the country. It was thought better to adjust those matters from time to time, as it could then be done without either doing injustice to the individual, or imposing a permanent burden on the country.

Mr. MACDONALD-PATERSON said he was sorry he was not present when the hon.

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gentleman spoke; but he had been in another place, listening to another matter in which he took a greater interest. But he felt it his duty to say that, in his opinion, it was understood to be laid down as a principle that all officers would have their salaries definitely fixed, and that all fees, no matter from what source, would be paid to the credit of the general revenue. It did not seem to him so very difficult a thing to fix an officer's salary so as to include the whole of his remuneration from whatever departments derived; and it would be much more satisfactory to do so both to the officers themselves, the Parliament, and the country. It was understood that an average of the fees should be taken, and that average be added to the salary of the officers who should in future receive no fees. That being so, he could only regret that he and so many other hon. members had fallen into a most grievous error.

Mr. BLACK said the explanation given by the Colonial Secretary was unsatisfactory, and he could quite endorse what had been said by the hon. member for Moreton. They had been given to understand that the great increase of over £5,000 in the Estimates for that department was in consequence of the officers having surrendered a considerable amount of emolument in the shape of fees, and that the salaries that were attached were the actual salaries they were to receive in future. The way in which the Estimates were made out left things in as unsatisfactory a state as before. When he had the pleasure of a seat on the other side of the Committee he remonstrated with the then Government on the way they had brought in the Estimates. As they were at present, they had the trouble of asking the Colonial Secretary what each officer received, or else go through the Estimates blindfold. He was under the impression that the Police Magistrate at Springsure received £500 a year; but they found now that he was in receipt of £634. It would have been just as easy to say £634, and the Committee would then have known what they were voting. The same principle would apply to every officer. Take the Clerk of Petty Sessions at Rockhampton. He was down at £400, but really received £714 last year according to the schedule, and he would ask the Colonial Secretary how much in addition to that £400 he would receive this year?

The COLONIAL SECRETARY: You can see by the schedule.

Mr. BLACK said the schedule only said he had received £714; was it to be that in future?

The COLONIAL SECRETARY said that was the third or fourth time that he had explained that it was found impracticable to take away the fees received for the registering of births, deaths, and marriages, and a report laid upon the table showed the necessity of taking that position. He found that the Clerk of Petty Sessions at Bundaberg received, last year, £117 from that source; at Cardwell he received £75; at Clermont, £58; at Cooktown, £52; at Toowoomba, £156; at Gympie, £97; at Ipswich, £180; at Charters Towers, £124; at Mackay, £216; at Maryborough, £184; at Rockhampton, £193; and at Townsville, £152. Those were some of the larger items. It would be absurd to raise the salaries of those gentlemen by those amounts, because they fluctuated, and it would have been unjust to have taken them away suddenly. All fees collectable under Acts of Parliament went into the Treasury. But that was an additional remuneration given to officers for duties performed as district registrars of births, deaths, and marriages. The amount was placed upon the Estimates for the Registrar-General's Department and was voted last week, and a full

explanation given. The hon. gentleman who had just sat down had asked what the Clerk of Petty Sessions at Rockhampton would receive. It was proposed to raise his salary from £300 to £400, as compensation for fees. They could not tell what the fees in intestacy would be; but all the amounts would continue to be paid except that for compiling the electoral lists, so that, supposing the fees for the registration of births, deaths, and marriages should continue as last year, he would receive £40 more.

The HON. SIR T. McILWRAITH said he thought the way in which the Estimates were brought before the Committee made them more bewildering than ever they were before. Taking, for example, the explanation given by the Colonial Secretary with regard to the item "Springsure." The material for finding out the real amount voted was not to be found either in the schedule or the Estimates. The Estimates said the Clerk of Petty Sessions at Springsure received £500. A note told them to look at page 9 of the schedule. That page 9 told them the amount he received last year, but not the amount he was to receive this year; and no man without official knowledge could possibly arrive at how much he received. They required the Colonial Secretary to go through intricate arithmetical calculations to find out that he actually received £634. The Estimates said that it was £500; the printed figures showed that it was £656; and the real amount was £634. He had listened to the explanation of the Colonial Secretary, and had tried to follow him; but he had not the slightest idea of how he arrived at that £634.

The COLONIAL SECRETARY said that the hon. gentleman's argument amounted to this: that he must look at three columns side by side. If he would do that he would see through the difficulty at once. There was £100 struck out for visiting Emerald, Pine Hill, and Bogantungan; and the amount for compiling the electoral lists was also struck out, £20; and the fees in intestacy, £1. That made £121 to be subtracted. Then he had pointed out that £50 had been added as compensation for the loss of office, and that added to £634 made £684.

Mr. BLACK said he accepted the hon. gentleman's explanation, but he would like to know why police magistrates who were able to fill so many positions should not receive one fixed salary for doing the whole work? What was the reason for dividing the duty, and paying for each one in detail? "Acting Land Commissioner, £65." He did not see why that should be divided from the rest. "Acting Land Agent, £12." That was £1 for every monthly sitting. Had they so much to do that they could not fill those offices without extra pay? It was impossible for members to find out what pay officers of the Civil Service really got.

The COLONIAL SECRETARY said it was a pity the hon. member did not listen when the explanation was made, instead of asking that the whole thing might be said over again. He had explained why the items were distributed over the various departments. They had endeavoured to frame the Estimates on the other basis, but if that had been done the Estimates of the Colonial Secretary's Department would have been seriously increased, and would have been charged with expenditure really attributable to other departments. For instance, much of the expenditure of the Mines, and Lands, and Works Departments would have been attributed to the Colonial Secretary's Department; and it would have been impossible to ascertain the expenditure attributable to each branch. The payments mentioned by the hon. member were temporary. At present one officer could perform the double duty; and it was found

convenient, after full consideration and after an attempt to deal with the matter on the other system, to continue the system which had been in force ever since the Estimates had been voted.

Mr. KELLETT said he thoroughly understood the explanation, but the system had not been carried out as he thought it would be. He could not quite grasp it yet. He remembered the Colonial Secretary saying, one evening, that some of the fees would have to be continued; and looking at Ipswich, he found the Clerk of Petty Sessions, who got £280, now received £350. He still got £180 as district registrar, and £50 for registrar of the district court. The only thing taken from him was the £60 as receiver in intestacy. Altogether he got £595 — a larger salary than he had ever received before.

The COLONIAL SECRETARY: He loses the fees as clerk of petty sessions.

Mr. KELLETT said that he received more money by the new arrangement than he ever got before. He did not object to that particular officer being well paid, as he was a very deserving man; but he had understood that the fees were all to be abolished. The officer in question would really get £100 increase of salary.

The COLONIAL SECRETARY said he was sure nearly all hon. members knew that the fees received hitherto by clerks of petty sessions were done away with. The schedule was laid on the table of the House when the Bill was going through, and it was fully discussed then. It was impossible to ascertain exactly what the fees were; but as far as possible fixed amounts had now been substituted for them.

The HON. SIR T. McILWRAITH said they must understand what fees the different officers were entitled to, and what fees were abolished. There was a district registrar getting £12 in 1884. Was that still paid?

The COLONIAL SECRETARY: Yes; unless a greater or less number of people die in the year.

The HON. SIR T. McILWRAITH: Then there was a certain sum paid in 1884 for acting land agents' fees. That still remained?

The COLONIAL SECRETARY: Yes.

The HON. SIR T. McILWRAITH: Then came the fees in intestacy, and they remained also. It seemed to him that the great bulk of the fees were still paid. Here, in one item, the police magistrate was entitled to fees in four different departments, and only one set of fees was knocked off, which was for compiling the electoral rolls. District registrars and land agents' fees still remained, so that instead of fees being the exception they were the rule.

The COLONIAL SECRETARY said he had pointed out before all that the hon. gentleman had drawn attention to. It had been the practice of the House for many years to give remuneration for certain duties of a fluctuating character, by what were called fees. They were placed on the Estimates and voted every year, but they might more properly be called allowances. But instead of being fixed allowances it depended on the quantity of work as to what money was paid. That had been the practice for many years. He had pointed out several times that the sum for district registrars had been voted annually. In the Lands Department they had been in the habit of allowing money as allowances to acting land agents, and that system was proposed to be continued, because the amount paid was generally a fluctuating sum, but all fees paid by the public, as he had explained, were now payable into the Treasury. Take the case of a land agent as an

instance. It was considered desirable that the Lands Department, instead of fixing an annual salary where the duties were likely to be light, should be in a position to make allowances according to the amount of work done. That mode of remuneration continued, and was paid by the Lands Department. Instead of deciding upon a fixed sum of £20 or £30, the amount was allowed to fluctuate. It was not proposed to interfere with that this year. In some instances a change of system had been decided upon, and it had been the desire of the Government to arrange matters on as fair a basis as possible; but those fees which were really allowances could not well be dealt with at the present time.

The HON. SIR T. McILWRAITH said he thought they understood the matter at last; and he believed that if the hon. gentleman, instead of taking credit for a great reform in the ordinary estimates, had explained to the Committee the small reform he really had made, they would have understood it long ago. The hon. gentleman told them that all fees were abolished, when the fact was that he had abolished a very small part. He had taken certain fees from clerks of petty sessions, but the system still applied to almost every other department. The hon. gentleman did not seem to have got over the difficulty of explaining certain differences that existed in his own imagination with reference to certain kinds of fees. It did not matter to the Committee, in voting the salary of a public officer, from what sources he got it; what they wanted to know was how much remuneration he was to receive for his services. Hon. members had still to turn to the schedule as they had done before.

Mr. PALMER said he noticed that at Normanton the Police Magistrate, who was also clerk of petty sessions, got £150; while at Pine Hill the Police Magistrate got £450. Anyone who had visited Pine Hill knew that it was merely a temporary township on the railway, consisting of a sand-hill and a row of shanties; whilst Normanton was a seaport and a rising place. Perhaps the Colonial Secretary would explain the reason for the difference. He had no doubt that the Normanton Police Magistrate had some other office; but he had failed to find out what it was in the Estimates-in-Chief.

The COLONIAL SECRETARY said there ought to have been a reference in the Estimates to page 30 of the schedule. The officer was Mr. McGroarty, and he got £250 as recording clerk.

Mr. DONALDSON said he thought it would be as well if, instead of having acting clerks of petty sessions where police magistrates resided, the police magistrates themselves held that office. He knew that an examination of the papers that were frequently sent in would show that, in many instances, the acting clerks of petty sessions, who were policemen, were very incompetent indeed. At Aramac, Ayr, and other places, there was an acting clerk of petty sessions at £25; while at Cunnamulla, Charleville, and other townships, the duties were performed by the police magistrates. He thought it would be much better in every way that in places where a police magistrate resided he should always perform the duties. From the reports of the Chief Commissioner of Police, it would be seen that he was not in favour of members of the Police Force acting as clerks of petty sessions, because it interfered with their other duties.

The COLONIAL SECRETARY said he was not prepared to say what the rule was, and when the arrangement was made he had not had

time to inquire. He presumed the intention in appointing acting clerks was that they would always be on the spot when wanted. He was trying to make some inquiries into those matters, some of which had become rather stereotyped for a good many years.

Mr. McWHANNELL said that the Police Magistrate at Aramac always acted as clerk of petty sessions, except when he was absent at Muttaborra.

Mr. DONALDSON said that in some places the duties were performed by the police magistrate, though the policeman got the pay. Now that attention had been called to the matter he trusted that before next year inquiry would be made, and some change carried out.

Mr. BLACK said he would like to ask the Colonial Secretary whether he had taken any action with regard to the Police Magistrate at Cooktown, in consequence of that gentleman's extraordinary conduct in the "Forest King" case. Of course, hon. members knew very well the very heavy expense the owners of that vessel had been put to by the illegal seizure, which, judging from the evidence, was certainly brought about by the action of the Police Magistrate at Cooktown, Mr. Milman. At first he (Mr. Black) thought that gentleman was acting under instructions from the Government, but from papers laid on the table describing the "Voyage of Mr. Milman, Police Magistrate of Cooktown, to New Guinea and adjacent islands," it appears that he was acting very hastily and to a certain extent without authority. He (Mr. Black) would like an assurance from the Colonial Secretary that that gentleman's erratic conduct was not likely to be repeated; because it was a matter affecting commercial interests, especially in Brisbane, to a very great extent.

The COLONIAL SECRETARY said he could give the hon. gentleman no such assurance. Mr. Milman had, in his opinion, done his duty in bringing what he considered suspicious circumstances under the notice of the captain of the man-of-war. Whether Mr. Milman was misled or not was another matter; he (the Colonial Secretary) did not think he was misled, but that under the circumstances he simply did his duty.

Mr. BLACK said he did not agree with the hon. gentleman. Mr. Milman, no doubt, according to his lights, thought he did his duty; but it would certainly appear from the verdict that the judge did not think so. The judge considered he was exceeding his duty very considerably. The papers showed that Mr. Milman wrote to the Under Colonial Secretary on the 13th June last, from Cooktown, as follows:—

"DEAR MR. GRAY,

"Mr. Macfarlane, from New Guinea, is now in town, and has asked me to accompany him in the 'Ellangowan' to New Guinea. It will be an opportunity not likely to occur again for some time, as on this occasion she ('Ellangowan') is to go to East Cape and visit every settlement between that and the Fly River. He informs me I should be about three weeks away. I would have an opportunity also of seeing some of the fishing stations of men sailing from this port, including Nicholas—the man reported by labour agent of 'Ceara.' Will you kindly wire me, on receipt of this, if I can go, if I have been able to dispose of Lee's affair, and no other important business crops up?"

"I have, etc.,

"HUGH MILMAN."

Now that gentleman was appointed Police Magistrate at Cooktown, and he (Mr. Black) was not aware that he had any jurisdiction over labour vessels going to the islands. However, the reply of the Colonial Secretary was—

"Yes.—S. W. G.—20-6-84."

A telegram was then sent from the Under Colonial Secretary to the Police Magistrate, Cooktown:—

“Colonial Secretary's Office,

“Brisbane, 20th June, 1884.

“You may go to New Guinea if public business will permit.

“ROBT. J. GRAY.”

That was followed by another telegram from the Police Magistrate, Cooktown, to the Under Colonial Secretary. It appeared that he was not satisfied with simply getting two or three weeks' leave: he wanted also to raise a little trouble:—

“Cooktown, 24th June, 1884.

“Captain of ‘Ellangowan’ just arrived reports teacher told him wholesale kidnapping going on at Basilisk Moresby and other islands in vicinity by three (3) masted schooner ‘Heath’ also that ‘Lizzie’ recruited in like manner. If I go Mr. Macfarlane states I can visit these places and if instructed would inquire into truth of these reports ‘Ellangowan’ sails Wednesday.

“H. MILMAN, P.M.”

The reply to that was—

“Mr. Milman to go and make inquiry.—S.W.G., 25-6-84.”

That was confirmed by the Under Colonial Secretary, by telegram dated 25th June, 1884:—

“Colonial Secretary wishes you to visit if possible the places where islanders by ‘Heath’ and ‘Lizzie’ are alleged to have been kidnapped and to make full inquiry and report.

“ROBT. J. GRAY.”

He (Mr. Black) took it that that meant to report to the head of the department in Brisbane. Mr. Milman was still not satisfied, and wired again from Cooktown on the 25th June, 1884:—

“Have I any power to do more than make inquiry and report?”

He evidently wanted to do something more; he wanted to go and have full control of the business:—

“Have I any power to do more than make inquiry and report if I find some vessel actually engaged in illegal recruiting off New Guinea.

“H. MILMAN, P.M.”

The Colonial Secretary was perfectly right in the reply he sent. He (Mr. Black) thought at first that Mr. Milman had perhaps received instructions to act in a rather high-handed manner; but the Colonial Secretary very judiciously wished to curb his impetuosity, for he replied:—

“Report only. —S.W.G.—26-6-84.”

Mr. Milman was still unsatisfied, for he wired again on the 26th June to the Under Colonial Secretary:—

“Would Government send any presents to chiefs or teachers in New Guinea? If a schooner ‘Ariel’ recruiting similar ‘Heath’.

“HUGH MILMAN, P.M.”

The reply was—

“Yes. Mr. Milman to use his own discretion as to distributing them.—S.W.G.—26-6-84.”

The Under Colonial Secretary wired on the 26th June, 1884:—

“Take a supply of trade with you, and distribute at discretion. You have no power to do more than report which you should do fully.”

“ROBT. J. GRAY.”

The Under Colonial Secretary evidently thought Mr. Milman was going a little too far in his anxiety; and certainly the Government never gave him power to make any seizure or to go on board any man-of-war and cause a seizure to be made.

He went down in the “Ellangowan,” his chief companions being Mr. Macfarlane, a missionary, and a now historical kanaka boy, named Jerry. He seemed to have joined H.M.S. “Swinger,” which was cruising in those waters, when she came across the “Forest King.” The officers of the man-of-war went aboard, examined the papers, mustered the boys, interviewed the Government Agent and the captain, and returned

with the report that everything was satisfactory. Mr. Milman was still not satisfied; he volunteered to go on board; he went on board with Mr. Macfarlane and the missionary boy Jerry; and what took place then was now a matter of history. He admitted that Jerry himself could not speak the New Guinea language at all, and through Jerry he led the boys to believe they were going to Queensland for three moons. The result was that he returned to the “Swinger” and induced the captain of that man-of-war to take possession of the vessel and send her down here. He maintained that Mr. Milman was doing then more than he was authorised to do by the Colonial Secretary, who told him to report on her action; but he caused the vessel to be seized and sent down here, hoping to get her condemned. The case came before the law courts, and if ever a vessel was proved to carry on that trade in a legitimate and thoroughly honest manner—that vessel was. There was not a single case of kidnapping, or an illegal action proved against either the Government agent, or the captain, or anyone connected with that vessel. The consequence was that the owners of the ship—a Brisbane firm—were put to a loss which they estimated at £5,000. He said that the police magistrate, in taking the whole of that responsibility on himself, exceeded the instructions he received from the Colonial Secretary's office, and entailed a very severe loss upon people engaged in a thoroughly legitimate trade—a trade sanctioned by an Act of Parliament which had been passed in that House. He maintained that the police magistrate undoubtedly exceeded his duty; and nothing came out in the evidence to substantiate the charges which he was anxious to bring against the ship.

The COLONIAL SECRETARY said that what Mr. Milman did was this: he being in New Guinea waters, with a commission to inquire into what was going on there, found himself in the neighbourhood of a recruiting vessel. Facts were brought to his notice which led to a strong suspicion that natives had been kidnapped, and he told the captain of the “Swinger” what he had discovered. What ought Mr. Milman to have done—what did the hon. member mean he should do? Was Mr. Milman to hold back and say nothing? What idea had the hon. member of right and wrong? A public officer in New Guinea waters, sent to ascertain if anything had gone wrong there, had facts brought to his notice which, if true, showed something very wrong indeed. There was a ship of war in the neighbourhood, and Mr. Milman told the captain. He (the Colonial Secretary) thought that gentleman had done his duty. He had stated what he did, and he asked any right-minded man in the world to say if that was not doing his duty. He believed the man did his duty, and had reasonable grounds to believe there was something wrong. He believed the captain and Government agent of the “Forest King” had taken every means to see that nothing wrong was being done. He believed, nevertheless, they had been misled. One of those unfortunate boys who came here by that ship got out of the hospital, wandered about, and was lost. In the course of his wanderings the boy came into his (Mr. Griffith's) garden, where he found him one morning. He endeavoured to communicate with him, but all the boy did was to hold up three fingers, and in answer to whatever he said the boy held up three fingers. He thought that every one who knew the story about three moons and three “yams” knew what that meant. The boy had been told to hold up three fingers whenever a white man asked him any question. He thought so then, and he thought so still. He believed those boys who had been engaged were now perfectly

willing to remain in the colony for three years. He believed, however, for very good reasons which did not come out in the court of justice, that many of the boys did not understand they were coming here for three years, and he believed also that the captain and Government agent thought they did.

Mr. BLACK said the hon. gentleman said that Mr. Milman did nothing more than his duty, but he would say that he exceeded his duty, and exceeded the positive instructions which he had from the Colonial Secretary's Office before ever he went. Mr. Milman was not told to go on board and report to the "Swinger"; he was told to report here; and the action of that gentleman had been the means of entailing very severe loss upon people engaged in the labour trade. Now, as to that pretty anecdote about the boy who went into the hon. gentleman's garden, what was there in it? The boy had very likely been led to believe that the Colonial Secretary was the best friend he had got, and very likely he was wanting a job.

The COLONIAL SECRETARY: He had lost himself.

Mr. BLACK said it was a very singular coincidence if the boy had lost himself that he went to the Colonial Secretary's garden.

The COLONIAL SECRETARY: So he did.

Mr. BLACK said that hon. gentlemen might depend upon it, the boy had been sent there and expected to get sympathy from the hon. gentleman. He would like to ask the hon. gentleman what had become of that boy? Did the hon. gentleman take him? Had he still got him in his employ? He was glad he had the opportunity of referring to the matter, and he was still of opinion, notwithstanding what the hon. gentleman had said, that the magistrate undoubtedly exceeded his duty, and that his excess of zeal was in furthering what he thought would be the wishes of the Colonial Secretary, but, as he had fairly said, he was not carrying out the instructions of the Colonial Secretary, and he went far beyond those instructions. Before he sat down, he would ask the hon. gentleman who was going to pay the expenses connected with that trial.

The COLONIAL SECRETARY: Whose expenses do you mean?

Mr. BLACK: The various law expenses.

The COLONIAL SECRETARY said the Government of this colony undertook the conduct of the case for the prosecution, on behalf of the captain of whatever vessel was on the station. The Government undertook that expenditure and would pay the fees of counsel for the plaintiffs, but as regarded the costs of the defendant the Government had come to no decision.

Mr. BLACK asked whether the hon. gentleman thought the defendant's costs should be paid by the Government?

The COLONIAL SECRETARY said he would express no opinion on the subject now, and he was not disposed to offer a voluntary contribution to the Imperial Government.

The HON. SIR T. McILWRAITH said he did not believe there was a single man here who had read the evidence given in that case who did not come to the conclusion that the whole case arose from the bungling officiousness of an officer who should never have been sent there at all. He could not call the man a fool because he knew he was not one, but he knew if the man had done his duty properly, and ascertained the facts before giving information to the captain, as he ought to have done, that case would never have come into

court. The hon. gentleman got over the case by saying he was satisfied there were boys there who were recruited illegally. That did not come out in the evidence. If there had been the slightest reason to suppose that was done that would have been full exoneration for Mr. Milman. Not the slightest evidence of that kind had come before the public up to the present time; so far from that, it was a matter of wonder to everyone who had read the evidence why a man so clear-headed as Mr. Milman was did not see the particular facts of the case, and did not see he was being imposed on. It was a got-up case. The sympathy of the public was with the owners of the vessel. The character of the firm, the character of the captain and officers on board, was some guarantee they were pursuing their business in a proper and legal manner. All the evidence went to prove the same thing. They all ought at once to condemn the conduct of the blundering fellow who got them into the trouble. He thought it was a disgrace to the colony that a man should be allowed to do what he had done and get no reproof. His officiousness was of a most abominable kind. When they read the evidence which the hon. member for Mackay read just now, and saw the officious way he put himself constantly before the Premier, insisting that he should be sent down there to be a spy on the traders, they would see he was currying favour with the present Premier. That was the object with which the man went down, which was proved by his conduct—which was condemned by every right-thinking man in the colony.

The COLONIAL SECRETARY said the attack which the hon. gentleman had made on Mr. Milman was entirely unjustifiable. He was quite certain nothing was further from that gentleman's mind than the idea of currying favour with him. He would say this: that Mr. Milman did very good, useful service whilst in those waters, as would appear before very long.

The HON. SIR T. McILWRAITH: He disgraced the colony.

The COLONIAL SECRETARY said the hon. member's idea of disgrace and his own differed. His idea was, if a man found anything like kidnapping going on he ought to tell and not hold his tongue. No doubt some people were imposed upon, but he did not think Mr. Milman was. He had no doubt that some of the men were got on board illegally; not one of them knew what was meant by three years. That was his opinion, and the opinion of Mr. Macfarlane, who would not be injured by the hon. gentleman's reference to him as "some of those missionaries." The captain and the Government agent took the greatest pains to do their duty, but they were imposed upon by some of the interpreters.

The HON. SIR T. McILWRAITH said there was not a word in the evidence to show that the boys were illegally recruited; indeed, it seemed to him to have been proved conclusively that the captain and officers had done nothing illegally. If the hon. gentleman assumed that the boys were recruited illegally, he was, of course, perfectly right in exonerating Mr. Milman; but it was proved at the trial that that was not the fact; and he looked upon Mr. Milman's conduct, from the commencement of his trying to get the position of a spy on the proceedings of those men there, as an attempt to curry favour with the present Government—to please them by getting some of those men into difficulty so as to keep up the black labour agitation.

The COLONIAL SECRETARY said all the evidence did not come out at the trial. The court had to determine only on the evidence before it, and on that evidence the decision was perfectly

correct. As to Mr. Milman, the hon. gentleman had made an unjustifiable attack upon him. Mr. Milman simply behaved as an honest Englishman should, or any other man with a spark of humanity in his nature; and he hoped the majority of hon. members held in the utmost abhorrence the cruel atrocities practised in those parts some months before Mr. Milman was there. The only wonder was that Mr. Milman did not lose his head over the stories of atrocities told him, which he (the Colonial Secretary) knew, and which, no doubt, the public would know some day.

Mr. BLACK said that was exactly what Mr. Milman had done—he had lost his head before he went there. While feeling as great an abhorrence as the Premier at the atrocities that had been perpetrated, they were now discussing a case in which no atrocities occurred. There was never a vessel engaged in more legitimately carrying out a legalised occupation than the “Forest King”; never a Government agent who had kept his log—on which he was complimented by the judge—better than Mr. Thompson; and never a captain who endeavoured, by every means in his power, to carry on that trade in a more legitimate way than the captain of the “Forest King”; and yet they were all brought into trouble, and the owners put to enormous expense simply because Mr. Milman had lost his head.

Mr. KELLETT said that, as it was he who called for the papers, he should like to express his opinion on the subject. He entirely agreed with those who condemned Mr. Milman for his officiousness, as it had been termed. The papers showed that Mr. Milman was going on a pleasure trip on leave of absence, and that he was very anxious to find out something. Had he been acting in his official capacity that would have been all very well. Mr. Milman was allowed to do so, and was told that his report would be sent direct to the Colonial Secretary. He (Mr. Kellett) had just as great an abhorrence of atrocities as the Colonial Secretary himself, but it was plainly proved that, in the case of the “Forest King,” nothing of the kind had occurred, nor anything illegal on the part of anyone connected with her, and yet her owners were mulcted in heavy losses. Mr. Milman, no doubt, did not tell the commander of the “Swinger” that he was simply there on a pleasure trip, with orders to report anything he might see to the Colonial Secretary: and Captain Marx evidently believed Mr. Milman was doing his duty there in an official capacity; and, therefore, did not hold so searching an inquiry as he would otherwise have done. Ninety-nine men out of every hundred who had read the papers and the evidence, were of opinion that the loss sustained by the owners of the “Forest King” was entailed by Mr. Milman’s officiousness. That gentleman acted outside his duties as police magistrate, and his conduct was condemned by every right-thinking man either in the House or out of it. In his opinion, Mr. Milman should have been publicly made an example of for acting as he had done. Whatever further information Mr. Milman might have obtained in reference to other matters would never compensate the owners of the “Forest King” for the damage his officiousness had done them.

Mr. STEVENSON said that without expressing an opinion one way or the other as to Mr. Milman’s conduct, he would refer to another point in connection with the subject. The Colonial Secretary had admitted that the court came to a right decision on the evidence produced before it. That being so, the ship was seized illegally, and the owners of the “Forest King” had lost something like \$5,000 in consequence of

the seizure. Surely something ought to be done by way of compensating them for that loss! The Colonial Secretary said he possessed a knowledge of facts in connection with the case which did not come before the court; but he remembered a case where the hon. gentleman took very good care to carry out the verdict of a court, when it was perfectly well known that that verdict was a wrong one. The case was that of P. F. Macdonald, who was paid an absurd sum on a verdict given by the court, which people acquainted with the facts knew to be far in excess of the amount that gentleman had lost. It had been clearly shown that those men had sustained a very great loss, and that nothing had been found wrong on their part. The Government ought to show their justice by compensating the owners of the “Forest King.” Another instance where the Colonial Secretary showed that he wished to compensate a man for the loss he had sustained in the island trade by the bungling of a Government Agent, was in the case where he paid the German firm of Hensheim £550, without any evidence at all. He had been informed that the whole place, store, and stock-in-trade, and everything to belonging Hensheim, was not worth £100. The Colonial Secretary should take it into his consideration whether the owners of the “Forest King” should not receive some compensation.

Mr. BLACK said he hoped that if compensation were paid that the planters would not be made to pay for it as they were in the case of the “Stanley.” So far as he was aware it was a case of incompetency on the part of a Government officer, and he trusted to have an opportunity of discussing the matter when the Estimates in connection with that service came on, and after the returns which he asked for some time ago relating to the expenditure of the Polynesian fund, and which had never yet appeared, were produced. He expected they would furnish a good deal more information than he possessed at the present time.

Mr. STEVENSON asked if the Government had appointed a relieving police magistrate; and if so, whom?

The COLONIAL SECRETARY said Mr. Hodgkinson, late Warden at the Palmer, had been appointed.

Mr. MACDONALD-PATERSON said he did not wish to allow the opportunity to pass without calling the attention of the Treasurer to the fact that some years back, under another Government, many hon. members desired that the Estimates-in-Chief should contain all the information that was now embodied in the schedule to the Estimates-in-Chief of 1884-5. He did not think that the adoption of the plan that had obtained in New South Wales was a success. The schedule was misleading to hon. members from its title, which represented that it contained the present salaries and allowances of all public officers for the year 1884-5. That was an unbusiness-like error, and he trusted the Treasurer would next year scan the schedule more closely than he had done on the present occasion. He rose to express a hope that the present schedule would not come up next year; but that all the particulars contained therein would be embodied in the Estimates-in-Chief. By that means any hon. member would be able to tell at a glance the salary and allowances received by any officer in the service, and what it was proposed he should receive in future. In that form the Estimates would be acceptable to all members, and would wear a business-like aspect, and have a value they had not at present.

The COLONIAL TREASURER said he had already informed the Committee that the schedule

was brought down with a view of giving hon. members the fullest information concerning the emoluments received by every officer in the Government service. The short time at the disposal of the Treasury—and he would remind them that they had had two sessions that year—must be their excuse for any errors which might have crept in; but still he thought that all the information given in the schedule could not be given in the Estimates-in-Chief without a lot of explanatory notes and foot-notes. He admitted that the schedule might be improved upon, and hoped it would be next year; but, notwithstanding any defects that might exist, they could not give all the information to hon. members in such a succinct form in the Estimates-in-Chief as in that schedule. If hon. members would read the title-page they would see that the schedule showed the total remuneration received during 1883-4. It would have been inconvenient for the Government to have submitted schedules showing the contemplated salary which Government officers would enjoy until the Estimates had been adopted. The action taken by the Government in dealing with fees had augmented the work. It required a certain amount of time to accurately estimate the amounts of salary which certain officers enjoyed; but the Government had endeavoured to apportion them as far as possible, and, without pretending that the Estimates submitted to Parliament fully represented the emoluments heretofore enjoyed—they were an approximation. When the Public Officers Fees Bill was before the House, he represented that it would take some time to strike an average which might fairly apportion to all officers in the Public Service who had been receiving fees which did not pass through the Treasury an adequate annual salary. He hoped that next year the schedule would be presented in a much less crude form; but it was an improvement upon the old system, which supplied but little information to hon. members.

The HON. SIR T. MCILWRAITH asked if it was the intention of the Government to continue the schedule in the same form as it was at present, or was it their intention to make it correspond with the Estimates that would be discussed at some future time?

The COLONIAL TREASURER said he thought it would be an improvement to convey the information under both aspects. The schedule would certainly be framed in accordance with the Estimates that passed, but it would be better to have a second column, showing the emolument that officers would receive under the Estimates that would come under discussion next year.

The HON. SIR T. MCILWRAITH said the schedule conveyed no information to hon. members. The fact was that the Estimates before contained almost all the items with the exception of fees. Each particular item could be seen on the page under discussion. Now they had the amount of emolument the officer received for the past year, which did not correspond in many cases with what was proposed to be paid him. What they wanted to see was what emoluments the officers could have under the different items.

The COLONIAL TREASURER said the difficulty had been increased because the Estimates for the present year were presented in a different form, and the emoluments had to be altered on account of the withdrawal of fees. The present schedule showed accurately enough the detailed emoluments for last year before the fees were interfered with. The Estimates now being passed on a different basis conveyed even more information than heretofore. The schedule for the future would show the amount each officer would

get when the Estimates were again under discussion, and the vexed question of fees would no longer be a disturbing element.

Mr. STEVENSON said, that, returning to contingencies, they had been told by the Colonial Secretary that Mr. Hodgkinson, who was Warden at Maytown, and against whom serious charges were made by the Minister for Works, had been appointed Relieving Police Magistrate. The Committee were entitled to some explanation as to whether those charges were withdrawn, and whether Mr. Hodgkinson was now considered such a good boy that a billet had to be created for him at a fixed salary.

The COLONIAL SECRETARY said a change had been made. Mr. St. George, who was Acting Police Magistrate at Clermont, was appointed Warden at the Palmer, a situation which suited him very well, and which he was willing to accept; and the other appointment was conferred on Mr. Hodgkinson, who was competent for such a duty, having a large and varied knowledge of the colony, and, in fact, of Australia generally. Many of them knew him in the House and knew his capacity. He would make a most excellent relieving police magistrate. For various reasons it was thought desirable that a change should be made, and the arrangements which had been made were very satisfactory ones.

Mr. STEVENSON said he wanted to know more about the charge made against Mr. Hodgkinson—whether it had been withdrawn, and whether it was considered a frivolous charge? He did not ask the Colonial Secretary whether Mr. Hodgkinson was a fit man for the new appointment. He wanted to know more about the charge brought against him.

The COLONIAL SECRETARY said a committee was appointed to inquire into the matter, and they brought up a report. It was carefully considered by the Government, and he had intimated the action that had been taken upon it.

The HON. SIR T. MCILWRAITH said he was glad to hear from the hon. member that the Government had carefully considered the report, but they could not have read the evidence.

The COLONIAL SECRETARY: Yes, they have.

The HON. SIR T. MCILWRAITH said it was a most extraordinary report, and the evidence was worth calling the attention of the Committee to. He might say that he agreed, at all events, with one remark of the hon. member: that after what had taken place a change was desirable. A change was desirable, and the change the public anticipated—namely, the resignation of the Minister for Public Works, had not taken place. What were the plain facts of the case? The Minister for Works made, before a deputation, a charge of a very strong character against a Government officer who was warden on the Palmer. He said that a report that officer had made was written with the object of ruining the public. The charge was so gross that, of course, the attention of Parliament was directed to it. He was not in the colony at the time, but he noticed that the Government, seeing the serious position in which the Minister for Works was placed, forestalled the action of independent members, and got one of their strongest supporters to move for a committee composed of a strong majority of the Government side to investigate the matter. Well, instead of the committee being appointed so as to give the Minister for Works an opportunity of proving his charge, the committee was appointed to inquire into the report purporting to be a report on the Palmer Gold Field, written

by Mr. Hodgkinson. One, on reading the order appointing the committee, saw at once that it was the object of the Government to burk the inquiry, which was absolutely essential. The real object of the appointment of the committee should have been to give the Minister for Works an opportunity of proving the charges he had made against a public officer of receiving pay for writing a report calculated to ruin the public. Anyone reading the report could not help feeling ashamed that in a colony like this an officer of any department should have so lost all manliness as to have been afraid to give straightforward evidence. One saw that the department over which the Minister for Works presided was really trampled upon. Mr. Deighton, who was a witness, implored the committee not to ask him any questions that would imperil his position. It was really pitiable to find that any Government officer should be so treated by the present Ministry as to be afraid of his official position when coming forward to tell the truth. He asked the members of the committee who might not have read the evidence, to read Mr. Deighton's evidence, and see if what he (Sir T. McIlwraith) said was not perfectly true. Mr. Miles was called before the committee, and was asked a great number of questions. He did not withdraw his charge, but added to it by saying that he believed Mr. Hodgkinson was paid for his report. Not only did he say that, but he said he had been bribed. The Minister for Works said, further, that he was astonished not to have seen Mr. Hodgkinson in a similar position before, because he had known him to have been bribed on previous occasions; he had known him to be bribed as a member of the House to vote in a particular way; and, knowing that, he was suspicious of him, and that previous knowledge helped him to find Mr. Hodgkinson out in his delinquency. Instead, therefore, of withdrawing or proving the charge, he made it a great deal worse. He (Sir T. McIlwraith) would not read much of the report, but just refer to the evidence of Mr. Miles. That gentleman said:—

"I am not a suspicious character, but from my previous experience of Warden Hodgkinson, when he was a member of Parliament I was asked to contribute to a fund for paying for his vote. Mr. Chairman: and I think, in putting two and two together, I had a perfect right to look upon that with suspicion—that he had drawn up this report for a consideration."

Not the slightest proof was brought before the committee, nor did the committee ask for any proof. Mr. Miles did not bring any proof, but he brought a new charge—namely, that he had been asked to contribute to a fund to pay for Mr. Hodgkinson's vote. That was a much graver charge than the other. The committee got all the evidence they could, and then brought up one of the most colourless reports that had ever been put before the House. It said very little, as was stated by Mr. Black and Mr. Macrossan in their rider:—

"The evidence proves that Mr. Warden Hodgkinson prepared the report referred to in obedience to instructions received from the then Premier, Sir Thomas McIlwraith, who was also acting as Minister for Mines."

"There is no evidence to show that the report was prepared for the purpose of ruining the public."

"The report is substantially true."

There was no doubt that the report was true, and that the facts of the case were not outside the question so far as that House was concerned. In the meantime, what was the position with regard to Mr. Hodgkinson? The Minister for Works did not do what they might consider he ought to have done—he did not dismiss Mr. Hodgkinson. It appeared that Mr. Hodgkinson sued him for £10,000; but the action did not come on, and at last, to the astonishment of everybody, Mr. Hodgkinson was appointed to another position.

It seemed that in the opinion of the Cabinet, as a whole, although nobody knew that there had been any change of opinion on the part of the Minister for Works, Mr. Hodgkinson was just the man for an important position which it struck them should be filled up. He was therefore appointed to it at a higher salary, and his honesty acknowledged in every way. But the charge against him remained the same so far as the Minister for Works was concerned, though the action was withdrawn. Now, Mr. Hodgkinson, if the charge was true, was just about the last man to be bribed with £500 a year or any salary of that sort; but, at all events, the Minister for Works had saved his £10,000. The position therefore was this: that a Minister in one Cabinet actually told an officer in his department that he was a scoundrel, and then, at a subsequent Cabinet meeting, he appointed him to one of the most important positions in the magistracy. That the hon. gentleman should have allowed his tongue to run away with him, as it often did, was not a matter for wonder; but he had saved his money by giving up his opinion, and had found that the Colonial Secretary was right in saying that Mr. Hodgkinson was an honest and talented man, and the best man to appoint as visiting magistrate. He (Sir T. McIlwraith) should like to know what the hon. member thought of Mr. Hodgkinson now? What change had he made in his opinion? He (Sir T. McIlwraith) was suspicious sometimes, and he was suspicious now, that the withdrawal of the action for £10,000 had a good deal to do with the hon. member's mind. It was a pretty fair way of saving himself from the chance of a Brisbane jury. It had saved him at least £3,000, which he would probably have had to pay had the action gone on. Probably it was due to the dexterity of the Colonial Secretary that he had saved his colleague from that, and from the punishment that was due to his indiscretion. He used the term "indiscretion," though he might use a harsher term. No Minister had ever put himself into the position that the Minister for Works had done—namely, after he had used such braggard expressions with regard to an officer of the Government, to actually sign an executive minute appointing him to one of the most important positions in the colony.

The MINISTER FOR WORKS said the hon. member had asked him what he thought of Mr. Hodgkinson. If he had asked him what he thought of him (Sir T. McIlwraith) he would have been much better pleased to answer him. If anyone got Mr. Hodgkinson into trouble, it was the hon. member. During the absence of the Minister for Works the hon. member was doing duty for him, and he requested Mr. Hodgkinson to draw up a report on a particular mine that he was interested in.

The HON. SIR T. MCILWRAITH: No.

The MINISTER FOR WORKS said that perhaps the hon. member would deny that he tried to float the mine when he was in London. He (Mr. Miles) maintained that the inquiry brought out very satisfactory evidence that Mr. Hodgkinson prepared the report with very bad grace. But he was a Government officer, and he was bound to obey. He was expected to draw up not so much a report as a prospectus on that particular gold-mine to enable the hon. member to float a company at home. That was the fact. The select committee brought out clearly and distinctly that the work was forced upon Mr. Hodgkinson; but it was very desirable that the hon. member should have the prospectus drawn up suitably for him to float the mine on the English market. What was the result? Up to or before that time the mine had

turned out very well—the crushings gave an exceedingly good average—but when the report was drawn up by Mr. Hodgkinson it was not paying. Previously, in the month of June, Mr. Hodgkinson had recommended that the mine should be exempted from the labour condition because it was unpayable. The hon. member knew that very well. In the month of June, previous to drawing up the report, he had recommended six months' exemption from the labour conditions because it was unpayable; and afterwards he recommended six months' further exemption on the same grounds. Yet the hon. member for Mulgrave instructed him to draw up what purported to be a report on the Palmer Gold Field, but which was simply a report on that one mine. He (the Minister for Works) did not blame Mr. Hodgkinson, who had reluctantly undertaken a very disagreeable task under instructions from the then Premier—the hon. member for Mulgrave. Mr. Hodgkinson did not draw up the report while on the gold-fields, but while on leave in Brisbane, and he said he went everywhere to try and get the necessary information. The report was headed "Presented to both Houses of Parliament," but by some means or other it was not laid on the table till his (the Minister for Works') attention was called to it by the hon. member for Balonne, when it was furnished. He recollected a paragraph, in the *Horne News*, he thought, stating that the Under Secretary to the Agent-General had read a paper at the Colonial Institute on the mineral resources of Queensland; and it struck him forcibly that it was simply intended to bring the matter before the public at the time that particular mine was in the market. However, the hon. member was fortunately unsuccessful in his efforts to float the company. It was a very difficult matter to deal with the Palmer Gold Field, as most of the mining claims were in the hands of the Queensland National Bank, and when they were forfeited for non-compliance with the labour conditions they went back into the same hands. He (the Minister for Works) regretted whatever he had said about Mr. Hodgkinson, because he now saw clearly that that gentleman had an unpleasant task forced upon him by the then Premier, the hon. member for Mulgrave. At first he was under the impression that Mr. Hodgkinson had drawn up the report on his own authority; but there could be no doubt now that he was instructed to do it, and that the money he received was for labour done. He did not blame Mr. Hodgkinson for that: he had a perfect right to do work when he was on leave, and receive pay for it. He had not the slightest doubt that that particular report was forced from Mr. Hodgkinson.

THE HON. SIR T. McILLWRAITH said that the hon. gentleman, instead of taking the evidence in his hand and referring to it, had given them a rambling statement about matters the principal part of which had never been referred to in the evidence at all. If the Committee, for instance, had wanted to find out what was his (Sir T. McIllwraith's) connection with the mine, would not they have called him and asked him? He was called once, and what they asked him was as follows:—

"Do you remember acting for the Minister for Mines, or, acting as Minister for Mines, during the absence of Mr. Norton, in October, last year? I do not quite remember the date. I know that I did act for him, when absent. If he was absent at that time, I have no doubt I did act for him."

"Have you read the report of Mr. Hodgkinson as presented to and laid on the table of the House, of 7th October, 1883? Yes."

"Do you remember giving him instructions to write that report? Yes."

"Do you remember when the instructions were given? No."

"Mr. Deighton describes it as not being either an ordinary annual or monthly report. Do you know—can you tell the Committee what the object of that report was? Yes. I had visited the Palmer Gold Field myself, some months previously, and I took a great interest in it from the fact that there were so many reefs held by people, who all understood the matter, who believed the mines to be payable, and still the field was going on worse and worse, and becoming almost deserted by the time Mr. Hodgkinson came down on leave of absence. In talking over the matter with him, knowing his faith in the field to be intense, and thoroughly agreeing with the faith expressed by the men who had been long connected with the field, I thought it was for the interests of the colony that he should put his ideas in writing with reference to the field. I asked him, therefore, to write the report."

"The annual report and the monthly reports were not sufficient, in your opinion, for the purpose? No. I thought the matter justified a special report."

Then they turned off on some little matter about what became of the original report. The hon. member seemed to think he had made a great discovery, and that he had solved the whole problem when he told the House that he (Sir T. McIllwraith) had ordered the report to be written. Of course he ordered the report to be written, and he was prepared to take all the responsibility. If the committee had asked him any further questions he would have been able to give them a great deal more information than the hon. member had given. He liked the morals of the hon. member. The hon. member seemed to think that he had got out of all difficulty, and exonerated Mr. Hodgkinson altogether, by simply saying that he had found out who instigated Mr. Hodgkinson. The argument that Mr. Hodgkinson had been led into temptation by the bribes of the then Premier, Sir Thomas McIllwraith, did not amount to much of an exoneration for the warden of a goldfield. As a matter of fact seven-eighths of that report was a summary of previous reports that had been presented to the House. All the statistics in it had been given before; and there was not one single fact in it of the slightest importance that had not appeared in previous reports. The hon. member's complaints that Mr. Warden Hodgkinson looked upon the task as a very disagreeable one, were the first he had heard of that. Mr. Hodgkinson was at liberty to make a report or not, as he pleased. He (Sir T. McIllwraith) considered that if he could benefit any field in the colony it was his duty as Minister for Mines—as he was in that case—to do so. He did it then, and had done it before. The report on the Palmer Gold Field was a very good one, despite what the hon. member said. If the hon. member had tried to describe the state of his feelings when he found what public opinion was about that £10,000, and had known that a most cautious jurymen had expressed the opinion they would not let him off under less than £3,500, he thought he would have given a great deal better explanation.

THE MINISTER FOR WORKS: I am not frightened about that £3,000.

THE HON. SIR T. McILLWRAITH said if the hon. gentleman had been let in for that amount he would have been sulky ever since; at all events he would have been nailed by a Brisbane jury if he had gone before them with the language he used against Mr. Hodgkinson; and if he went before them on any other occasion he would not be forgotten by high-minded men. The hon. gentleman had exonerated Mr. Hodgkinson, who was not a man who could stand a big loss of that kind. It was to his interest, of course, to get an admission from the department that he was all right, but it did not alter the position occupied by the Minister for Works. The hon. gentleman condoned the whole thing; saved himself the chance of disgorging that £3,000; and actually appointed

the man whom he had previously called a scoundrel to one of the most important magistracies of the colony; but the hon. gentleman had forgotten to let them into the political part of the story about the bribery case—when he had been bribing members of Parliament. It was by the Government side of the House that Mr. Hodgkinson was bribed. The Minister for Works did walk about the House then, and he might have been on the Opposition side. He would like to know, adding to the political history of the colony, when it was that Mr. Hodgkinson took that bribe, and when it was the hon. member showed his honesty so particularly. He noticed that the Minister for Works did not believe in hiding his head under a bushel; and if he did an honest thing he howled about it just as much as he would do in losing money by the verdict of a jury. This was the honest act the hon. member did seven years ago, and he wanted to reap the reward people got from their good actions. The hon. gentleman actually dragged it up and told them he was the man who stood out—it was not Mr. Hodgkinson at all; whilst the principal man who contributed money to bribe that member was the hon. gentleman himself. The hon. member was the briber himself, and why he had said nothing about it up to now was because the hon. member took the money and did not vote after all.

Question put.

The HON. SIR T. McILWRAITH asked whether the Government were going to fill up the vacancy at Howard and Tiaro shortly?

The COLONIAL SECRETARY: No.

Mr. BLACK said before the vote was put he would again protest against the unsatisfactory way in which the Estimates were framed, and intimate that if they came before them again in that extremely unsatisfactory way he should oppose them *seriatim* from beginning to the end. That was the third session he had remonstrated. The present Premier, when he was in opposition last year, endorsed his views then. They were voting over £33,000, and he defied any member to know what salaries they were voting for the Public Service.

Mr. NORTON said he would like to know whether Mr. Hodgkinson received any additional salary as Acting Warden at Clermont and Land Commissioner?

The COLONIAL SECRETARY said there was no extra salary attached to those appointments. Mr. Hodgkinson was relieving Mr. Henry, the Police Magistrate there.

Question put and passed.

The COLONIAL SECRETARY moved that there be granted a sum of £33,042 for the Government Printing Department. There was apparently a large increase in the item, but, as would be seen, a great part was for the cost of the electric light. On the Estimates for the Government Printing Office, the actual vote last year was £27,010, and this year it was £33,042; so the increase was very trifling. Apparently there was a very large increase in salaries. The items substantially were £5,972 as against £3,600 last year, which made a difference of £1,975. That apparent increase of £1,975 was made, it appeared, by placing under the head of "Salaries," the pay that was given to a number of officers holding responsible positions which they had held for many years in the department, and who were all paid by the day, and included in the heading "Wages, temporary assistance, and overtime." For a long time those officers had been asking to be placed in the same position on the Estimates as other officers in corresponding positions in the Public Service, which, after

consideration, the Government determined to do. The amount of their pay on an average during the year came to just about what was put down here, which was proposed to be a fixed annual salary giving them a status in the service to which they were entitled. There was an increase of £40 to the Accountant, and a clerk received an increase of £15. Hon. members would observe there was an allowance to the Overseer while acting as Government Printer. During this year, the Government Printer got twelve months' leave of absence, and this was a special allowance to the Overseer. It would be seen that the amount put down for wages, temporary assistance, and overtime was reduced by £1,300, an amount which nearly covered the salaries set out separately. Considering the enormous amount of work done in the Government Printing Office, the country might be congratulated on the estimates being kept within such reasonable limits. The amount of £5,000 for installation, etc., of the electric light was for that year only, and included both the Government Printing Office and the Parliamentary Buildings.

The HON. SIR T. McILWRAITH said he was not present last session when the debate on shortening the hours of Civil servants took place. He wished to know whether that diminution of the hours of work applied to the department now under consideration?

The COLONIAL SECRETARY replied that the hours of work in the Government Printing Office were formerly from half-past 8 to 6; now they were from 8 to 5—outside the session, of course.

The HON. SIR T. McILWRAITH said he would allude to the general question on some better opportunity, but he would express an opinion now that, if the rule applied anywhere, it ought to apply to the Government Printing Office; he believed it had been applied to some of the gentlemen whose salaries were on the estimate. Some of them, he believed, took advantage of it, and cleared off at 4 o'clock like other Civil servants. He might be wrong—still, generally speaking, those in the Government Printing Office were entitled to as good hours as the other Civil servants, and more so, if they went into the merits of the case. They had to work eight hours a day, while the oppressed Civil servants thought it a hardship to work more than six. The reduction in the hours of the Civil servants was an abuse of the power of Government; it was a question that ought to have been brought before Parliament. It was ridiculous that a Government should come in, and, in order to keep in favour with the Civil servants, take an hour off the time they ought to devote to the service of the country. If the clerk could not work more than six hours a day, why should the printer?

The COLONIAL SECRETARY said he had never heard any complaints from the printers as to their working eight hours a day. With respect to the hours of Civil servants, a Government had as much right to shorten them as to lengthen them. The hon. gentleman did not consult Parliament before he lengthened the hours. The present Government did not consider that that change operated beneficially, and they reverted to the practice that had been in force since the foundation of the colony until the hon. gentleman altered it.

The HON. SIR T. McILWRAITH said his Government did not lengthen the hours; they simply gave the Civil servants an opportunity of getting lunch decently in the middle of the day. What the present Government did was to take an hour off at the end of the day on the under-

standing that they were not to have an hour for lunch ; but secretly they informed them they could have the hour just as before, and that was what they were doing now. Practically, the present Government took off an hour's work from the Civil servants, and no doubt they were grateful for it. He wished to understand how far that system applied to the Government Printing Office ?

The COLONIAL SECRETARY said it only applied to one or two of the clerical officers—possibly to the accountant and a clerk—not to the printing staff.

Question put and passed.

On the motion of the COLONIAL TREASURER, the CHAIRMAN left the chair, reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

The PREMIER, in moving that the House do now adjourn, stated that the business to-morrow would be the third reading of the Members Expenses Bill, and afterwards Supply.

The House adjourned at twenty minutes to 11 o'clock.