Queensland

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[Hansard]

Legislative Assembly

FRIDAY, 28 OCTOBER 1887

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LEGISLATIVE ASSEMBLY.

Friday, 28 *October*, 1887.

Question.—Formal Motion.—Licensing Act of 1885 Amendment Bill—committee.—Maryborough and Urangan Railway Bill.—Distilleries Act of 1849 Amendment Bill—second reading.—Supply.—Adjournment.

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

QUESTION.

Mr. NORTON asked the Colonial Treasurer—

1. Has he yet considered Mr. Nisbet's report on the subject of dredges for shallow water?

2. At about what time is it probable that improvements to the Narrows at Port Curtis will be commenced?

The COLONIAL TREASURER (Hon. Sir S. W. Griffith) replied—

Yes. It appears from Mr. Nisbet's report that the Government have at present no plant suitable for the work of deepening the Narrows, and that in order to undertake it, it will be necessary to construct an additional dredge specially adapted for such work. No funds are at present available for the purpose.

I am therefore unable to answer the second question.

Mr. NORTON: There are funds available; there was £6,000 voted.

The COLONIAL TREASURER: That is for working expenses. It will not be sufficient to build a dredge. We shall have to build the dredge first, and then spend that £6,000 in working it.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. SCOTT—

That there be laid on the table of the House all papers connected with the Rio North Run, in the Leichhardt district, from 1881 to present date.

LICENSING ACT OF 1885 AMENDMENT BILL.

Mr. JESSOP moved that the Speaker leave the chair, and the House go into Committee of the Whole to consider the desirableness of introducing a Bill to amend the Licensing Act of 1885.

Question put and passed.

COMMITTEE.

Mr. JESSOP moved—

That it is desirable to introduce a Bill to amend the Licensing Act of 1885.

Mr. MACFARLANE said he would like to hear some reason as to why it was desirable to introduce a Bill to amend that Act. The hon. member had given no reason why he wished to alter that Act. There had been no complaints about it anywhere, and it appeared to him to have worked very well so far as it had gone.

Mr. JESSOP said he had not thought it necessary to give any reasons at the present stage, although they could be specified very shortly. He thought it would be quite sufficient to give the necessary explanation when the second reading came on. He had several very good reasons for the motion he had made, and did not think there would be any opposition to it; but if reasons were required he would give them at once.

Mr. MACFARLANE said hon. members were anxious that no new legislation should be introduced, and it would save time if the hon. member would intimate to the Committee a few of the amendments he wanted to make, because they would then know whether it was worth while to go into the matter or not.

Mr. JESSOP said that a short time ago a certain party applied for a hotel license for a house now being built, and it was refused because the Licensing Act did not allow it. The proprietor went to great expense in building sufficient accommodation for a first-class hotel, and let the premises at the large rent of £5,000 per annum, or very nearly £6,000 per annum, including the various rates. The lessee had paid a large deposit and signed the contract, and if he could not get a license it would possibly be the ruin of him. He thought that was sufficient reason for the introduction of the Bill.

Mr. GRIMES said he thought it was rather late in the session to introduce a Bill of that character amending a public Act, and it would be far better to leave the matter till the approaching elections were over. It was an important matter, and as it would require a good deal of discussion it was advisable not to pass it now.

Mr. JESSOP said he thought there was plenty of time to get the Bill through before the close of the session, and if he waited till the elections were over, that would mean a loss of ten or twelve months' business to the lessee.

Mr. W. BROOKES said he did no quite follow the hon. member for Dalby, but it appeared that in introducing the Bill he was asking for some relief to a private party. That might be a proper thing for the Committee to do, or it might not. So far as he could understand the Bill, it was intended to make an alteration in the present Licensing Act, which he did not think should be lightly interfered with. He was of opinion that it was a matter that should be brought in, not by a private member, but by the Government. The gist of what the hon. member for Dalby had said amounted to bringing in a Bill to redress a grievance suffered by a private party in connection with the proposed Opera House, which he supposed would be a theatre as well; so that the proposition was one to enable the lessees of theatres to be publicans as well.

Mr. JESSOP: No; it is not for that alone.

Mr. W. BROOKES said if that was so he still less understood the Bill. He thought it was to enable the person who had the lease of the Opera House to open a bar. There was not the slightest doubt that it opened up a very great question, and he was certainly of opinion that a measure like that should be introduced by the Government, and by nobody else. He would suggest that to the hon. member for Dalby, otherwise it might be that the Bill would receive very scanty consideration on the part of the Committee.

Mr. NORTON said it appeared to him that the Bill had been introduced to meet a special case; and that alone, he thought, was a ground for some opposition. He said that because he should in all probability not support the measure; and having said so much, he should refrain from entering into the question of the desirableness of the measure. There was no doubt that it opened

up a very large and important question, and he did not intend to oppose the resolution before the Committee, because it might be desirable that the principle contained in the Bill should be submitted to discussion.

Mr. W. BROOKES said he would like to ask the hon. member for Dalby whether in connection with the Opera House it was intended to have bedrooms and all the other appurtenances of an hotel?

Mr. JESSOP: Yes.

Mr. W. BROOKES said it happened that next door to the Opera House there was a large hotel, and they might have too much of a good thing. It seemed to him to be bordering on superfluity to have another one just there.

Mr. CHUBB said the motion was a sort of appeal against the Licensing Act, because the Licensing Board had no power to grant a bar license except in the case of a licensed hotel, in connection with which they could license a second bar. He supposed that when the license was refused the building had not the necessary accommodation to obtain an hotel license. If that was not the ground on which it was refused it might have been on the ground that the Licensing Board did not think it advisable to grant a license. If the Bill became law how much further would the question be advanced? The board would still have power to refuse the license, and they might say that in the interests of public safety, or otherwise, they thought it advisable not to grant a license. The lessee of the building, or the person who applied for the license, would be in the same position. There seemed to be no reason why the person might not, if he liked, apply for a wine license; he might have a wine license, and that would enable him to sell refreshments which would not interfere with the safety of the public. The question was a very wide one, because the motion seemed to be a sort of proposal to give special benefit to a particular person, or particular class of persons. But there was another reason why it was not desirable to proceed with the Bill. Members on that side of the Committee had taken up an intelligent position on the previous evening, and said it was time that they made a stand and allowed no further legislation to be passed, and they would be rather inconsistent if, after having taken up that position, they should go on with further legislation, whether it was introduced by the Government or a private member. He would suggest to the hon. member that he should withdraw his motion.

Mr. JESSOP said that hon. members, somehow or other, seemed to misunderstand the proposition. He could, of course, understand the hon. members for Ipswich and Oxley, and the junior member for North Brisbane, and one or two others whom he might call local option men, opposing the motion. The Bill he proposed to introduce provided that the lessee of the hotel at the Opera House might be granted a license by the Licensing Bench. He applied for a license some time ago, but his application was refused, the reason given being that the court had not the power to grant a license. A large petition, signed by members of Parliament, magistrates, a number of hotel-keepers, and others, was presented to the court in favour of the license being granted, but it was not received. A counter petition was sent in by local optionists, who, of course, had a perfect right to take action in that way if they thought a license should not be granted. The chairman of the Licensing Bench said they were quite agreeable to grant the application, but they had not the power to do so under the Act. The building would be furnished with every accommodation necessary to make it a first-class hotel. The lessee had gone to great expense in furnishing and had imported a large portion of the furniture from home, and it would be very unfair if a man who was a proper person to hold a license and had provided the accommodation required by law was not allowed to have a license.

Mr. MOREHEAD said he was one of those who signed the petition in favour of a license being granted to the lessee of that building, as he thought it possible that a license might be granted. But it had not been granted, and there the matter dropped so far as he was concerned. He would certainly not be a party to the passing of an amendment of a very important Act for a special and particular purpose, even if he had no stronger reason than that he was opposed to any further legislation by the present Parliament. He thought it would be a very grave mistake indeed if they allowed that to be done. One must very much regret that the lessee of the building had gone as far as was stated by the hon. member for Dalby. If he had done so he had made a mistake, and would have to suffer for it. He (Mr. Morehead) did not see that any case had been made out for amending the existing Act in the direction indicated by the hon. member for Dalby, more especially as the Bill was intended to meet one particular and special case. If they passed that measure they could not stop there; applications of a similar character would come in from every part of the colony if that one was entertained. A large question like that should not be raised simply to enable the lessee of an opera-house or theatre to get something which the law at the present time did not allow him to get. If the proper accommodation was there and the Licensing Bench chose to grant the applicant a license, he dared say that they might do so. But he would oppose the measure on the ground laid down by the hon. member for Bowen, that there should be no further legislation that session, and secondly because he did not believe in amending an Act of very large importance for the sake of benefiting one individual.

Mr. HAMILTON said he thought it was a matter for regret that the circumstances of the case should have been forced from the hon. member who had brought forward the motion, but they had now been forced from the hon. member, and he thought they justified the introduction of the proposed measure. The junior member for North Brisbane, in objecting to the introduction of the Bill, asked whether it was supplied with bedrooms, thinking, no doubt, that if it was not properly supplied with bedrooms and other conveniences, that would be another argument against the Bill. But when he was informed that it was well supplied with bedrooms and furnished, he said that was a reason why the license should not be granted, because there was an hotel next door. It was well known that there were places in town where there were two hotels together, and no objection had been raised to those buildings being licensed. There was no objection made to licensing the Imperial Hotel and Lennon's Hotel, which adjoined each other. In the particular instance under discussion, the gentleman who had applied for a license had gone to a great expense, and had paid £5,000 or £6,000 for the lease of the building. He was a man of good character, and the building contained all the conveniences necessary for a public-house. No good reason had been given why a license should not be granted. A petition was sent in which was signed by a few members of the Committee—a very few—who were advocates of the cause of temperance, and that petition was presented to the Licensing

Bench. He supposed it was on that account that the application for the license was refused. When that petition was going round, a counter-petition was got up and signed by several influential members on both sides of the Committee, and he was informed by the lessee himself that the magistrates would not look at that petition, although it was signed by four times as many members as the petition against granting the license. Under those circumstances it was only right and proper that some action should be taken to give the applicant what he was entitled to. The ex-Colonial Treasurer, Mr. Dickson, was one of the members who signed the petition in favour of the license, and the only gentlemen who signed the other were those who spoke that afternoon against the introduction of the Bill. The building had cost an immense sum of money, and provided what they had wanted for a long time—namely, an opera-house in a respectable position, which was far in advance of any other place of entertainment they had in Brisbane. In Sydney or Melbourne, or any other place in the world, it would be considered a great injustice and inconvenience if a person who went to the opera-house had to go out and down the street in the pouring rain when he wished to get a glass of wine or brandy. They were actually depriving themselves of a public convenience by objecting to a license being granted, and would inflict a wrong on the lessee of the building.

Mr. W. BROOKES said he was not opposing the proposition of the hon. member for Dalby on temperance grounds—he gave him clearly to understand that—nor on local option grounds; but he commended the question to the hon. member for Barcoo, who objected to entertainments being held in the *Courier* building. He was not very well informed on the subject, and might be wrong, but he did not think that anywhere in the world was it usual to have theatres and hotel buildings connected.

Mr. MOREHEAD: Oh, yes!

Mr. HAMILTON: Everywhere.

Mr. W. BROOKES said then it was a very likely cause of great calamity from fire. They all knew that theatres had very fatal combustibility about them. They were bad enough when isolated, as they ought to be; but imagine an hotel combined with a theatre, and a fire breaking out when the hotel was full of guests. He commended the case seriously to the attention of the hon. member for Barcoo.

Mr. MOREHEAD: You are stonewalling.

Mr. W. BROOKES said the subject he mentioned was a good argument against the introduction of the Bill.

Mr. GRIMES said the senior member for Cook urged that the Bill should be introduced on the ground that the proprietor of the establishment had gone to a great deal of expense. That might be so, but if he had done that without first securing a provisional license, as provided by the Act, he had been very foolish, and had himself to blame. He had run the risk, and he (Mr. Grimes) could not see that it would be any hardship if the Committee refused to allow the Bill to be introduced. He did not see that they were called upon to allow the Bill to be introduced to override the action of the Licensing Bench of Brisbane; because that was what it meant. They were asked to step in and make provision for the granting of a license which had been refused by the Licensing Bench.

Mr. JESSOP said, in reference to the remarks of the junior member for North Brisbane, he might tell him that he had taken the same action as the member for Barcoo had taken in regard to another building. He took the precaution of going over the building to see if proper fire-escapes had been provided, and he found there were four or five means of escape. He thought that ample provision had been made in that respect. He would also point out to the member for Oxley that the Bill affected no one person in particular. It would apply to all parts of the colony where similar circumstances existed, and he did not see why a license should not be granted to a theatre as well as any other place. Theatres and hotels were combined all over the southern colonies, and there was no reason why the same principle should not be adopted here.

The PREMIER (Hon. Sir S. W. Griffith) said he had not made any objection to the motion of the hon. member, because it was not usual to object to the introduction of a Bill. He only remembered one instance in which the House had refused to allow the introduction of a Bill, and that was a Bill to allow a woman to marry her deceased husband's brother. Now that the point had been raised, he thought the hon. member would see that there was not the slightest chance of carrying the Bill. That was quite clear, and he might just as well submit to the motion being negatived, or withdraw it. It was quite certain that the Bill would not become law. For his part he was rather surprised at the action of the Licensing Bench. He had thought that a license would be granted as a matter of course. He had a great deal to do with seeing the plans of the building when prepared, because he was Colonial Secretary at the time, and the persons concerned in the building submitted the plans to know, if the building was constructed, whether a license would be granted for entertainments. He took a great deal of trouble and had a great deal of trouble given to him for various reasons which he need not mention, and after examining the plans and having them reported on he was quite satisfied that the building provided ample means of escape. He had also inspected the accommodation which was intended to be provided for an hotel adjoining the theatre. The refusal of a license, therefore, came upon him rather as a surprise, and he did not quite understand the action of the Licensing Bench; but he thought it would be very unfortunate if the decisions of the Licensing Bench were to be reviewed by that House, or if they were to refuse or grant licenses according to the number of members of Parliament who signed petitions for or against the application.

Mr. ADAMS said he was really sorry that he could not agree with the hon. member for Dalby, because even if the Bill was passed he did not see what difference it would make. He was of opinion that after the discussion which had taken place the Licensing Bench would see their way clear to granting the license. He was one who signed the petition in favour of granting the license, because he believed it necessary that it should be granted, and no doubt after the expression of opinion of the Chief Secretary it would be granted. But he certainly could not support the resolution, because it had been declared on both sides of the House that no fresh legislation should be undertaken, and that the House should do no more than pass the Estimates.

Mr. FOXTON said he should support the hon. member who wished to introduce the Bill, because he thought the arguments adduced were in favour of granting the license. But he should not go into that question. He wished, however, to draw attention to a matter which he thought was deserving of the consideration of every thoughtful man in the community, and that was the provision

which had been made for escape from fire in the theatre. He knew it was not the question immediately before the Committee, but it had been introduced, and was well worthy of consideration. Lately, as they all knew, there was a very terrible disaster in the Exeter Theatre, in England, and the enormous loss of life then was caused, as everyone would know by looking at the plans published in the illustrated papers, by there not being an iron curtain separating the stage from the auditorium. Had there been an iron curtain those people would probably have got away from the building scathless. When the fire occurred the drop-scene was let down, and almost immediately it was blown towards the auditorium. Had there been an iron curtain that would not have occurred, and it would have staved off a conflagration in the auditorium. At the Ring Theatre in Vienna, and at the Opera Comique in Paris, there were iron curtains, but in the one case it had been so seldom used that it was forgotten in the panic, and in the other the mechanism had become so hot by reason of the fire that it was impossible to use it. He thought the authorities should see whether the theatre now in course of erection was so fitted, or intended to be so fitted, as to have iron barriers between the auditorium and the stage, where almost invariably a fire occurred in a theatre. That theatre, he understood, was intended to hold some 2,500 persons, and he need not point to the fearful disaster which would probably occur, and the state of grief and mourning into which almost every member of the community would be thrown should a fire break out in that building, and anything like the loss of life result that occurred in the Exeter Theatre, which he understood was not so large. It would be such a calamity as had not yet befallen this community. He would like to know what steps, if any, had been taken to see to that matter, because, while he admitted that the means of exit provided in that building were admirable, something more, he thought, was required in means for the prevention of fire coming in to the auditorium from the precincts of the stage.

Mr. GRIMES said he hoped the hon. member for Dalby would not press that matter. The hon. member might be assured he would not get the Bill through, for it would not be allowed to go on. The hon. member might as well withdraw the motion at once without further wasting the time of the Committee. If he was not prepared to do so, he (Mr. Grimes) would move the Chairman out of the chair.

Mr. JESSOP said the hon. member for Oxley was getting excited, and seemed to be in a hurry to go out for a nip. He thought the discussion had shown that some amendment in the Licensing Act was necessary. He had that morning seen the secretary of the Licensed Victuallers' Association, and that gentleman had told him that the association were in favour of the proposal he brought forward, and that if the Bill were carried the association would bring forward some more amendments in the law next session. As it appeared to be the general opinion of the Committee that the Bill should not go through, and as the hon. member for Oxley said it should not go through, he begged to withdraw the resolution.

Mr. HAMILTON said that before the resolution was withdrawn he had a word or two to say. It was to be hoped that the Licensing Bench would understand that, with the exception of a few fanatics——

Mr. W. BROOKES said he rose to a point of order. What did the hon. member mean by calling him a "fanatic"? Was that right; was it a parliamentary phrase?

Mr. NORTON said that if that question was raised as a point of order he would call the Chairman's attention to the fact that the hon. member for Cook did not connect the term "fanatic" with members of the Committee. The hon. member merely said, "with the exception of a few fanatics," and might have intended to refer to persons outside the House.

Mr. W. BROOKES said that was altogether too thin. What the senior member for Cook said was—speaking directly of the proposition of the hon. member for Dalby—that it was opposed by "a few fanatics." He (Mr. Brookes) disclaimed the idea that there were any fanatics there at all.

Mr. BLACK said the hon. member for North Brisbane, Mr. Brookes, was too sensitive and too ready to fit the cap on himself. He had listened very attentively to the hon. member for Cook, who was really interrupted.

Mr. HAMILTON: Yes; in a most disorderly manner.

Mr. BLACK said the hon. member had said, "with the exception of a few fanatics," and his own impression was that the hon. member was going to continue to speak of "a few fanatics" outside that House who opposed the granting of the license for that building, when he was interrupted. He could not understand the hon. member for North Brisbane being so very sensitive. No one ever accused that hon. gentleman of being a fanatic. No one would ever dream of doing so. The hon. member was too well known, and was the very last man who would be accused of being a fanatic, except perhaps on one particular question which he had not had an opportunity to dilate upon lately—the coloured labour question. As to calling the hon. member for North Brisbane a fanatic, it was ridiculous.

Mr. SHERIDAN said he was very glad the hon. member for Dalby had withdrawn his motion, as it would be very unbecoming on their part to interfere in any way with the Licensing Board.

HONOURABLE MEMBERS: There is a point of order raised.

Mr. HAMILTON said that if the junior member for North Brisbane who interrupted him was not so fond of crawling up that stick of his on every available opportunity, and had had the politeness to allow him to finish his sentence, he might have had an opportunity to call him to order. He had stated that "with the exception of a few fanatics," when he was interrupted in a most disorderly manner by the hon. member, Mr. Brookes, who was of course always most Chesterfieldian in his language, and would not offend the most delicate ear. He said "with the exception of a few fanatics"—whether inside or outside that Committee he would not say, but would leave it an open question—he believed there were no persons who objected to the license being granted on the ground that it was undesirable to grant it. A great many hon. members who objected to the resolution of the hon. member for Dalby, on the ground that it was undesirable to introduce such a Bill at the end of the session, had signed the petition in favour of the license being granted. The police magistrate had apparently taken a line from His Honour Judge Harding. Judge Harding, it would be remembered, would not look at a letter the other day because a member of Parliament had written it; and now Mr. Pinnock, though he received one petition with a few members' names on it, would not look at another because it was studded with the names of hon. members. However, it would now be for the Licensing Board

to consider that, with the exception of a few fanatics, no one had any objection to the license being granted for the Opera House, as the applicant was of high character, and the building should be licensed. He hoped the board would take notice of the expression of opinion of the Premier and of other hon. members, who stated that they could see no reason why the license should not be granted.

Mr. SHERIDAN said that when the point of order was raised he was going to remark that he was under the impression that the Licensing Bench administered the Licensed Publicans Act to the best advantage of all the citizens of Brisbane. At the same time he could not help expressing his surprise at their having refused the license. An exactly similar case was that of the Theatre Royal, to which an hotel was attached, which he believed was thoroughly well conducted. It was necessary, at theatres, to have some place on the premises where people could adjourn for refreshments during the intervals if they thought fit. Why the license in that particular instance had been refused he could not imagine.

Mr. SCOTT said that, so far as he was able to hear the remarks of the hon. member for Dalby in introducing the Bill, it seemed to be a Bill directed against the Licensing Bench—a thing which he should deprecate exceedingly. In his opinion a public-house attached to a theatre was, under any circumstances, objectionable. But what he rose to say was that it was neither fair nor right to attack the Licensing Bench because they did not think fit to grant a particular license.

Mr. MACFARLANE said the hon. member for Dalby and the senior member for Cook seemed to misapprehend the scope of the Licensing Act. Special provision was made in it for cases of that kind. Before erecting the building the proprietor could have applied to the Licensing Bench for a provisional license, which might or might not have been granted. At any rate it would have been a guide to him whether to proceed with the construction of the building or not. Having neglected to take that precaution the person had only himself to blame. However, the hon. member for Dalby having withdrawn his motion, he did not intend to discuss the subject further.

Mr. JESSOP said he could assure the hon. member for Leichhardt that the Bill in no way reflected upon the Licensing Bench. The Bill was brought in simply to enable licensing benches to grant licenses to that or any other place in any town under the same circumstances.

Motion, by leave, withdrawn.

On the motion of Mr. JESSOP, the Chairman left the chair.

MARYBOROUGH AND URANGAN RAILWAY BILL.

Mr. FOXTON, in moving—

1. That the Maryborough and Urangan Railway Bill be referred for the consideration and report of a select committee.

2. That such committee have power to send for persons and papers, and leave to sit during any adjournment of the House, and that it consist of the following members:—Mr. Annear, Mr. Ferguson, Mr. Palmer, Mr. McMaster, and the mover.

—said: Mr. Speaker,—I understand that the hon. member who yesterday called "not formal" when this motion was called on did so under a misapprehension. I may as well, however, briefly inform the House what the object of the Bill is.

The PREMIER: There is no occasion to do that now.

Mr. FOXTON: Then, as I see no reason why it should be objected to, I will content myself with simply moving the motion.

Mr. BAILEY said: Mr. Speaker,—I intend to oppose this motion. A select committee has already sat on the subject of this motion——

Mr. FOXTON: No.

Mr. BAILEY: A concession was granted to the company, and we have heard nothing more of the company since the concession was granted, while they have actually prevented any other railway from being constructed in that part of the country through which the line proposes to go. After having held the ground for some years, they now come and ask permission to hold it for some years longer. I do not know who the company are. Does the hon. member know? I know who some of the company were some years ago, and I know the reasons why the company broke down. I do not believe the same company is in existence now. I am under the impression that it was a bogus company, and not a real one. I object to the country being put to the expense of a select committee at the end of the session, calling witnesses, and so on, to induce the House to give a company a concession to which they have no right. If there be such a company it may be found to consist of two or three individuals, who are trying to form a syndicate to work this thing. I do not believe they will even make a railway, and the people in that part of my district have been deprived of a railway long enough by the action of a bogus company. The Government have done their duty by the company; whether the company have done their duty by the Government I know not. Whether they have paid the fine I know not. But this I know, that the whole thing, from beginning to end, was almost a bogus affair. Two or three good-hearted, generous men were in the company; the others were just adventurers. I should be very sorry to see the motion pass. It will be an injury to my district, and will cost the country a great deal of money.

Mr. MELLOR said: Mr. Speaker, — I am rather surprised at the remarks of my hon. colleague. The object of the Bill, as I am informed, is to give the company an extension of time, and unless they get it, it will be impossible for them to construct the railway. With such extension, and with proper safeguards, we may be almost sure that the line will be constructed; and unless it is constructed by this company I am very much afraid that that part of the district will be without a railway for some considerable time. I shall certainly support the motion.

Mr. SCOTT said: Mr. Speaker,—The hon. gentleman who introduced this motion said he would give us some information as to what the object of the Bill was. But he has not done so.

Mr. FOXTON: I explained why. It was at the suggestion of the Premier.

Mr. SCOTT: I did not hear the hon. member say so. As I understand it, there is a Maryborough and Urangan Railway Act already in existence. This is a motion to refer a Maryborough and Urangan Railway Bill to a select committee. I am not aware that any new Bill has been brought in.

The PREMIER: It was brought in the day before yesterday.

Mr. SCOTT: Does it override the existing Act, or does the existing Act expire? I may be wrong, but I am under the impression that there is a Maryborough and Urangan Railway Act in existence on the Statute-book.

Mr. NORTON said: Mr. Speaker,—I called "not formal" yesterday, when the motion was called, and I did so, I confess, under some misapprehension. When I found that such was the case, I took an opportunity of telling the hon. member for Carnarvon that I had called "not formal," but that I should not oppose the motion. But, sir, I may say, as the matter is being discussed, that I do not believe one bit in the present Act. I had some suspicion of it at the time it passed through this House, and I think now, as I said a day or two ago, that the House was befooled into passing that Act. I think that still, and until the reason of the delay that has taken place is made very clear—cleared up in a satisfactory manner—I shall do my best to prevent an extension of time being given to the company, which was formed, I believe, not for the purpose of constructing this railway, but in order to obtain certain rights from this House and sell those rights to somebody else. That is what I think is the state of affairs. I hope I may be wrong, Mr. Speaker. If I find I am wrong I shall give the hon. member my support, but unless that is made clear by the committee appointed to inquire into the matter, I shall certainly oppose any extension of time.

The PREMIER said: Mr. Speaker,—When the hon. member for Carnarvon said he would explain the object of the Bill, I called out "Don't." It is the function of a select committee to inquire into all matters connected with a private Bill, and it is not the practice of the House to debate them in the first instance. Our rules require that such Bills shall be referred to a select committee; the proceedings take place at the expense of the petitioners. It does not cost the country anything, as the money is previously paid into the Treasury to defray all the expenses. It is important that we should know what all the facts are, and I agree in much of what has fallen from the hon. member for Port Curtis. It is the duty of the select committee to investigate the matter thoroughly. The House should never proceed to the consideration of a Bill of this sort until it has been fully investigated by a select committee, and that purpose cannot be obtained without the appointment of the select committee.

Mr. ANNEAR said: Mr. Speaker,—I think the remarks of the hon. member for Wide Bay, Mr. Bailey, were to the point. It is quite necessary that this House should be on its guard in dealing with this question. I quite agree with the hon. member for Port Curtis, Mr. Norton, that this House and the country have been befooled by this company up to the present time. A measure of this kind was once before the House for the construction of a railway from Maryborough to Howard; the House in its wisdom did not grant the concession asked for by that private company, and it was one of the best things, sir, that was ever done by the members of the Queensland Parliament. I consider that it would be a bone of contention, and a great loss to the country, if that railway were at the present time in the hands of a private company. This is a very important railway we are going to discuss, and in connection with which this company is asking for an extension of time. When the original Bill was first introduced the railway was to be finished within a certain time; that time expires on the 23rd December, and what do we see? No effort whatever has been made up to the present time to do anything in the way of commencing the construction of this line, or to show that the company is *bonâ fide* in their intentions. They have got 1,000 acres of good coal land, which belongs to the people of this colony, locked up between Maryborough and Burrum.

Mr. NORTON: Have they got the title?

Mr. ANNEAR: I do not know whether they have got the title or not, but they have the right to it. No other person can interfere with that land. If it belongs to the Government, the Government would not give any other persons authority to enter upon it and work it. This 1,000 acres is well known to be good coal land. The whole country for miles round has been prospected, and it is known to be coal-bearing. This select committee will no doubt do their duty. I am to be a member of that committee, and I shall certainly try to do mine, and see how this company is formed—whether the members of it are men of means and of standing who are going into this matter with a determination to carry out the agreement they have entered into, or men of straw. Up to the present time, in my opinion, they have been men of straw and nothing else. Holding these opinions I shall do what is right and fair, and I am sure that the members whose names are on this committee will see that this company is a reality and not a mere sham, as it has been up to the present time.

Question put, and the House divided:—

AYES, 34.

Sir S. W. Griffith, Messrs. Rutledge, Jordan, Dutton, Moreton, W. Brookes, Fraser, Mellor, Isambert, Thorn, Campbell, Foxton, Scott, Sheridan, Dickson, Norton, Buckland, Wakefield, Black, McMaster, Nelson, Adams, Smyth, Salkeld, Kates, Macfarlane, Chubb, Bulcock, Lissner, Ferguson, Annear, Hamilton, Macrossan, and Palmer.

NOES, 5.

Messrs. Bailey, Higson, Morehead, Murphy, and Lalor.

Question resolved in the affirmative.

DISTILLERIES ACT OF 1849 AMENDMENT BILL.

SECOND READING.

The PREMIER said: Mr. Speaker,—I explained yesterday the object of this Bill, and I think it is scarcely necessary to repeat what I then said. The Bill proposes to repeal that part of the law now in force which prohibits licenses from being granted for stills unless certain conditions are complied with, which are at the present time entirely obsolete. At present licenses cannot really be granted for any but stills for making spirits from sugar. I move that the Bill be now read a second time.

Mr. BLACK said: Mr. Speaker,—I believe, with the Chief Secretary, that this is a Bill to which no reasonable objection can be taken, and it is one which may conduce to the initiation of a new industry. I think this is a case in which an exception may be made to the determination of the House not to allow any further legislation but the Estimates; but I hope that if this Bill is allowed to pass the second reading without much discussion the Chief Secretary will curb his insatiable mania for legislation, and not bring down any more Bills this session. I think if he were to direct his abilities in the way of administration rather than legislation it would be to the welfare of the colony. I am not prepared to offer any objection to the passing of this Bill, which I do not suppose is likely to excite any amount of unnecessary discussion.

Question put and passed.

COMMITTEE.

On the motion of the PREMIER, the Speaker left the chair, and the House resolved itself into Committee of the Whole to consider the Bill.

Clauses 1 and 2 passed as printed.

On the motion of the PREMIER, the CHAIRMAN left the chair, and reported the Bill to the House without amendment.

The report was adopted, and the third reading of the Bill made an Order of the Day for Tuesday next.

SUPPLY.

The PREMIER moved that the Speaker leave the chair, and the House resolve itself into Committee of the Whole, further to consider the Supply to be granted to Her Majesty.

Mr. MOREHEAD said: Mr. Speaker,—Before that motion is carried, I should like to ask the Premier, without notice, a question with regard to the position of the senior naval officer of this colony. I think most hon. members would like to know how matters stand between the Premier and that gentleman—whether the naval officer is going to wrap himself up in the celebrated white flag, defy the authorities, or whether he is going to be amenable to reason, or discipline, or whatever it may be.

The PREMIER said: Mr. Speaker,—I do not know exactly what the hon. member means by "wrapping himself up in the celebrated white flag," but I know very well what the tenure of office of the senior naval officer is. That is expressly provided for by the Defence Act, which leaves no room for doubt on the subject. The 27th section of the Act provides :—

"The Governor may also raise and maintain such officers and so many seamen as may from time to time be required to man any armed ships or vessels belonging to Her Majesty's colonial government. The officers of such ships shall be appointed during pleasure, and the seamen shall be enlisted in the prescribed manner, and for the prescribed period of service. All such officers and seamen shall, for purposes of discipline, be deemed to be called out for active service, and be subject to the laws and regulations which, under the provisions of this Act, apply to officers, non-commissioned officers, and men of the Marine Force, called out for such service."

There is no possible doubt that under that Act officers of the Marine Force hold office during pleasure, the same as other officers in the Civil Service. The "white flag" has nothing to do with it. There is no difference between it and the blue flag.

Mr. MOREHEAD: It had something to do with it in the case of Lieutenant Hesketh.

The PREMIER: There appears to be some misapprehension about that matter. The ships of the Defence Force, under that section I have read, are subject to the Naval Discipline Act and the Queen's Regulations. That is provided for in the Defence Act also. Those are the same laws that Her Majesty's ships afloat are subject to. I have quoted the provisions of our Defence Act. When any ship is called out for active service the men are subject to the Naval Discipline Act. Some misapprehension appears to exist in regard to the white flag, and the hon. member has given me an opportunity of saying something on that subject. Under the Colonial Naval Defence Act of 1865 it is provided that the legislative authorities of a colony may make provision for the maintaining of armed vessels. That is what we have done. The Defence Act is that provision, and it has been approved by Her Majesty.

Mr. NORTON: You are referring to the Imperial Act.

The PREMIER: Yes. By the 6th section of that Act it is provided that—

"It shall be lawful for Her Majesty in Council, from time to time as occasion requires and on such conditions as seem fit, to authorise the Admiralty to accept any offer for the time being made or to be made by the Government of a colony to place at Her Majesty's disposal any vessel of war provided by that Government, and the men and officers from time to time serving therein, and while any vessel accepted by the Admiralty under such authority is at the disposal of Her Majesty such vessel shall be deemed to all intents a vessel of war of the Royal Navy, and the men and officers from time to time serving in such vessel shall be deemed to all intents men and officers of the Royal Navy, and shall accordingly be subject to all enactments and regulations for the time being in force for the discipline of the Royal Navy."

The result is that when a colony which has a vessel under its own local law, as we have, offers that vessel to the Admiralty, she becomes a vessel of war of the Royal Navy to the extent that the officers and men on board are subject to the discipline of the Royal Navy. That is also provided for by our own Act, which incorporates the laws relating to discipline. But the laws relating to discipline have nothing to do with the laws relating to tenure of office. That is entirely out of the question. In the particular case of Mr. Hesketh, he was charged by the captain with an offence against the Naval Discipline Act, and that charge, having been made, had to be disposed of. He was charged with an offence which had to be tried by a court-martial; but he might have been dealt with for misconduct as a Civil servant. I do not know exactly how the case arose; but he was charged with an offence for which the punishment provided is dismissal from Her Majesty's service, losing his commission and everything. That is the punishment, and that was the kind of offence he was charged with, and that charge having been made I suppose it was considered necessary that he should be tried. It was almost of the nature of a criminal offence, and his appointment to his position by the Government of this colony had nothing to do with it. Those officers are appointed during pleasure, the same as all other public officers.

Mr. NORTON said: Mr. Speaker,—I would like to ask the Premier whether in a case of this kind—of course I do not pretend to judge the case in any way at the present time—but hon. members would like to know whether, if Captain Wright demands that he shall be tried by a court-martial, it will be imperative upon the Government to grant him permission to be tried in that way. I presume that it would.

Mr. MOREHEAD: I suppose his services can be dispensed with, and he can be tried by a court-martial afterwards?

The PREMIER: Yes.

Mr. NORTON: I presume there is power to dispense with the services of any officer?

The PREMIER: Undoubtedly. They hold office during pleasure.

Question put and passed.

LAW OFFICERS OF THE CROWN.

The ATTORNEY-GENERAL (Hon. A. Rutledge) moved that £6,640 be granted for the Law Officers of the Crown. Hon. members would observe that the amount asked was the same as that voted last year.

Mr. MOREHEAD said he should like to ask the Attorney-General a question with regard to a matter in which he thought a serious miscarriage of justice had taken place. He was not blaming the Attorney-General, because he did not know the reasons he had for taking the action he had taken in the matter. It was with regard to a case where a man was committed to the Winton District Court for firing the grass on Ayrshire Downs, whereby immense damage was done to the lessees, and where the Attorney-General failed to file a bill. With regard to the individual in question, he (Mr. Morehead) had very good information which led him to believe that, on the Attorney-General not seeing his way to file a bill, he went back into the Western district, and at Bowen Downs again set fire to the grass, very nearly causing the loss of 20,000 sheep. If the

law allowed men to fire grass in that way, and destroy property for which the Crown lessees had to pay, and also to endanger the lives not only of stock, but also of men, women, and children, the sooner the law was altered the better.

The ATTORNEY-GENERAL said he received a telegram some time ago from the police magistrate at Winton, asking him whether a man charged under section 17 of the Injuries to Property Act could be committed for trial to the District Court; that was, for maliciously setting fire to grass. He telegraphed back that the crime under section 17 of the Injuries to Property Act was not the crime of arson within the meaning of the District Courts Act. By the District Courts Act a District Court judge had not jurisdiction to try the offence of arson. He informed the police magistrate that he could commit the man to the District Court, and if the Crown Prosecutor was of opinion that setting fire to the grass in that way was an offence under section 17, he would no doubt prosecute him; if not, he would probably file no bill. He (the Attorney-General) did not decline to file a bill at all. The man was committed to the District Court, and the Crown Prosecutor, Mr. Real, had very strong doubts as to whether section 17 did apply to the case of setting fire to grass, and under the circumstances, and after consulting him, no bill was found. It was a very doubtful question whether section 17 did apply to a case of the kind. The section read thus:—

"Whosoever shall unlawfully and maliciously set fire to any crop of hay, grass, corn, grain, or pulse, or of any cultivated vegetable produce, whether standing or cut down, shall be guilty of felony."

It was a question involved in very much doubt whether it was an offence at all — setting fire to indigenous grass on Crown lands—within the meaning of the section. The Crown Prosecutor came to the conclusion first of all that it was doubtful whether an offence of that sort was one for which a man should stand his trial under the 17th section of the Injuries to Property Act, and in the next place, that if it was an offence at all it was the offence of arson, and could not be dealt with by the District Court. And the man was discharged on those grounds.

Mr. MOREHEAD said that, after having heard the section read by the Attorney-General, he knew that, had he been in his position, he would not have had the slightest hesitation about filing a Bill.

The ATTORNEY-GENERAL: The section relates to crops of hay or grass.

Mr. MOREHEAD said it was a crop of grass that had been set on fire. What else could it be called? What else was there for the stock to live on but the crop of grass that was grown? If the Government would not take action in such a case the tenure of the pastoral tenant was almost worthless, because he would be at the mercy of any ruffian who might choose to burn his means of subsistence and destroy his homestead by setting fire to the grass—destroying what the pastoral tenant paid the Government a large rent for. He was told that the individual in question—he should imagine him to be an impecunious individual from what he said—expressed his determination to make the sanguinary squatters as poor as he was. That man was turned loose to destroy that for which the pastoral tenant paid a large rent, and the Attorney-General held that under the section there was no remedy. He (Mr. Morehead) held that, under the clause read by the Attorney-General, protection was distinctly afforded to the growing crop of grass on Crown lands leased by the Crown tenant, which were leased properties for the time being—in fact, the means by which the Crown tenants lived. Though the Attorney-General said he did not decline to file a bill, yet he admitted that it was after consultation with him that Mr. Real came to that determination. The hon. member said the case was surrounded by doubts; but even if it were, he (Mr. Morehead) would not have allowed the prisoner the benefit of the doubt until he had an opportunity of stating his case before a jury of his fellow-countrymen, and he had not the least doubt what the verdict would have been, and that the man would have been prevented from committing the second crime, at any rate for a very considerable time. He trusted hon. members would seriously consider the question. If the interpretation put on the clause by the Attorney-General was correct it made the position of the pastoral tenant very insecure, and damaged the value of the property of the State to a very material extent, as must be known by any hon. member who knew anything about pastoral pursuits.

Mr. KATES said he could not agree with the Attorney-General. The question was one that affected not only the pastoral tenant but selectors also. He looked upon grass as part of the goods of a squatter or a selector, and people who would destroy grass would destroy stock or any other property. It very often happened that pastoral tenants, as well as selectors, saved their grass for the winter, in order to save their stock also; but if the grass was maliciously burnt—he did not know whether it had been done maliciously——

Mr. MOREHEAD: It was done maliciously.

Mr. KATES said it was certainly a grave offence. He believed the Railway Department acknowledged it as an offence, and that department had been compelled, more than once, to make good damage done by their locomotives firing grass accidentally. When it was done wilfully it was, to his mind, a very grave offence. When the grass was set on fire it would run miles and miles in dry seasons, and perish perhaps 20,000 or 30,000 sheep, and ever so many head of horses and cattle.

The ATTORNEY-GENERAL said the law made provision against persons who set fire to grass under another Act—the Careless Use of Fire Prevention Act—the 1st clause of which read thus:—

"If any person shall wilfully or negligently set fire to any growing crops or to any stacks of corn, pulse, or hay, or to any grass, and thereby the property of any other person shall be injured or destroyed, he shall forfeit and pay for every such offence a sum of money not exceeding £50 nor less than £2, or be imprisoned with or without hard labour for any period not exceeding three months."

There was a distinction made between grass and crops.

Mr. MOREHEAD: The other Act makes it a felony.

Mr. CHUBB asked whether he was right in inferring that the Attorney-General was of opinion that the man in question could not be prosecuted in the Supreme Court, but only in the District Court?

The ATTORNEY-GENERAL: I said he could be committed to either court.

Mr. CHUBB: Does the hon. gentleman say that in his opinion no offence was committed under that Act?

The ATTORNEY-GENERAL: I said it was very doubtful whether it was an offence under that section at all, but in any case the police magistrate should have committed the man for trial to the District Court, and then have left it in the hands of the District Court Prosecutor,

Mr. CHUBB: Then I understand the hon. gentleman said that the Crown Prosecutor was of opinion that the offence did not amount to arson and was triable in the District Court?.

The ATTORNEY-GENERAL: The District Court Prosecutor had very strong doubts whether it was an offence within the meaning of the section. If it was, and it amounted to arson, it was not triable in the District Court.

Mr. CHUBB said he thought the proper course would have been to have directed the man to be committed to the Supreme Court, and have taken the opinion of the court upon the point, which was a very nice and important one. That section was taken from an English Act, and was intended to apply to enclosed farms which were cultivated, and on which crops of pasture were grown. In this colony they must remember that many stations were fenced in, and in that respect there was an analogy between pasture lands here and in the old country. But in the colony, instead of mowing the old grass as was done at home, which was impossible, it was burnt every year, and a fresh crop of grass was grown. That was a crop of grass according to common sense. The question was, what was a crop of grass? He took it that the court would apply the circumstances of the colony to the interpretation of that section, and thought that in all probability they would rule that grass did come within the meaning of that statute. At any rate, it was a point that should be settled, because if it got abroad that it was not an offence to set fire to grass in that way, a great many more cases might occur. If the hon. gentleman was strongly of opinion that it was not an offence, then he ought to take the earliest opportunity of introducing a measure which would make it an offence.

Mr. MOREHEAD said that hon. members who knew the Western country were aware that large quantities of grass were actually mown every year and stacked, and called bush hay. Indeed, that was done more or less all over the colony. He would ask the Attorney-General, according to whose interpretation grass did not come within the meaning of the section, whether the conditions were changed when the grass was mown and stacked? Did it then become arson to set it on fire? At what period of the life of the grass did burning it become a crime? He maintained that the contention of the hon. gentleman would not hold water for a moment, and he was astonished at the action of the Crown Prosecutor for the District Court. Anyone who knew the circumstances of the colony would see that it was clearly a crime that was arson. If the law was as it was stated by the hon. gentleman, and his view was correct, then the property of every pastoral tenant in the West, including his house and homestead, would be in the hands of any ruffian who might choose, in a season such as they had lately experienced, to set fire to the grass.

The ATTORNEY-GENERAL said arson was defined at common law as the offence of setting fire to a man's dwelling-house. That was a very different thing from the statutory offence of burning. Burning was not arson.

Mr. MOREHEAD: What about burning a stack of hay?

The ATTORNEY-GENERAL said that was not arson, though it might be a statutory offence; if it was an offence at all it was triable in the District Court. But if it was not an offence it was not triable in any way. He wanted to save the country a lot of expense by having prisoners tried on the spot, instead of taking them all the way from Winton to Rockhampton. It was a very great inconvenience to managers of stations to have to go to Rockhampton to give evidence. Many applications had been made to him by station managers who felt it a great hardship to have persons, in respect of whose crimes they were witnesses, committed to Rockhampton, that the persons should be tried locally at the District Court. In all cases, therefore, he had endeavoured, where possible, to have offences tried at the District Court, near the localities where they were committed. It was an advantage in every way, and he did not think a prisoner should be committed to the Supreme Court at Rockhampton simply because it sat a month before the District Court sat at Winton. It was not the effect of his judgment upon that particular matter that the case had not been tried; it was the effect of the judgment of the Crown Prosecutor, who had as strong doubts as he had as to whether that section applied to growing grass. The same section in England had reference to grass in meadows which were mown every year. It was a very nice question indeed, whether grass over which cattle grazed at will on a run was a crop of grass within the meaning of that section. He might say this: that had the case been committed to the Supreme Court at Rockhampton, and the question been decided against the Crown, he would have taken it to the District Court. It was a matter which deserved to be set at rest, and one for which provision should be made. They had in the past incorporated in the law of the colony statutes applicable to England, and had omitted to provide for a state of circumstances entirely different from those which prevailed in the old country, and that was one of them.

Mr. PALMER said the distinction drawn between grass and crops was a nice one, but he would point out that the pastoral tenant paid for the grass and not for the land, and, in a certain measure, was bound to be protected. It was often held in terror over pastoral tenants by men who were discharged from stations, that they would set fire to the grass, and the threat was carried out in some cases, and the result was great loss of stock and other property. He would like to know what was the difference between natural grass, which the pastoral tenant paid for, and grass artificially sown?

Mr. MURPHY said he thought the Attorney-General might have intervened in the case, or sent the man for trial to the Supreme Court and have the point settled. It was very well to treat it in a light and airy way and say that the man might not have been convicted, but the question was a very large one indeed. It meant not only the loss of property but the loss of lives. Hundreds of men had perished through bush fires, and a scoundrel who struck a match and threw it down among dry grass might not only cause injury to that particular place, but to hundreds of sheep and cattle, and teamsters with their wives and children who might be on the road. One did not know the amount of damage that might not be done. It was incalculable, and when human lives were in danger he thought the Attorney-General was certainly censurable for not having an important case like that definitely decided, as to whether the man could be punished. And if he could not be punished then the hon. gentleman should see that the law was altered as soon as possible. On the other hand, he might have been punished, and then they would not have been in a state of uncertainty. In the meantime every scoundrel roaming out west—and there were many others—might take vengeance upon persons who had displeased him. Supposing a man had a disagreement with his employer he could take vengeance upon him in that way, and it would be done, and those ruffians would say, "No matter what the magistrate may do, I

shall go scot-free." He thought, considering the gravity of the case, the Attorney-General should have seen that the Crown Prosecutor did not leave the door open to scoundrelism of that kind. It should be his duty, if there was any doubt, to have that doubt cleared up, and if things were not in proper order steps should be immediately taken to put them right.

Mr. SCOTT said if there was no law in Queensland by which those people who burned grass could be punished, the sooner the law was amended the better. If it was no crime to set fire to grass he could not see where the crime came in in burning down a lot of standing grass or hay, or burning down a house. If the fire reached a farm and burned the growing crops or stacks of hay, that was no crime either, because the man had set fire to the growing grass. An immense amount of harm would be done when it was known that it was not a crime to burn down growing grass. He did not see where it was to end, because it would affect an immense number of people. Not only the pastoral tenants would suffer, but the inside settlers, because there were natural growing grasses all over the country. A man who had a grudge against another might set fire to growing grass inside his selection when the wind was blowing towards his land, and fences, crops, and everything else might go.

Mr. CHUBB said he would ask the Attorney-General to tell them if the police magistrate proceeded against the man under the Careless Use of Fire Prevention Act, because the offender could clearly have been fined £50?

The ATTORNEY-GENERAL: If the Act is in force there.

Mr. CHUBB: Were proceedings taken against the man?

The ATTORNEY-GENERAL: I do not know.

Mr. CHUBB said that Act was passed to deal with carriers and persons travelling stock who camped and left their camp-fires burning. It was found to be very efficacious, because they very soon stopped those proceedings, and there was no reason why the offender in question should not have been prosecuted under that Act.

The ATTORNEY-GENERAL: Certainly, if it was in force. The magistrate's attention was drawn to it.

Mr. CHUBB said it might not have been in force in the district.

Mr. MOREHEAD said he would like to hear the Minister for Works' opinion on the subject. He was sure the hon. gentleman would give valuable information from his large experience as a squatter. He would like to know whether the hon. gentleman's opinion coincided with that of the Attorney-General. It appeared to him that the Attorney-General's sympathies were entirely with the criminal and not on the side of law and order. The hon. gentleman had shown it by the statement he had made. He thought the case doubtful, and therefore he gave the prisoner the benefit of the doubt. After consultation with the Crown Prosecutor, Mr. Real, he arrived at a certain conclusion. So he understood the hon. gentleman, and so he believed every other hon. member understood him. He (Mr. Morehead) thought that the Premier might give them his opinion with regard to the interpretation he would put upon the statute. As he had said before, there was not the slightest doubt in his own mind. The growing crop of grass, as had been pointed out by the hon. member for Barcoo, was what the pastoral tenant was paying for. That was what his stock lived upon, and it was by the raising of stock that he made his venture pay. The Attorney-General seemed to be strangely ignorant with regard to the mode in which stations were managed in the present day. He seemed to have in his mind the days of Abraham and Lot, and the way in which they allowed their flocks to roam, but that was not the way in which stations were managed in these days.

The ATTORNEY-GENERAL: I have been on stations.

Mr. MOREHEAD: Well, all he could tell the hon. gentleman was that he had less excuse for his ignorance than he (Mr. Morehead) thought he had, because he ought to know very well that the paddock system was in existence all over Queensland, and that the sheep and cattle did not roam at their own sweet will as they used to do. In those paddocks the grass was often cut and stacked as hay, and yet the hon. gentleman argued that the word "grass" could not apply to what he termed the "indigenous grasses of the colony." If the hon. gentleman knew as much as he ought to know he would see that the position he had taken up was quite untenable. The hon. gentleman said the point was a very "nice" one, and he (Mr. Morehead) thought it was so nice that he would certainly have given a jury the opportunity of dealing with it had he been Attorney-General. It might be a very nice point for lawyers to talk about, but it was rather rough upon the unfortunate men who paid for the grass that they should be at the mercy of any ruffian who chose to operate upon it.

The ATTORNEY-GENERAL said the hon. gentleman had not understood what he said. He never said he had strong doubts, and would not put the man on his trial. What he said was that he was strongly of opinion that that was not the crime of arson in respect of which the district court had any jurisdiction. It was therefore the duty of the police magistrate to commit the man for trial to the Supreme Court at the place nearest to where the offence was committed, and where the parties interested would be put to the least inconvenience in order to prove the case. The thing was out of his hands then. He had said he had a consultation with Mr. Real with regard to the section, and they discussed the section, and after that discussion the man was committed for trial. Mr. Real knew what his view was—notwithstanding the doubt it was a case which the Supreme Court should be asked to clear up. Mr. Real afterwards took the case away to deal with it, and he subsequently said he had very strong doubts indeed whether it was a case of arson within the meaning of the section. He had no desire to see ruffians of that sort escape and thought they ought not to escape, and, as he had said before, other things being equal, he certainly would have given the man an opportunity of moving the court, and, at all events, he would not have escaped on the technical point that the information did not disclose an offence.

Mr. MURPHY said it was a very important matter, which he would like to see cleared up. They had Mr. Real's opinion upon it, and he would like to get the opinion of the Premier upon it. The hon. gentleman would no doubt give a very sound opinion upon it, which would to some extent settle the point. It would either show that some amendment in the law was necessary in order to bring such scoundrels within its influence; or if the hon. gentleman's opinion was adverse to that of Mr. Real, it would to some extent ease the minds of those people living in the country who were liable to be burnt out at any time by such ruffians.

Mr. MOREHEAD said that, as the Premier would not give them cheap law in that House, he would have to get the hon. gentleman's

opinion from him in another way. It would cost him a little more, but he was going to have the hon. gentleman's opinion on the subject.

The PREMIER said the hon. member could not get any opinion from him, except in that House, on a subject in any way relating to criminal law. He had no doubt that the offence of setting fire to grass was not arson within the meaning of the District Courts Act. He remembered the Attorney-General speaking to him on the subject when the question was referred by the police magistrate of Winton to him, and when the man was committed for trial. He agreed that it was a nice point, not because there was anything difficult in it to a man of ordinary common sense, but because the judges of the criminal courts in England had in many cases refined away new offences. The offence referred to might not be within the statute—he had not himself had an opportunity of looking at any reported cases, and did not know whether there were any, and he could not, therefore, express an opinion on that. All he could say was that if it was not within the law it ought to be. He thought it was rather to be regretted that the criminal in that case got the benefit of the doubt. He would have preferred that he should not have got the benefit of the doubt, as then he would have been punished for a certain period, rightly or wrongly, and he might not have got out of it after all.

Mr. MURPHY said that what the Premier had stated would have the effect he desired. He was quite confident the hon. gentleman did not hold the same opinion as Mr. Real. He was quite of opinion that if that man had been committed for trial before the Supreme Court he would have been punished, and he thought a gross miscarriage of justice had occurred in that man not being prosecuted. He was glad he managed to draw that opinion out of the Premier, because it would show those ruffians that if they repeated those offences they would be punished, and it would set at ease the minds of those whose property was completely at the mercy of any man who chose to light a match and throw it in the grass, and such a thing might mean the destruction of thousands of pounds' worth of property and the burning of sheep and cattle and probably of men and women too.

Mr. PALMER said the opinion given by the Premier might set at rest the mind of the hon. member for Barcoo, but it would not set at rest the question as to the bringing of such criminals to justice. The point was that they should give effect to the Premier's opinion, either by altering the present Act dealing with the subject in some way, or by bringing in a Bill setting forth that it was a criminal act to set fire to grass in that way. If that was not done, the thing would go on as it was.

Mr. CHUBB said there was an item on the vote for the "Interpreter for aborigines, £100," and he wished to ask whether that was found to be a useful expenditure. He was informed that after a great deal of trouble and expense was gone to in taking that interpreter up to Rockhampton and Townsville it was found that he was of no use at all. His own experience for some years was that the man was no use as an interpreter. If the amount was looked upon as a pension he had no objection to it, but as a vote for an interpreter for aborigines it was of no use.

The ATTORNEY-GENERAL said the man was certainly of very little use as an interpreter. He did not do much except interpret in cases around Brisbane. Once or twice he had gone to Rockhampton and up the line, but he was not able to interpret satisfactorily. He believed that hon. members had for some time recognised the amount more as a pension to the old man than anything else.

The HON. G. THORN said there were two items on the vote, one for "Fees to counsel," and another, "Legal expenses, Civil business account," and he would like to know what amount was spent under each of these headings during the financial year. He was always under the impression that the Attorney-General for the time being performed his court duties without help.

The ATTORNEY-GENERAL said the amount paid for fees to counsel during the last financial year was £548 12s. 6d., and the amount paid for the Civil business account was £262 8s. 6d.

Mr. MOREHEAD said he noticed an item of £150 for fees for defending aborigines and Polynesians. He had no desire to see it abolished or reduced, but it struck him as strange that although the Government were careful to put sums of money on the Estimates to defend aborigines who were brought up for serious offences, yet they showed the most utter neglect of those poor wretched creatures they saw about the streets of Brisbane. He was not referring to the present Government in particular; all Governments had been alike in the matter. Those wretched aborigines were not cared for in any way. In the roughest nights of winter they had no place to go to for shelter; they lay down on the sides of hills. Some few individual people were kind to them, but the State did nothing whatever for them. They were allowed to die in the streets, mostly from starvation. And yet the Government went through the hollow mockery of providing fees to lawyers for defending those poor wretches when they were suspected of any crime. The State ought to be ashamed of itself. The sights he was referring to were to be seen not only in Brisbane, but in almost every township in the colony. They lived by the spasmodic charity of a few individuals, and nothing was done by the State unless they got committed for trial. Then the lawyer stepped in, and he took care that he should be paid by the State. Something ought to be done through the length and breadth of Queensland to assist that race which was rapidly dying out, and whose fathers were the original possessors of the country.

Mr. BLACK asked what had been the amount paid last year in fees for defending aborgines and Polynesians?

The ATTORNEY-GENERAL replied that the amount paid was £178 2s. 6d. Four of the prisoners defended were Polynesians, and thirteen aborigines.

Mr. ADAMS said that for the last three or four years the people of Bundaberg had been applying for the establishment of a Supreme Court there. He asked a question about it last year, but before doing so he had an interview with the Attorney-General on the subject; and not only one interview but several. He invariably received the same reply—namely, that as soon as the railway was within a sufficient distance of Bundaberg a Supreme Court should be established there. When he put the question in committee, the hon. gentleman's answer was that "the hon. member had spoken to him some time ago on the point, and he thought he had given him an answer that was satisfactory." The answer was satisfactory; and now he wanted to know when the hon. gentleman intended to fulfil his promise. The railway was nearly finished—all the earthwork was completed before he left to attend to his parliamentary duties—and it would no doubt be opened in a very short time. Any alteration in the circuit was

usually made, he believed, at the end of the year, and a proclamation had to be issued some time previously. The hon. gentleman had seen for himself the expense the country was put to by witnesses having to go to Maryborough, and he had said to him that it was desirable that a Supreme Court should be held at Bundaberg. He would ask the hon. gentleman now when was that Supreme Court to be established? Was it intended to issue the proclamation before the end of the present year? It would effect a great saving to the State in the one item alone of witnesses' expenses; and it would be also a saving to private suitors. He knew of one case where a man got a verdict for £70, and it cost him £700 to bring his witnesses to the court at Maryborough. Now that the railway was nearly finished, it was only just to his constituents that the court should be held at Bundaberg. He therefore asked the hon. gentleman whether it was intended to issue the proclamation before the end of the year?

The ATTORNEY-GENERAL said that no doubt on former occasions the hon. member made out a case in the interests of his constituents. The hon. member had interviewed him several times on the subject, and his answer had invariably been that the matter could not be considered until the railway was constructed from Maryborough to Bundaberg. He had also told the hon. gentleman that in his opinion it would be a desirable thing to have the circuit court established at Bundaberg, but he had never committed himself to any promise as to the particular time when the court would be established. He did not think the hon. gentleman could show by any letter he (Mr. Rutledge) had written to him that he had made a promise, that as soon as the line was constructed the court would be established. What he had told him was that it would be out of the question altogether until the line was completed, and that when it was completed the matter would be ripe for consideration. And that was the ground he took still. Even if the Government came to the conclusion that it was desirable to establish the court there at once the proclamation could not be issued. The line was not completed, and there were many things to be considered before taking the formal step of proclaiming the court. He had no doubt that in due time, and that not a very long time, the circuit court at Bundaberg would be an established fact. The hon. gentleman must not be impatient.

Mr. ADAMS said he was not a bit surprised to hear the hon. gentleman say that he had not committed himself. It was seldom they could get a member of the Government to commit himself to anything. He was extremely sorry that he had not the answers that he received to his letters with him, because he distinctly remembered that one letter from the Attorney-General's office stated in plain terms that as soon as the railway was completed to Bundaberg the Supreme Court would be opened there. Now, taking into consideration that the engine had gone over the Elliott River during the last fortnight, and was within four miles of Bundaberg, he thought it was about time that the hon. gentleman began to consider about the things which he said would have to be considered, because if he did not consider about them now it was just possible that he would not consider about them until the beginning of next year, and then perhaps they should have to wait another year before they would be considered. Therefore he hoped the hon. gentleman in justice—he asked for bare justice—would consider the matter, and give him a decided answer that the court would be established at Bundaberg before the end of the year.

Mr. PALMER said the hon. member who led the Opposition had referred to the starving aborigines about Brisbane, and he would point out that the same condition of things existed in other places besides Brisbane. In the northern parts of the colony, and about digging townships into which they flocked occasionally, the aborigines were actually starving, and a little money judiciously laid out by, perhaps, the police magistrate, or the police, for their relief, would be money which the Government might very well be called upon to expend. He did not believe that missionary or civilising work had much effect. A little actual food and clothing came home to them much more closely than missionary work. Another matter was that the native police should be made more their friends than they were at the present time.

Mr. SCOTT said he thought it was fully time that something was done for the aborigines of the colony. He was not going into the question generally, but thought it would be well if the Committee expressed an opinion that the Govern ment should do something for them, by appointing a protector or in some other way, so that something like fair play should be meted out to them. There were not many remaining now; very little was spent upon them, and a small additional amount would meet the case. He thought they should get a pledge from the Government that something would be done for them, not in the way of establishing reserves —which, however, ought to be done so that those unfortunates might have some place to go to where they would not be disturbed, but by appointing someone whose duty it would be to see that they were taken care of from one end of the colony to the other. The sooner that was done the better, and he should be glad to know from any member of the Government if anything of that kind was likely to be done.

The PREMIER said he entirely sympathised with the views of the hon. member and the object he desired to attain, but he had not suggested exactly how it was to be done. Suppose they had a protector of aborigines, what then?

Mr. NORTON: He would draw his salary.

The PREMIER: And perhaps that would be the most important part of it. He did not see how it could be done. The police in various parts of the colony had received instructions to do all they could in the matter. The place where most trouble arose while he was in charge of the Colonial Secretary's Department was about Thornborough and that neighbourhood, where the blacks had been dispossessed of their hunting grounds, and were in considerable numbers, and instructions were given—he did not remember exactly what they were—but they were considered satisfactory at that time. In other portions of the colony similar instructions had been given when the necessity arose. Blacks did not want to be taken care of and coddled; they wanted to be let alone; that was all. They only wanted food to keep them from starvation. It was no use trying to civilise them, or compel them to be civilised, if they did not want to be civilised. Where they had places such as the stations at Bloomfield and Elim, in Cape Bedford Bay, and another place between Bowen and Mackay, where it was proposed to establish another station—in places like those where they were in considerable numbers, where there was plenty of land, and they could live to a certain extent in their wild free state, he believed a good deal might be done for their comfort, and they might be civilised to a certain degree. But in the more thickly settled parts of the colony the most that could be done was to see that they did not starve. He did not believe it was any use trying to do anything else. He

thought most people who had any experience on the subject would agree with him in that, and he believed that the Colonial Secretary's Department had for several years done all that could reasonably be expected in the matter. He was glad to know that the men who had taken up the work to which he had referred were doing some good, and he believed their operations were about to be extended. He was sorry that the matter was not discussed more at length when the Colonial Secretary's Estimates were before the Committee, because, although he did not wish to invite discussion on the Estimates, he thought a few words might very well have been devoted to that subject.

Mr. CHUBB said one thing was certain with respect to the blackfellows about Brisbane, and that was that they wanted a little more supervision by the police. He commended the matter to the attention of the Colonial Secretary, because every night when he was going home about 11 o'clock all along the Hamilton road the blacks were drunk and howling and fighting. During the last twelve months that had occurred at least fifty times. He did not know where they got the drink from. It seemed to have become almost chronic, and the matter ought to be attended to.

Mr. BLACK said he quite agreed with the remarks of the Chief Secretary in connection with that subject. However anxious they might be to see that the remnant of the aborigines did not receive any unjust or harsh treatment, all those who had resided for a number of years in the colony knew that any attempt to civilise them was apt to result in want of success. The chief thing they could do was to see that those unfortunate people were not unnecessarily injured, and that provision was made for them in certain localities where they were sufficiently numerous, and where bodies of men were willing voluntarily to undertake the amelioration of their condition. He referred especially to what the Chief Secretary had said about the reserve at Cape Bedford and another which he understood was about to be established between Bowen and Mackay, on the O'Connell River, by the German Lutheran Association. He knew that association had been very successful elsewhere, especially on the Murray River many years ago, in establishing a mission station there. Anything done in that direction was deserving of the support of the whole community. The hon. the Chief Secretary had said he was rather astounded, and regretted that the matter had not been referred to during the passage of the Colonial Secretary's Estimates. Well, it took some time to get those Estimates through committee; but, at the same time, if the hon. gentleman had only raised the discussion he thought they would have been able to oblige him with some remarks on the subject. It gave him satisfaction to find that the Government were adopting some rational means in connection with the mission to aboriginals of the Lutheran Association. He had no doubt that it had been a success, and he was sure they would be equally successful at Bowen. The Premier had stated that he regretted the matter had not been referred to at the time the Estimates of his hon. colleague the Colonial Secretary were going through, from which he (Mr. Black) inferred that the Colonial Secretary had an amount of information to give to them which would have been very interesting. He thought it was to be regretted that the Committee had not been put in possession of that fact; but it certainly appeared to him like a piece of irony, after having let that hon. gentleman's Estimates go through so easily, considering the difficulty there had been in extracting any information from him, to find that he was actually bursting with information which he was ready to give to the Committee if he had only had an opportunity afforded him. Perhaps it was not too late on the present occasion to get the information. The hon. gentleman might give them the benefit of it, seeing he knew what the intentions of the Government were in that direction. The special item to which he wished to refer was "Fees for defending aborigines and Polynesians," for which the sum of £150 was asked. It appeared that last year the expenditure was £178. He understood that four Polynesians had the benefit of counsel at, he believed, five guineas each——

The ATTORNEY-GENERAL: Ten.

Mr. BLACK said he noticed that in the Trust Fund Estimates there was an item of incidentals in connection with Pacific Island immigration of no less than £1,000. Knowing as he did the aptitude of the Government to charge every possible thing to the Polynesian Fund, he rather suspected that that sum of ten guineas each for the defence of four Polynesians—forty guineas—would be found, on investigation, to be charged to that fund. Experience had taught him that the Government never let any opportunity pass of charging anything they possibly could against that Polynesian Trust Fund. He trusted that when they came to the item of Trust Funds expenditure under the Pacific Islands Immigration Act, the Chief Secretary would be prepared with a detailed statement of the expenditure of the £1,000 a year for "Incidentals" charged to the employers of Polynesian labour. That expenditure had been going on for a number of years, and it would be only fair to take one year's transactions and let them know how they spent the enormous sum of £1,000 charged to incidentals, out of a vote of £7,500. There had never been any detailed information supplied, and there was room for very grave doubt as to the propriety of the expenditure. If the Colonial Secretary had any information, as had been suggested by the Chief Secretary, in connection with the aborigines, it was to be hoped he would not lose the present very favourable opportunity of giving it to the Committee.

The ATTORNEY-GENERAL said he was sure the hon. gentleman had no reason to suppose that any part of the amount expended for the defence of Polynesians was charged to any other vote than the one before the Committee. The arrangements for defending Polynesians were made by the Crown law officers through the solicitors in the various towns where they were tried, who paid the counsel's fees themselves. Vouchers for the amounts came to the Crown Law Office, were paid by the Crown Law Office, and charged to that vote.

Mr. BLACK said he would remind the hon. gentleman that there were such things as transfers and refunds in the annual statement from the Auditor-General. Although the item in the first instance might be charged to the department over which the hon. gentleman presided, it did not follow that it might not afterwards be transferred to the Polynesian Fund.

The HON. J. M. MACROSSAN said he thought it would be agreed that no permanent good could be done to the aboriginals except through the enthusiasm of some of the religious bodies. The Government could really do nothing in the way of civilising them or being of any use to them except, as pointed out by some hon. members, in the shape of food. He would like to know what the Government had really done in the matter. It had been stated two or three times in the course of the evening that the Government had done something, but what had they done?

Had they done anything more than set apart two or three reserves for the aborigines, and hand them over to religious bodies for the purpose of civilising and Christianising the aborigines? He found, on looking back at the Colonial Secretary's Estimates, that the item of relief for aborigines and aboriginal reserves had been cut down to one-half of last year's vote. Hon. members must recollect that that vote went through at a time when there could be no discussion; and the Chief Secretary must have known that, when in a bantering kind of tone an hour or so ago he said he expected there would have been a discussion on the subject. The vote went through about 11 o'clock at night, and what discussion could be expected to be raised on the vote then, when members were tired with the work of the evening and anxious to go home? The Colonial Secretary was not in the Chamber now: he seemed to have run away as soon as he was challenged to give some information; but perhaps the Attorney-General might be able to give the information asked for.

The ATTORNEY-GENERAL said he made it a rule to attend to his own business, and discharge that as thoroughly as possible. The matter referred to not being in his department, he was really not in a position to say what was being done. He had heard that provision was made for a supply of rations, and so forth, for aboriginals up north near Cooktown, and for housing them there. He believed he was right in saying that it was thought that possibly too much coddling had been done previously, and that the money set apart for the aboriginals might be more judiciously expended in connection with their own modes of living—providing them with food when they required it, but not keeping them in settled camps. By adopting that system he believed it was found that the money went very much further than by keeping them in an unnatural state. He only spoke subject to correction upon that point.

The HON. G. THORN said the blacks might be placed under the charge of the divisional boards in the different districts of the colony. At any rate, they ought to do in Queensland the same as they were doing in the other colonies. There were very few blacks left in the Brisbane and West Moreton and Darling Downs districts, and he thought certain localities might be indicated by divisional boards for their use, and the Government might provide a little food for them, especially for the old people. He did not mean that the younger ones should get food, but the older ones should, and also a little clothing. He remembered when the last Government were in office, there were several aborigines on the Northern Downs—some old warriors—and when Sir Thomas McIlwraith was asked to supply them with food he appointed certain people to give it to them; and he (Mr. Thorn) could assure the Committee that was a great comfort to the blacks in their old age. They should adopt the practice that had been adopted in the other colonies, and it would be only a very small sum that they would be paying the blacks for the country that had been taken from them. He hoped the Attorney-General would look into the matter. As had been pointed out before, the Government employed barristers and solicitors to prosecute the blacks; but nothing was done for them. In Victoria and New South Wales the aborigines were protected and looked after, and he thought something might be done for them in Queensland.

The HON. J. M. MACROSSAN said the Attorney-General had told them that it was suspected the blacks were being "coddled" too much. He would like to know what coddling was done for them. A sum of money had been provided on the Estimates from time to time; but he did not see that much coddling could be done on £500; what was £500 amongst the thousands of blacks there were at present in Queensland? It would not amount to much more than 1d. per head, and he was sure they could not do much coddling on that. The term was ridiculous. There were old people enough amongst the blacks who were actually unable to find themselves in food by their ordinary method of hunting, fishing, and so forth, to exhaust the whole of that £500 easily in the very meanest of necessaries, simply beef and flour. He did not think they could congratulate themselves upon their conduct towards the blacks, as a people; he did not make a charge against the Government. On the common principle of humanity something more ought to be done than was being done at present. But what could be done on £500? He would leave hon. members to answer that question. The Attorney-General had not told them yet what the Government were doing. He knew that the missionaries were doing something with them near Cape Bedford; but what were the Government doing to assist the missionaries? The missionaries could not get a living for the blacks from the pine-trees growing upon those reserves. Something else must be done besides setting apart reserves. Of course the missionaries tried to Christianise them, and he believed they did it to the best of their ability. They taught them to work as well as to pray, and probably the work was far more important to them than the praying part of it. It would be a long time before they could be taught to work so as to be able to assist themselves outside of their wild life. Perhaps the Attorney-General would ask his colleague the Colonial Secretary to tell the Committee what the Government had been doing for the last year or two for the blacks, and what they were doing then?

The ATTORNEY-GENERAL said he had no doubt his colleague would be very glad to afford the hon. member all the information he had. As he said just now, he made it his business to make himself thoroughly familiar with everything that appertained to the department with which he had to do. But the aborigines were under the Colonial Secretary's Department, and he (Mr. Rutledge) knew nothing more than he had said, and which, as he had stated, was subject to correction. He could not give reliable information upon the matter.

The PREMIER said he had told the Committee—or he thought he had—what had been done in respect of the reserves. There was a mission station at Elim, near Cape Bedford, which was established some years ago, where the blacks were being civilised as far as possible. There was another settlement on the Bloomfield River, where a great number of blacks had come in, and where more were coming. At the latter place they did a good deal of work in connection with the plantations, and had done so for some time; but there were no plantations at Cape Bedford. Another place that had been suggested as suitable for a station was the Tully River, where there were a great number of blacks. He did not know whether any station had actually been started there yet; but a month or two ago a deputation of missionaries from one of the Moravian brotherhoods, or from the German Lutherans, interviewed him with respect to a new settlement proposed to be started at the Proserpine River, or near there. That was a place far away from all European settlement, and a place where there were a great number of blacks of very superior physique. They were the blacks they saw when going through Whitsunday Passage, and it was a place where a great deal of good

might be done. Those he had mentioned were the only settlements actually existing at the present time. In other parts of the colony the blacks were in a very nomadic condition. There were a few here and there, and nothing more could be done beyond giving them provisions. The police magistrates had been given instructions to see that they were kept from actual distress, and those instructions had been carried out. Of course there was the periodical distribution of blankets. That was all that was being done at the present time, and he did not know that much more could be done as things were in the colony.

The HON. J. M. MACROSSAN said that they quite understood that settlements had been established, but how were the Government aiding those settlements? Did they aid them by giving them any tools to enable them to engage in agriculture; or did they aid them by giving the missionaries so much per head for the blacks to assist in feeding them; or did they give the food themselves to the mission stations? How was the aid given, and how much aid? That was what was wanted to be known.

The PREMIER said the arrangement made in regard to the Elim Station at Cape Bedford was that the Government should pay the expense of the food for the first year; after that the missionaries undertook to keep the station going themselves, and that had been done. At the Bloomfield the first settlement was made without the aid of any missionaries. Mr. Bauer was appointed superintendent for a year. He had already, being manager of a plantation, acquired considerable influence over the blacks, and it was considered desirable to keep that useful influence going. He kept it going till he was able to hand it over to the missionaries. The expenses were paid by the Government, and Mr. Bauer got a salary of £300 for the year. Then it was arranged that rations should be supplied for a year, and such other assistance as was necessary. At Cape Bedford a boat was given, but he forgot whether a boat was given at the Bloomfield or not. After the first year the missionaries made the stations self-supporting, but any small assistance, such as tools, was freely given by the Government.

Mr. MURPHY said that where the aboriginals wanted most looking after was where the country was thickly peopled with whites, as about Brisbane, Ipswich, or Toowoomba, where their hunting-grounds had been destroyed, and they could not get a living. The blacks in the pastoral districts did not want much looking after, because there were plenty of marsupials left, and the Marsupial Act itself enabled them to get a very good living. It was in the thickly populated parts of the country that the aboriginals suffered; and it was a disgrace to civilisation to see those poor creatures in a drunken, maudlin condition rolling about the streets with nobody to care for them. Even the city missionaries, whoever they might be, did not appear to take any interest in them. In Victoria there were special reserves of country that were not of very much value for agricultural or pastoral purposes, but as valuable to the blackfellow as the best country, because opossums, iguanas, and other kinds of food they liked were plentiful there. At Corranderk there was a reserve of 30,000 acres, and since that station had been established it had done a great deal for the benefit of the aboriginals there. There were huts for them, and no restriction was placed on their roaming all over the reserve, but they were not allowed to leave it and go into the town. He thought the least that ought to be done in Queensland was to make some provision similar to that, where the blacks could hunt for food and where they would be taken care of and not allowed to go into the towns. In the western part of the colony the blacks were in a better condition, and though they sometimes got opium and liquor in the bush—which was a great pity—in other respects they were very well off and able to get as good a living as ever they were.

Mr. MACFARLANE said that last year he asked the Attorney-General if there was any likelihood of a new court-house being erected in Ipswich at an early date. The present court-house was built before Separation, and while other towns in the colony had respectable court-houses, there was only an old humpy in Ipswich. It had been renovated a little lately, but it was not at all in keeping with the importance of the place. Last year the hon. member said it was a very respectable place, but that was not the opinion of the people of the town.

The ATTORNEY-GENERAL said that no doubt the Ipswich court-house was not one of the most elegant buildings one could desire for the purpose of a court-house, still it was commodious enough for present purposes, and with the finances in the state they were in at present, he did not think it would have been wise on his part to urge the Minister for Works to place a sum on the Estimates for the erection of a new building. He thought that after the recent renovation it would last a little while longer.

Mr. MOREHEAD said that, as the Colonial Secretary was in his place, perhaps he would give some information with regard to the aboriginal question. The way in which the few blacks that were left were treated was a great deal more than unjust, lingering as they did about the different towns of the colony, and some provision should be made for them—some shelter-places for them in wet weather, whether they used them or not; and they should be supplied with food when necessary. He did not believe in giving them money, because they would only spend it at the nearest public-house. At the same time it was lamentable to see the last of their race knocking about the towns trying to get a shilling or two by selling ferns. As a people they ought to do something at any rate to keep body and soul together, and not allow those unfortunate people to depend on adventitious charity as at present.

The MINISTER FOR LANDS (Hon. H. Jordan) said the blacks had a strong claim upon the people of the colony. Their land had been taken from them, and no provision had been made for them in return; but they had become greatly demoralised from their association with the white inhabitants of the colony. He thought there was a great deal in the remarks made by the leader of the Opposition and the hon. member for Barcoo, to the effect that special attention should be paid to those poor people who lingered about the large towns and centres of population. They had no refuge, and were demoralised in consequence of their association with white people. It was quite time that the serious attention of the Government was directed to the question of making some provision for those wretched people. Some reserves should be set apart for them in the neighbourhood of large towns, and there should be some assistance given by providing them with the necessaries of life, not in money, but in rations regularly doled out to them. The question was very much on his conscience, and he had mentioned it on previous occasions in the House. In the very first session of the present Parliament he spoke of it, and he said then that they should set aside large reserves, especially in the northern part of the colony where the land was not yet occupied, and where they could make some permanent provision for aborigines. When he was

Registrar-General he took a good deal of trouble in trying to ascertain how many blacks there were in the North, and he came to the conclusion that there was a very large number in that part of the colony. He believed a great deal might yet be done for aborigines, especially in the North. On one occasion when coming out to the colony he called at Albany, in Western Australia, and was exceedingly interested on visiting an institution which had been established and successfully maintained there for the civilisation of the blacks, chiefly by the labours of a Civil servant who had left the public service, and devoted himself to the work of teaching the aborigines. He adopted the system of getting very young children, whose parents willingly gave them up to his care; he got two or three at first and the number afterwards increased. There were a number in the school when he (the Minister for Lands) visited the school with his wife. Mr. and Mrs. Caurfield were the devoted missionaries, as he might call them, in Western Australia. Their efforts had been seconded by the Government to a certain extent, but what was accomplished was mainly attributable to their devoted and self-denying labours. Some of the children had been taken when very young, and had grown up there to adults. He was particularly struck with one young woman. She was called upon to read a chapter from the New Testament, and she read it as well as ever he had heard anything read in his life, even by a clergyman. Then she was called upon to perform on the harmonium, and did so very creditably. And that was not the only instance; there were other young women there who had captivated some of the convicts who were set free in that district, so much so that the convicts married the women. A very great amount of success had attended the labours of Mr. and Mrs. Caurfield. They published a report of the work done by them every year; he had one of their reports, and when he came to the colony he handed it over with other papers and it was printed. It had often been said that those missionary labours were unsuccessful; that missions to the blacks had invariably been a failure. That was not so; in that part of Australia they had been a success. Their late worthy bishop, Dr. Hale, was acquainted with the very young woman whom he had mentioned, and had her photograph; so that the bishop, who was an older man than himself, seemed also to have been much struck with the woman. The leader of the Opposition could get as much fun out of that as he liked, but he (the Minister for Lands) regarded it as a very serious matter. He was very glad indeed to hear the Premier say that reserves had been set apart for blacks in the North, at Bloomfield and Cape Bedford. A few days ago a number of gentlemen, clergymen of the German Lutheran Church, called upon him to ask him if the Government would be disposed to set aside twenty square miles of country on the seaboard between Bowen and Mackay as an aboriginal station. They told him that they had established a mission, or wished to do so, in that district, that one or two gentlemen had come forward to assist them, having promised to give them the capital to start with, and that they wanted the Government to give them the country. He was delighted to hear that, and the matter had been under the consideration of the Government. There would be no objection to their having those twenty square miles of country, which would be admirably suited for that purpose, and he believed that their labours would be attended with a great deal of success.

Mr. MACFARLANE said the hon. gentleman had referred to what had been done in Western Australia. The other day he (Mr. Macfarlane) had a conversation with a gentleman who had been to South Australia to visit the exhibition, and he told him that he had attended a meeting at which some blacks were present; an old man, a young man, and a young woman. The gentleman informed him that the old man gave a very sensible address in English, that the young man gave a very good recitation, and that the young woman sang a very sweet song, which was so well received that she was encored. If that was the case it showed that something could be done for the blacks; that they were not beyond reform, enlightenment, and elevation in the scale of humanity. Were the blacks in this colony of a lower type than the blacks in the other colonies? If they were not, then the country was to blame for not doing something to try and alleviate the sufferings of the few aborigines still remaining. He thought something might be done. At present, in towns they went round gathering bottles, or anything else which they could turn into money, and that was afterwards turned into drink. If the Government only erected shelter-sheds, that would be something towards alleviating their present condition. He thought it was well that that discussion had taken place, and he hoped it would be the means of some good being effected in the future.

Mr. MOREHEAD said he was very glad indeed to hear the almost unanimous opinion of the Committee with respect to the propriety of their doing something for the aborigines, not only about the city, but throughout the colony. The discussion would do no harm, and might result in a great deal of good. After listening to the speech of the Minister for Lands, the major portion of which he thoroughly endorsed, he thought it was very much to be regretted that the vote for aborigines in the Colonial Secretary's Department should have been reduced from £1,000 to £500. That hardly seemed consistent with the earnestness of the Minister for Lands in the matter, and he thought the Colonial Secretary should tell them how the reduction was arrived at.

The COLONIAL SECRETARY said the question had been referred to during the passage of his Estimates, and he gave the reason for the reduction of the vote.

Mr. SALKELD said he was glad the discussion had taken place. He admitted that the subject was a very difficult one to handle satisfactorily, but it was necessary that something more should be done. He would suggest that there was a very practical way in which they could improve the condition of the blacks. They had a law at present which prohibited persons from supplying intoxicating drink to aboriginals, and he did not suppose there was anyone in that Chamber, or the country, who would condemn that law. It was a really necessary and humane law, but they continually saw cases reported in the newspapers where those unfortunate creatures had committed offences, caused, no doubt, by drink, and there were many other cases not reported. He remembered one case in particular in which the blacks, having been paid for shearing or washing on a station, went next day and changed their cheques, and the next night there was a perfect pandemonium in the neighbourhood. They were fighting and yelling and screaming, and it was a wonder many of them were not killed. He would suggest to the Colonial Secretary that greater judgment should be exercised by the police in finding out the persons who supplied aboriginals with grog. When they were in liquor they did not know what they were doing, and were dangerous both to themselves and all around them. He would show no leniency to anyone who supplied intoxicating liquor to the aboriginals, because they placed those persons in a condition to commit the worst possible crimes. He hoped,

therefore, that the Colonial Secretary would give instructions to the police to see that the law in that respect was strictly enforced. He had no doubt that there was great difficulty in bringing guilt home to the offenders, but it was a very common thing to break that law in all parts of the colony. In all directions they saw reports of cases in which aboriginals had been killed or injured while they were in liquor, and indeed he believed they seldom did any serious damage unless they were intoxicated.

Mr. HAMILTON said he hardly thought the Colonial Secretary had given a reason for the reduction of the vote. He stated that it had been reduced, and that half the sum of money formerly expended on two reserves was now expended on one, but that was no reason for the reduction. As he explained the other evening, in many places in the North where the blackfellows' country had been taken away by white men, the game had been hunted away and the blacks had great temptation to kill both cattle and men. Sums of money had been given by the Government to be spent judiciously on the blacks in provisions, and that was not only a charitable thing to do but it caused the blacks to have a kindly feeling towards those who distributed the relief, and had the effect of stopping their depredations.

Mr. ADAMS said he would like to get a little information with reference to what fell from the Minister for Lands. He understood him to say that a German missionary, belonging to the Lutheran Church, had asked for a piece of land situated between Bowen and Mackay, twenty square miles in extent; and he understood the hon. gentleman to further say that the Government would have no objection to granting that land. Now, he would like to know if offers of land had been made to any other denominations, or whether other denominations had applied for areas of land to be set apart for aboriginals; and whether it was the intention of the Government to set apart any other lands. He thought it would be a very good idea to set apart portions of land in different parts of the colony for the use of the aboriginals, so that they might be gathered together and civilised as far as possible; and he thought also it would be a very good plan if the blacks of the North could be transferred to some other district. He had had a great deal of experience amongst the blacks, and he could assure the Committee that the experiment had been tried years ago in Maryborough. Several blacks had been taken away from the district down to Sydney, and they came back again much improved, and were engaged by white people who endeavoured to do the best they could for them. A station was established, which was visited weekly; both food and raiment were supplied to the aboriginals, and to a certain extent they were Christianised. The aboriginals were a very difficult class of people to deal with, and he might mention as an example of that, that many who were civilised so far as to be able to say their prayers, immediately went out into the streets, and stood around the public-houses, saying their prayers for their grog.

Mr. MOREHEAD: That shows the efficacy of prayer.

Mr. ADAMS said he would like the Minister for Lands to answer his question as to whether other denominations would be granted areas of twenty square miles for the same purpose if they applied for it?

Mr. MOREHEAD said, referring to the answer given by the Colonial Secretary—that he had already given the reasons which induced the Government to reduce the vote from £1,000, as it was last year, to £500—he would like to read the answer which the hon. gentleman gave, and which was reported in *Hansard* of Wednesday last:—

"The COLONIAL SECRETARY said, with respect to the reduction in that vote, hon. members would remember that last year there was an aboriginal mission station at Cape Bedford, and one was started at Bloomfield. It was then understood that the Lutheran Association would take over the Bloomfield station after it had been kept going for twelve months. They had done so, consequently the full amount voted last year was not required."

The vote had been reduced to £500, and they had last year two aboriginal reserves to keep up, so that the £500 now voted on the Colonial Secretary's Estimates appeared, from the statement of the hon. gentleman, to be employed for the purpose of keeping one aboriginal reserve in proper condition. He assumed that to be so, from the statement made, and if it were so, what about the vote for relief to aboriginals? There was a vote for relief to aboriginals apart from the vote for aboriginal reserves, and if one of the reserves was handed over to the Lutheran mission, and the amount for the two reduced by one-half, the vote for the relief to aboriginals would appear to have been struck out altogether.

The COLONIAL SECRETARY: I did not say that only one was handed over to the mission.

Mr. MOREHEAD said he would read the statement again. The hon. member said:—

"With respect to the reduction in that vote, hon. members would remember that last year there was an aboriginal mission station at Cape Bedford, and one was started at Bloomfield. It was then understood that the Lutheran Association would take over the Bloomfield station after it had been kept going for twelve months. They had done so, consequently the full amount voted last year was not required."

That clearly indicated that there were two stations, and that one had been taken over by the Lutheran Association, if words could mean anything. While the Government might have been relieved of the cost of one of those stations, the amount on the Estimates, it would appear, was only sufficient to keep the other going, and therefore he took it that the vote for the relief of aborigines was done away with altogether. No other interpretation could be put upon the hon. member's words.

The COLONIAL SECRETARY said he thought he had said that both stations had been taken over—both the one at Cape Bedford and the one at the Bloomfield River. Although he was not reported to have said so, he believed that that was what he did say; at any rate, that was what he intended to say.

Mr. MOREHEAD: What you said is here in *Hansard*, as I have read it.

The COLONIAL SECRETARY: I know; I can trust you to read some things sometimes.

Mr. ADAMS said the Minister for Lands had not answered the question he had put. He asked the hon. gentleman——

The CHAIRMAN: I think I must point out that the discussion is not in order. We are not now discussing the Colonial Secretary's Estimates.

Mr. MOREHEAD said that if the discussion was to stop it should have been stopped long ago. The Ministers of the Crown had recognised the necessity for discussing the question, and not one of them had taken exception to its discussion at that stage, and the Chairman must be acting on his own impulse in the matter.

Mr. W. BROOKES: I took exception to it.

Mr. MOREHEAD: Was the junior member for North Brisbane going to boss the show? He could tell him it would be a most amusing entertainment if he did. They were discussing the

item of fees for defending the aborigines, and he was defending the aborigines without the fees. With all due deference to the Chairman, he did not think the discussion on so important a question should be interfered with on that gentleman's individual impulse. They had enough captious members amongst them without having a possibly injudiciously captious Chairman. However, if the Chairman interfered on the inspiration of the hon. member for North Brisbane he had a good excuse, because they could excuse anything in that hon. and amiable gentleman. He believed the subject had been sufficiently ventilated, and hoped it would receive consideration at the hands of the Government. To return to the Estimates, he would ask the Attorney-General how it was that the salary of the secretary to the Crown Law Offices was kept at £500 a year. He believed there were reasons some years ago why it should be kept at that amount, but he did not know that those reasons still existed. He took it that the secretary to the Crown Law Offices was practically in the position of an under secretary to the department. In fact, in some respects he had to have special qualifications, which it was not necessary that an ordinary under secretary should have. It was hardly to be expected that a thoroughly competent man would take that position at the salary set down on the Estimates. He was told that the present secretary to the Crown Law Offices was a barrister and a man of considerable intellectual attainments, and with a considerable knowledge of his profession. He was not advocating an increase of salary now, but was simply trying to elicit information; but as the position was a very important one, and they should get the best man they could possibly secure for that position, he did not think they were likely to secure such a man at the salary put down on the Estimates.

The ATTORNEY-GENERAL said he was very glad to hear what the hon. gentleman had stated, because the views he had expressed were entirely those which he held himself. It was not to be expected that the Government could hope to secure, or, if they were fortunate enough to secure, could long retain, the services of a competent professional gentleman as an under secretary to the Attorney-General's Department —that was really the position he occupied—for the sum of £500 a year. The hon. gentleman's remarks encouraged him to hope that that Committee at a more suitable time than the present would favourably receive a proposition to increase the salary of that officer. It gave him very great pleasure to bear testimony to the thorough efficiency of the present occupant of the office.

Mr. ADAMS said he had asked the Minister for Lands just now whether other denominations would be granted the same privileges which the hon. gentleman said would be given to the Lutherans. The hon. gentleman had stated that some of the Lutheran missionaries had applied to him for a piece of land between Bowen and Mackay about twenty square miles in extent, and that the Government had no objection to set apart that land for the purpose for which it was asked. The question he asked was simply whether other denominations would be given the same privileges. He also wished to know whether the land would be vested in trustees or be handed over to the missionaries. It was quite possible that the answer given to his question might induce the members of some other denomination to stretch a point and apply for land for similar purposes.

The MINISTER FOR LANDS said he was not able to give a direct answer to the hon. member's question, because he did not know that any application had been made by clergymen belonging to other denominations. He presumed that if any such applications were received they would be treated upon their merits. The clergymen connected with the Lutheran Church had been successful in similar missions before, so far as their experiments had extended, and it was thought that their proposed mission to the aborigines would also be successful.

Mr. MOREHEAD asked what was the exact position of the land; was it in any way alienated, or was it in the hands of trustees?

The MINISTER FOR LANDS: It is merely in temporary occupation.

Question put and passed.

SUPREME COURT.

The ATTORNEY-GENERAL moved that £8,073 be granted for the Supreme Court, With one exception the amount was the same as was asked for last year. That exception was the travelling expenses of the Northern Judge when on circuit, including Normanton. The amount voted by the Committee last year was £400, but inasmuch as the Government had, by proclamation, established a Circuit Court at Normanton, it could not be expected that the Northern Judge should travel as far as Normanton twice a year with no increased amount allowed him for his travelling expenses. It was thought that £200 would be sufficient to cover the cost of two journeys a year to Normanton. Hence the item of £600 for the Northern Judge's travelling expenses appeared on the Estimates.

Mr. CHUBB said he thought £200 would be hardly enough. He was not an advocate for extravagance, but he thought £600 would be found insufficient for the Northern Judge's travelling expenses. Hitherto £400 had been allowed to that judge, and it had been exceeded. He should like to hear from the Attorney-General whether it had been again exceeded during the last financial year. It must be recollected that they were only allowing £100 for each trip.

The PREMIER said there would only be one trip during the present financial year, and surely £100 each way would be quite enough.

Mr. CHUBB said he was not urging that the amount was insufficient, but was merely expressing his fear that it would not be sufficient. As the arrangements were at present, communication with Normanton was only fortnightly; and the judge in all probability would have to stay a fortnight at Normanton. He had never been to Normanton, and did not know what the expenses at the hotels were there; but he knew that when they did get a judge or high official in the Northern hotels, they recognised the fact, and the visitor had to pay for his dignity. He was very much afraid that £100 would not be found enough to cover steamer fares, hotel expenses, and the maintenance of the judge, his associate, and his tipstaff at the hotels in Normanton. He wished it would, but he was afraid it would not. No doubt the question had been carefully considered by the Attorney-General, and as there would be only one trip that financial year, it might probably be enough.

Mr. PALMER said he wished to ask a question with regard to the appointment of a second Supreme Court judge for the North. During the discussion of that question on the 22nd September, it was admitted that the work of the Supreme Court in the North could not be well carried out by one judge, especially considering that he was six months absent on circuit. Since then the Normanton circuit had been added, so that he would have still more work to do. Was there any likelihood of a second judge being appointed for the North?

The PREMIER said the Government did not propose to introduce any Bill dealing with the subject during the present session.

The HON. J. M. MACROSSAN said he was very glad to find the Government had come to their senses at last, and had determined to have no more new legislation that session. It would be in the recollection of hon. members that early in the session a select committee was appointed for the purpose of inquiring into the travelling expenses of the judges, more especially of the Northern Judge; and it was fully expected that that committee, in the course of its labours, would come to a conclusion to make a recommendation to the House to fix the travelling expenses of the judges by law. He would ask the Chief Secretary, as chairman of that committee, what had been done? The hon. gentleman seemed at the time very anxious to have the whole matter inquired into, and it was a disappointment to him (Mr. Macrossan) that the committee had not sent up a report.

The PREMIER: So it is to me.

The HON. J. M. MACROSSAN said the hon. gentleman was the only person who could tell them why the committee had not sent up a report.

The PREMIER said he was sorry the committee had not brought up a report. He supposed he was to blame for it. He had a habit of dealing with business as it was brought before him, and when a thing was not brought before him it very often escaped his attention. The clerk in charge of select committees ought to have communicated with him—as he believed was the practice—as to when the first meeting should be held; but he did not do so, and it escaped his (the Premier's) attention for some time. A week or two afterwards a very large amount of extra work was placed upon him, from circumstances with which hon. members were familiar, and later on the idea occurred to him that, under the circumstances, they might do just as well without the committee—the Government were prepared to deal with the matter themselves.

The HON. J. M. MACROSSAN said the explanation was not a very satisfactory one. He knew something of select committees and the powers of chairmen, and it was the hon. gentleman's duty, as chairman, to see that the committee met. If the hon. gentleman had been really anxious about the matter he would have seen that it did meet, and have done something towards settling that long-vexed question between the House and the Supreme Court Judges. As to the Government taking action themselves, he knew very well that the Premier had not the moral courage to fix the expenditure of the judges in Brisbane.

The PREMIER: Has he not?

The HON. J. M. MACROSSAN: He had not; but he had plenty of moral courage to deal with the Northern Judge, because he was far distant and had few friends.

Mr. MOREHEAD: He has plenty of friends.

The HON. J. M. MACROSSAN said the whole thing could have been settled properly, and upon a sure foundation, had the hon. gentleman simply done his duty in the matter. It was no use trying to throw the blame upon the Clerk of the House, or the Clerk-Assistant.

The PREMIER: I referred to the shorthand writer in charge of select committees.

The HON. J. M. MACROSSAN said he was satisfied that if the Premier had given the shorthand writer instructions he would have sent notices to each member of the committee to attend the meeting.

Mr. MOREHEAD said the hon. gentleman for once cried "*mea culpa*"—my fault. He thought there was a great deal of knowingness about the step the hon. gentleman had taken in regard to that matter. Considering that the debate with regard to the appointment of that committee, although not a heated one, had considerable importance attached to it by hon. members, he hardly thought the hon. gentleman could have forgotten to summon the committee after he had carried his resolution. He (Mr. Morehead) was rather inclined to think that Chatham was right when he stated in the House of Lords that they should never take the word of any Minister. That was the statement made by one of the greatest Ministers England had ever seen, and with all due deference to the Premier he hardly thought it had been a matter of forgetfulness on his part. The matter was too important; it was dealt with as a matter of supreme importance by the Government, because it was one of the first matters brought before the House that session, and if it were an act of inadvertence on the part of the hon. gentleman it gave him a reputation in that direction which he did not generally obtain outside that House, or even in it. With regard to the vote, he thought £600 for the travelling expenses of the Northern Judge was insufficient now that Normanton was added to the circuit. He did not intend to argue whether the expenses of Mr. Justice Cooper were excessive or not. The Supreme Court judges in all the colonies appeared to have latitude in that respect that was not allowed to ordinary laymen. To a certain extent—a very considerable extent—they were irresponsible beings.

The PREMIER: Oh, no!

Mr. MOREHEAD said they had been irresponsible heretofore, so far as expenses were concerned, and he thought with respect to judges who were appointed after those at present on the Bench that there should be some limit fixed. He thought a judge should be allowed so much a day. Let that be upon as liberal a scale as that House might choose to fix; but let them know what they had to pay. He thought that was only reasonable. It had not been so in the past, and he doubted very much whether it would be fair to those at present on the Bench to limit them in that way, unless a judge had been guilty of such gross and extravagant misconduct in regard to expenses as would lead the Government to interfere and move that he be removed from the Bench. He supposed they would have to take the matter as it stood, taking very good care, however, that in future appointments they would not give that latitude to judges of the Supreme Court.

The PREMIER said it would be very inconvenient to give a fixed allowance to judges. They held an exalted position, and ought to be men who could be trusted not to be extravagant in the expenditure of public money. As a general rule he thought that was a safe guide to go upon, and he was reluctant to fix a certain amount per day. With regard to the amount spent by Mr. Justice Cooper during the last financial year, as far as could be ascertained from the papers, he was absent from Bowen altogether, including the days he left and the days he returned, sixty-two days, and the expenditure amounted to £578, or according to the Treasury returns, £582. That was £9 6s. 4d. a day.

Mr. MOREHEAD: His own expenses?

The PREMIER: Himself and his associate, and tipstaff.

The HON. J. M. MACROSSAN: Did he pay steamer fares out of that?

The PREMIER: Yes; these are the expenses.

Mr. MOREHEAD: We like to know what the amount covers.

The PREMIER said it covered all expenses, steamer fares and train fares between Charters Towers and Townsville.

The HON. J. M. MACROSSAN: From my experience that is not excessive.

The PREMIER said the amount put down last year was £400, which would be per day about £6 9s. He did not desire to discuss the details of the expenditure; he had particulars of it so far as they could be ascertained at the Treasury. It was proposed to put down £100 for each trip to Normanton. It would take about six days to go from Cooktown to Normanton, and six days back, but it did not cost much to live on board steamer.

Mr. MOREHEAD: The judge might miss the steamer at Normanton.

The PREMIER said, missing the steamer at Normanton would necessitate the judge staying there about fourteen days. Of course if that amount was not sufficient it could be increased. He was sure that the Committee did not desire that judges should travel under circumstances of personal inconvenience, or in any way that would expose them to disrespect. On the other hand, the Government did expect that judges would act as trustees of the money which they were allowed to draw, and spend it with due sense of responsibility; that they should make all provision necessary for the maintenance of their dignity, but not squander or waste the public money. That was the position the Government desired to take up, and the position which he was sure the House generally desired. The expenditure in the southern part of the colony was markedly less than in the North, and it was still less than in the late Mr. Justice Sheppard's time. Of course the expenditure of different judges differed. One judge might prefer to spend only 10s. where another would spend 30s., and there might be nothing to complain of with regard to either of them. The expenditure in the southern part of the colony was, he had been informed by the Treasury, £369. Although that was for three judges, only one judge travelled each time, so that it might be very fairly taken as the expenditure of one judge on circuit. The Southern circuit included Maryborough and Rockhampton on the one side, Ipswich and Toowoomba and Roma on the other, and the number of days during which a judge was absent from town was about the same as the Northern Judge was absent from Bowen, or rather more. Of course allowance must be made for the different expenses of different judges, but he thought it was very important that it should be distinctly understood that Parliament had control over those matters. Travelling allowances had to be voted by Parliament, and nobody, whether a judge or anybody else, had authority to spend money without the sanction of Parliament.

Mr. MOREHEAD said he would ask the Premier what was the position of a judge of the Supreme Court? Of course they knew he received a certain salary under the Act and travelling expenses, but what might that mean? He quite agreed with the Premier that there should be some limitation to it; but it appeared to him that the fault lay as much with the system as with the judge. He had been told that it was considered a proper thing for a judge on circuit to entertain the Bar and the leading people at the different towns which he happened to be in. He did not approve or uphold that practice; he thought it was bad in every direction, and that there was nothing to justify it. He thought, especially in a colony where population was sparse, as it was here, it was hardly a proper thing that a judge should get round the festive board a large number of the leading inhabitants of a town, or that he should entertain the members of the Bar who travelled round with him. He (Mr. Morehead) had no experience of the matter himself, but he had been told that that custom had prevailed, and did prevail at the present time. He thought the best solution of the difficulty was that the Government should ascertain from the judges what would be a fair daily allowance for their travelling expenses, not including steamer or train fares, which, of course, would be a fixed quantity, and could afterwards be added. If the Premier could get from those gentlemen such an expression of opinion it would be much better to fix their travelling expenses as those of the Crown Prosecutor and District Court Judges were fixed. It would be better for the judge himself, because he would then feel that he was not in any way bound to entertain. He would have a liberal allowance for his own personal expenses, and, if he chose to entertain, he would clearly understand it was at his own expense. So long as they gave a judge *carte blanche* to entertain, they were giving a power that would be put into the hands of nobody else. The State should certainly know what they had to pay for the cost of the judges when on circuit, and he thought it could be easily managed in that way without much trouble. Of course the expenses of the judges in the North were necessarily very much greater than in the South; but that also could be adjusted in the same way, just as the Chairman and he (Mr. Morehead)—though he believed they gave as constant attention to their work as members from distant parts of the colony—were paid on a lower scale.

Mr. MACFARLANE said they sometimes took up a considerable amount of time in discussing very small matters, and he thought it would not be out of place to discuss that matter. It appeared to him that the Northern Judge had actually come out victorious over the Government. Last year there had been a good deal said on that question; now there seemed to be a disposition to take matters more easily, although the vote had been increased by 50 per cent.

Mr. MOREHEAD: There is an extra circuit.

Mr. MACFARLANE said he supposed the extra circuit would not add 50 per cent. to the expenses.

The PREMIER: Quite that.

Mr. MACFARLANE said that, taking the figures given by the Premier, they found the travelling expenses of the Northern Judge had been nearly £10 a day, and that seemed a very large amount. If the Judge's associate and tipstaff were travelling by themselves he did not suppose their travelling expenses would be more than 20s. a day. Of course it would be more when they were on land, but travelling by steamer would equalise the matter. Now, if they allowed £3 a day for the Judge, that would bring it to about half the amount put down for travelling expenses. Who would not be a judge? He believed they were disposed very often to look very lightly at the large sums that were put down, whilst they criticised severely the smaller amounts. There was a tendency to magnify the office of the judges because they had large salaries, and to make little of those who had moderate or small salaries. Those were the persons who suffered, while they talked very leniently about the highly salaried men. He did not suppose it was possible to cut down the amount, seeing that £580 of the money was already spent.

The PREMIER: That was last year.

Mr. MACFARLANE said he supposed the present year would not be much better; they could not expect the Northern Judge to do any better.

He did not suppose it was worth while moving a reduction. For the last ten years, ince he had had the honour of a seat in the House, he had been moving reductions every year, but he had never been able to carry them, except, perhaps, some small amounts. That was a matter more for the Executive: the Attorney-General should see that the money was properly spent, and that the State got value for their money.

Mr. PALMER said the hon. member had evidently had no experience of how expensive it was travelling to that district. He (Mr. Palmer) had been going up there lately with a small family, and it cost £100 for the steamer fares to Normanton and back—£50 each way.

The PREMIER: When?

Mr. PALMER: This year.

The PREMIER: How many people?

Mr. PALMER: Three and a child. The judge would have to stay there possibly for a fortnight, or even if he got through the business during the time the steamer stopped there that would mean four or five days, and expenses in the North were in some respects 50 per cent. more than in the South.

The HON. J. M. MACROSSAN: In some cases 500 per cent.

Mr. PALMER said he was no advocate for extravagance, but he did not think the extra amount put down was any too much for the judge's expenses.

Mr. FOXTON said he did not know whether the hon. member for Burke travelled in an extravagant way; but he (Mr. Foxton) had had occasion to make inquiries the other day at the A.U.S.N. Company's office as to the fare from Normanton to Brisbane and back, and he was told that it was £25.

Mr. NORTON: They have lowered the rates, I think.

Mr. FOXTON said he thought the matter should be put on a better footing than it was at present. The Chief Secretary had told them that £580 had been spent by the Northern Judge last year. He (Mr. Foxton) understood, when the Estimates were being discussed last session, that £400 was to be the limit, and in the face of that £580 had been spent. The Chief Secretary admitted that going to Normanton twice a year would increase the expenses by 50 per cent., and that would raise the sum to more like £900 a year than the £600 put down. With the two trips to Normanton thrown in, there was only about £15 more allowed this year than was spent last year. He would like to know whether that £600 was intended to be the absolute limit. They seemed to be drifting in exactly the same way as they had drifted before, and to have no control over that particular vote.

The PREMIER said the intention of the Government last year, when the £400 was placed upon the Estimates, was that £400 alone and no more should be available for the travelling expenses of the Northern Judge. That fact was communicated to Mr. Justice Cooper by the Attorney-General in a letter, dated 28th February, which was written to call that gentleman's attention to the fact that such provision had been made. He need not go into details as to the conduct of the learned Judge on the Bench in April last. But during the course of that performance, his hon. friend Mr. Dickson, who was then acting for him, telegraphed to the Crown Prosecutor at Townsville on the 28th April that the Judge had no reason to doubt the assurance of the Government that provision would be made for all reasonable expenses. The Judge read that telegram from the Bench, and took it to mean that the Government would pay any expenses that he might incur and consider reasonable. He (the Premier) understood, on making inquiries at the Treasury, that the extra cheques drawn by Justice Cooper, beyond the amount of £400, had been paid. That was all the information he had on the subject. He might take the opportunity of saying, in order to reassure the public, that a judge had no power to discharge prisoners without trial any more than any member of that Committee had; and if he had been there, and had had to deal with a threat of that kind, he would have directed the sheriff to decline to obey the Judge's orders, and so let the sheriff choose between the Judge and the Government. When a judge went upon circuit he had to discharge the duties cast upon him by statute and by his commission. One of his duties was the delivery of gaols; that was to say, that every man detained in gaol, who was not detained under sentence, was bound to be brought before the judge, who had to inquire of the representative of the Crown if there was any charge against him, and if a charge was made, the judge had to try him. He could not discharge a man without trying him, any more than any member of that Committee could walk casually round a gaol and say to the gaoler, "Let that man out." A judge's powers were defined by his commission and by the law under which he acted. So that a threat to discharge all prisoners, unless the Government took a particular course, was idle, and he did not think it would be obeyed. The Government considered that £600 was ample; but if there should be any special reason shown why an extra sum should be allowed, the Government would be prepared to take it into consideration. As the matter stood at present £600 was the amount to be paid, and as far as the Government were concerned no further amount would be drawn without good reason.

Mr. MOREHEAD said, of course, he knew nothing about the legal position of a judge as regarded that gaol delivery. He had never been in gaol, and had never been a judge, but he believed he was still a justice of the peace, which was a judge on a very small scale indeed. In regard to what fell from the Premier, in respect to the exhaustion of that £600, what would happen when that sum was exhausted? Supposing a judge said, "I have no more money, I can go no further;" suppose he took that position, what would happen? That was the difficulty. He saw a difficulty in the way of fixing a sum, and that was why he thought the Government, if practicable, should come to some decision, and recommend that a certain sum should be given per diem, and let them be done with it. Let them know exactly what they had to pay for every day a judge was on circuit. The amount might be fixed on a sliding scale, and the Northern Judge might receive more than the others. But to say that when that £600 was exhausted the Government would have to have very good reasons given them before they submitted to any further expenditure was ridiculous. It might happen—unfortunately it had happened—that a clashing had taken place between the Judge of the Northern Court and the Government. They all felt very sorry for it, and it was very much to be regretted that it took place; but he was not going to discuss the merits of that case, or the correspondence that ensued, or anything of that sort. It was a matter that was to have been relegated to a committee which never sat. A similar difficulty might arise on the exhaustion of that £600, and if the Committee said that it was to be a hard-and-fast rule that £600 was to be the expenditure of a judge on that circuit, what would happen?

The PREMIER said the question of the hon. member put him in mind of the old scholastic problem as to what would happen when a body moving with irresistible force met an immovable obstacle.

Mr. MOREHEAD: Which is the immovable obstacle?

The PREMIER said if he was there he thought the obstacle would be found to be an immovable one. What would happen if all the judges of the Supreme Court said they would not go on the Rockhampton circuit—if each one said, "It is not my turn to go to Rockhampton; I shall not go"? What would happen then? When they were dealing with gentlemen entrusted with such honourable functions, they did not anticipate any difficulty of that kind. Suppose the Speaker declined to come to the House, or said, "I will resume the chair in twenty-four hours," and did that every day for a week; or suppose the Chairman of Committees, as soon as he was ordered to the chair, went away. A remedy could be found in time; but it was not thought necessary to provide for such things in advance. "Sufficient for the day was the evil thereof," and he trusted that the difficulty the hon. member had referred to was so unlikely to occur that it was not necessary to provide in advance for what might happen. There was much to be said in favour of giving an allowance per diem, and much to be said against it. He remembered in the earlier days of the colony there were some grave scandals in regard to the District Court judges, who received a daily allowance, and were said to spend hardly anything at all, to travel very slowly, and stay at private houses. That was stated to have occurred, but how far it was true he did not know. If they put down a fixed sum, a judge might make a profit out of it, which was not desirable. What they desired was that a judge should not be at any personal loss, and also that he should not make a profit. Many ways had been tried to arrive at that. In New South Wales they gave a fixed sum for every circuit; but how that sum was arrived at he did not know; some judges probably made a profit, and others a loss by it. A judge's salary ought to be his remuneration and no more. He ought not to be able to make a profit out of his travelling expenses, or there might be an inducement to be parsimonious. He was very sorry that the committee had not sat, as the matter was one that required a very great deal of attention and consideration. He knew from his own experience that the matter of travelling expenses was a very difficult one to deal with. They might hope, at any rate, that no difficulty would arise during the present year.

Mr. MOREHEAD said the Premier was slightly inconsistent; he did not see the propriety of limiting the Judge's expenses while on circuit, and yet he did; because he had fixed the amount at £600, and said that no more would be paid unless very good reasons were given for the expenditure. As to what would happen in suppositious cases, he might say that he did not think there could be a better authority than the Premier on suppositious cases. The hon. member talked of a moving body coming into collision with an obstacle, and he was right there, because the Government had been the greatest obstacle to the progress of the colony for some time. The Premier wished the Committee to believe that when the Judge came into collision with that obstacle the Judge must go; but after reading the correspondence he (Mr. Morehead) was inclined to think that the Judge might knock the obstacle out of the way and proceed on his course. As to the £600, he felt as certain as that the sun would rise to-morrow that if more money was wanted it would be given, and it was a matter of great regret that the acrimonious correspondence should have taken place between the judge and the Premier. Possibly there might have been faults on both sides; but he felt certain that Justice Cooper was a man who, as a judge, certainly did his duty admirably well, and whether his expenses were or were not excessive it would have been better for the Premier to have dealt with the matter in a more generous spirit. From what he had heard in regard to the cost of travelling in the North, he believed the sum of £600 would not be sufficient.

Mr. ANNEAR said that, before the explanation given by the Chief Secretary, several hon. members thought that the whole of the money was spent on the Judge's expenses alone, but now they found that it was for the tipstaff and associate as well. They must have a private room where they stayed, and he considered that £10 a day for the three was a very moderate amount in the North, where the cost of living and travelling was so much greater than in the South. If the Judge invited a gentleman to dinner the cost of the dinner was 7s. 6d., and if they had a bottle of wine the cost was a guinea. It would be remembered that the money was not only for hotel expenses, but for steamer fares as well. After what he said some time ago he felt that he ought to apologise to Mr. Justice Cooper. He had no doubt that if the Judge and his staff should be detained at Normanton he would have to spend a large sum of money to live there, and he was sure that, whatever Government might be in power, any reasonable expenditure would be paid.

The HON. J. M. MACROSSAN said it seemed to him that the matter of £600 for travelling expenses would lead to a great deal of friction during the year. If the £582 spent last year was a reasonable sum, or a sum likely to be spent again on the same circuit, he was sure that £600 would not be enough now Normanton was added to the circuit. It looked as if the sum of £600 was put down for the purpose of causing friction. Perhaps the Premier wanted to be an obstacle in the way of the Judge, but he agreed with the leader of the Opposition that the obstacle, though it might not be removed, would certainly not get off scathless when a collision took place. There was a great deal to be said about the expenses of the Northern Judge. He (Mr. Macrossan) had lived in the North for years, and since he had lived in Brisbane he had often visited the North. At one hotel in the North his personal expenses during one visit did not amount to £1 a day; but on a subsequent visit, after he became a Minister, though his personal expenses were very little beyond what he incurred previously, the Bill sent in at the same hotel was over £12 for two days. He did not know whether any other hon. member who had been a Minister could relate a similar experience, but he thought that everyone who had travelled in the North must admit that when officials went there the hotel-keepers charged for their dignity. He agreed with a good deal that had been said about fixing the travelling allowance, and he would risk the living in private houses and the slow travelling said to have taken place in the old days, in preference to running the risk of allowing those gentlemen *carte blanche* in the matter of travelling expenses. They were not a whit better than other men: they were selected from the same class as the District Court Judges, the only difference being that they were supposed to have more ability; and why they should be allowed *carte blanche* while the District Court Judges were tied down to a fixed allowance he could not understand. Was it because it was the practice in

England for the Supreme Court judges to invite the Bar and the leading citizens to dinner that those gentlemen were supposed to do the same thing here? If that was the reason, the sooner the old feudal practice of inviting the Bar and the leading citizens was discontinued the better. He thought their honours should be distinctly informed that if they wished to invite people to dine with them they should do it at their own expense, because it was a thing quite out of unison with colonial customs. It might be all very well in England as a practice that had come down from the dark ages, but it was one which he thought the judges should be informed would not be tolerated here, and the Government should bring in a Bill to provide for the travelling expenses of the judges by statute. Then let them go beyond that if they liked.

The ATTORNEY-GENERAL said there seemed to be some misapprehension among hon. members with respect to invitations to hospitality given by the judges on circuit. Hon. members were quite mistaken if they supposed that it was the practice of the judges of the colony to surround themselves with members of the Bar and the leading citizens of the various circuit towns to which they went. That was not so. Occasionally it happened that a judge invited one or two gentlemen to dine with him, but he had yet to learn that they were not invited at the judge's own expense. Certainly he had never had the impertinence, nor had, he believed, any other gentleman who had occupied the position of Attorney-General, to ask judges whether they did that at their own expense or at the expense of the State. He was speaking now of the Southern Judges. He had never travelled on circuit with the Northern Judge, and had never been a recipient of his hospitality in any shape or form, so that he did not know what his honour's practice was, or how he managed the distribution of his hospitality. As long, however, as the travelling expenses of judges were kept within the limit he did not think it would be proper to inquire at whose cost invitations were issued by them when on circuit.

Mr. W. BROOKES said he had listened to all that had been said on that subject, and he was of opinion that they would ultimately have to come to some such plan as that indicated by the leader of the Opposition. As far as he could see, the present position of affairs was that last year the Northern Judge spent £582, and had not to go to Normanton. The estimate for last year was actually increased by £200; and the amount asked for now was £600, and the circuit would include Normanton. A good deal had been said about an irresistible force and an immovable obstacle, but he really thought there would be a row over that matter. Suppose it took this shape—that the Judge had spent the £600, and had yet to go to Normanton, but said he would not go, what would happen?

The PREMIER: Let him stop away.

Mr. W. BROOKES: I do not know what would be done then.

The PREMIER: Wait and see.

Mr. W. BROOKES said there had been very much talk about the traditions of the Bench. He had not much respect for the traditions of the Bench, and he did not care much for traditions of that kind. The traditions of the Bench were very curious indeed, and would justify almost any folly. At the same time, while talking in that way he did not wish to be understood as wanting in the respect due to the Northern Judge; he gave his honour every respect to which he was entitled. But he was quite sure there would be a collision in the present state of things, and the sooner the principle indicated by the leader of the Opposition was adopted the sooner they would have peace and quietness. He did not see any difficulty in it. He knew the Premier's idea was that a judge should be a gentleman, who regarded himself as a trustee of public money, and who should not spend £1 where 10s. would do. That was right in theory, but, as had been said, judges were only men, and they must deal with men as they found them; and when they came upon a judge who had apparently no idea of the value of other people's money, they had better put him upon allowance.

Mr. MOREHEAD said he agreed with almost all that had fallen from the hon. junior member for North Brisbane. What had they to do with tradition? He did not care two straws for the traditions of the Bench, or the Bar either. They were there as custodians of the public purse, and they ought to practise rigid economy, combined with allowing proper expenditure to the Judges of the Supreme Court to uphold the dignity of the high offices they occupied. No one would for one moment deny that, and he believed that a scale of charges at so much per day, even for such high dignitaries, could be arrived at without very much difficulty. He was perfectly certain that the Judges of the Supreme Court—speaking now from his own knowledge, and without consultation with them—would very much prefer that a sum should be specified and voted as per day. They would very much rather have that than that the question should be discussed in Parliament session after session in the way it had been lately. It took away very much from the dignity of the office when they had to discuss the expenditure of gentlemen who held such very high positions in the State.

The PREMIER: We can deal with that next session.

Mr. MOREHEAD said he was very glad to hear that the hon. gentleman intended to deal with the matter, and, even if he was not the prime mover in it, he was certain that he would be one of the first to assist in the passage of such a measure, and that he would recognise the position taken up by him (Mr. Morehead) and other members of the Committee. It would save a good deal of unpleasant talk in that Committee with respect to gentlemen who occupied the highest positions in the land. It was not desirable that there should be any discussion on judges unless an occasion arose where there was some gross miscarriage of justice. However, he felt perfectly certain, that if any extra expenditure were wanted for the Northern Judge, it would be given, although the Premier had stated that, if the Northern Judge said he could not go to Normanton because his funds were exhausted, he could stop where he was. He (Mr. Morehead) did not believe that course would be adopted.

Mr. HAMILTON said attempts had been made to remove the obstacle or shatter it, and they had proved ineffectual. They knew that the select committee was appointed for the purpose of removing the obstacle, and although the Premier had told them that he had forgotten all about it, they knew that the day after a very strong expression of opinion was given when the committee was asked for, the Premier dropped the subject like a red-hot iron. He did not think there was justification in putting a limit upon the expenses as proposed. When they saw the additional work which the Northern Judge had to perform, the department was not in a position to determine the necessary expense entailed in performing it, because the select

committee, which was specially appointed to determine the expenses of the Judge, had not sat. Therefore they failed to determine the expenses, and consequently there was no justification in having fixed the amount. Now, the member for North Brisbane asked that, in the event of £582 having been expended before the Judge went to Normanton, what would occur then? To that he (Mr. Hamilton) replied that he believed that the obstacle would be found irremovable unless more money was forthcoming. Exception had been taken by one or two members to the expenses which the Judge incurred—namely, £9 a day for three men. He really did not see why exception should be taken to that. The Judge had to travel in the position of a gentleman with his associate. They knew the expense of living in the North was very great, and that the Judge's expenses were far greater than those incurred by private gentlemen. He could not sit down to the public dinner-table and listen to the conversations of men who would probably come before him as plaintiffs or defendants, and conseqently he had to engage private rooms. But it did seem singular that gentlemen who found fault with the paltry expenditure of £9 a day for three men, took no exception to the expenditure of the Premier of £1,400 for six months for one man.

Mr. CHUBB said he wanted to refer in a few words to another matter—the expenses of the Northern Sheriff, who would have to go to Normanton; and, although the present was not the time to advocate increases, he must say that he knew that the actual expenses incurred by the late Northern Sheriff amounted to more than the allowance. By regulation he was allowed a guinea a day. He was supposed to dine with the judge, and it was impossible on a guinea a day to really cover expenses. He hoped the Attorney-General would take the matter into consideration and see if some small increase could not be made so as to insure that that officer, who was not a judge with a large salary but merely a police magistrate with a moderate salary, was recouped his actual expenses.

Mr. S. W. BROOKS said he did not know whether they had done with Mr. Justice Cooper or not. He had not to speak about him, but of something concerning the conduct of business in their law courts. The matter might well be referred to at that stage, although he knew it would be distasteful to members of the legal profession. He referred to the use of shorthand for noting evidence in the courts. He thought it was a matter which deserved attention. They knew very well that the higher courts were governed by very old and stringent methods which had come down from what had been termed by one hon. member the dark ages; and he thought one of the ridiculous old methods was the present method of taking notes by the judges of the Supreme Court. They were taken in long-hand by the judge, and of course that took up a considerable amount of time. He believed there were high courts in the British dominions in which the use of shorthand had been adopted with advantage to all parties concerned, and he did not see why they in this young colony should not also take advantage of that expeditious system of taking evidence. He thought all parties would be gainers. They knew very well that the use of shorthand was becoming very common, and no merchant's office was considered complete without some clerk who could write shorthand; and there was no leading lawyer's office in which at least one, and sometimes two or three, shorthand clerks were not employed. They found it necessary, and he thought it very necessary that in all the courts they should resort to that method of taking evidence. If hon. members would, like himself, occasionally stroll into the Supreme Court, they would be struck by the tardy, tedious practice which there prevailed. Trials were there stretched out to three or four days' duration, to the advantage, no doubt, of the lawyers and barristers, but to the great dissatisfaction of those who had the folly or the misfortune to be litigants. Trials which might be concluded in one day, if evidence were taken in the way suggested, were now spun out to three or four days, or sometimes a week. He thought it would be a great thing gained if they could adopt that system, so that the judge, instead of being pinned down to his note-book, should be able to watch the case before him, instead of having his time occupied by something else. If there were a duly sworn officer, able to take evidence in shorthand, the judge himself would be entirely free and able to watch the case as it went along. He had no doubt whatever that difficulties would be urged against the system, but he could not see that they were insuperable. Matters of equal importance were dealt with in merchants' and lawyers' offices by shorthand; matters in importance quite equal to the majority of the cases brought up before their Supreme Courts, and he thought if they could adopt the use of phonography in the taking of evidence a great deal of time—and time meant money in these days—would be saved to the litigants, the judges, and to all concerned.

The ATTORNEY-GENERAL said it would be a very great advantage, no doubt, to expedite the taking of evidence in courts of justice, but there were many serious difficulties in the way of adopting the system advocated by the hon. gentleman. It was all very well to be expeditious, but there was something more required than that, and he was not sure that all the benefits to be derived, which the hon. gentleman had pointed out, would really accrue if the system suggested were adopted. If judges, counsel, and solicitors, could write shorthand and read their shorthand notes when they had written them, there would be something in the suggestion, but what use would it be to counsel to have to wait until the end of the day to get a transcript of the notes? Besides, counsel themselves required to take notes of the evidence upon which they cross-examined, and the fate of a litigant might depend upon the counsel being able to refer to a particular piece of evidence. He thought that was the direction in which they should make haste slowly, and while the system suggested had some advantages, he thought it had very serious defects. There was no doubt that it would be very difficult to get the judges to view favourably the adoption of such a system.

Mr. MOREHEAD said he fully agreed with what had fallen from the Attorney-General. He dared say that if every being in the country could read and write shorthand it would be a good thing for the community, and save time, which the hon. member for Fortitude Valley thought so valuable. He had himself turned the corner—got beyond the half-way house, so far as his life was concerned, and he also thought time valuable. Shorthand clerks in mercantile houses were employed for special purposes—to take notes of the remarks of the principal as the draft of a letter, or take a note of a letter dictated, to be afterwards revised by the principal. It would be very dangerous—so far as people were educated at present—to adopt such a system in their courts, where everything must be conducted in the most perfect and even elaborate way, though it might mean a loss of time. He believed that even the law's delays would be found of more advantage than if they were to go in for hurried law.

Mr. CHUBB said that no donbt there were difficulties in the way of taking notes in the courts by shorthand, but it was done in England. Every day now, when one picked up the reports of cases, it would be seen that at the close of the argument, applications were made to the judges to allow the expenses of the shorthand writers in the cases. He did not know if it was done in criminal cases, but there were cases in which shorthand notes of evidence might be taken, and result in the saving of time. He recollected one case that occurred in Brisbane, in which he was himself engaged, and in which, with the consent of the clients, a shorthand writer was engaged to take notes. That, however, was a special case. He quite admitted the difficulty of taking shorthand notes of evidence of witnesses, who would have to be cross-examined upon evidence they had already given in chief. In such cases counsel would have to trust to their own notes. As he had said, it was becoming a practice in England, and would, no doubt, become more common.

Mr. S. W. BROOKS said he had not the slightest doubt they would have to go slowly in that matter. He was not foolish enough to think it would be done at once. But it was done in some of the Scottish and also in some of the English courts.

The ATTORNEY-GENERAL: In a certain class of cases.

Mr. S. W. BROOKS: In one particular case here, but it might be adopted in many more. The reporting in shorthand of evidence extracted from witnesses would be very different from the reporting of speeches as they were delivered in that House. As some hon. members knew, no doubt, some of the barristers attending the Supreme Court now took shorthand notes, and wrote shorthand very skilfully, and as well as some of the reporters upstairs. The hon. member for Balonne had said that shorthand writers in mercantile offices were employed for special purposes, and that would be the case with shorthand writers employed in the courts. They would be employed at special work; their minds would run in that groove: they would acquire facility, and no doubt become adepts at that kind of work. He admitted that the evidence so taken would have to be transcribed; but he still held that it would result in a great saving of time, and that litigants especially would be very much the better for it.

Mr. NELSON said he did not make any apology for drawing attention once more to the way in which the Estimates were framed. He supposed the Attorney-General was well aware that the amount set down for expenses to witnesses and jurors was systematically and regularly under-estimated every year, and that a sum had to be placed on the Supplementary Estimates to meet the over-expenditure. Last year there was an under-estimate of, he thought, £1,000 on that vote. The system was one which did not hold in any other British dependency.

The PREMIER: No; the amount overdrawn was only £260.

Mr. NELSON said he referred to the total amount. The total amount voted was £7,873, and the amount expended, £8,284. He referred particularly to the systematic way in which the thing was done. What good could be arrived at in that way? It was far better to put down the amount that would be required than to put down a sum that was not sufficient to meet the actual requirements of the service. He had drawn attention to that matter before, but he did not suppose it would result in any good.

The ATTORNEY-GENERAL said that as a matter of fact last year the amount voted for allowances to witnesses attending the Supreme Court only was exceeded by something less than £250, and the amount voted for jurors was only exceeded by £22. He had strong reason to hope that the establishment of a Supreme Court at Normanton would reduce the amount required for the payment of witnesses' expenses. For every circuit witnesses had to be brought round from Burketown and other places in the Gulf district down to Cooktown, where the Circuit Courts were held, and he was therefore strongly of opinion that the establishment of a Supreme Court at Normanton—unless crime greatly increased with the advent of the court—would result in the diminution of the amount required for witnesses' expenses. As the hon. member would see, the amount by which last year's vote was exceeded was a very small sum indeed.

Mr. MOREHEAD said he would like to have a little information about the gardener who was down on the Estimates for £110 a year. He had heard of the grand old gardener and his wife, but he did not know whether the wife was included in that vote. He did not see why the Supreme Court here should have a gardener any more than the Northern Supreme Court. He admitted there was a garden about the Supreme Court building here, but he thought the necessary work might be done by a man taken from the Botanic Gardens to work there for a couple of days during the week, and by that means the sum of £110 might be curtailed. Such a sum to keep a garden round the Supreme Court building was too much.

The ATTORNEY-GENERAL said there was a large area of ground to be kept in order at the Supreme Court. He had had the matter under consideration lately, and had some conversation with the authorities of the Botanic Gardens here on the subject. He was not without hope that very shortly they would be able to get along without having a gardener constantly employed at the Supreme Court buildings. An experiment was being tried under the direction of Mr. Cowan, the curator of the Botanic Gardens, and if it was found that they could get on without having a man constantly employed at the Supreme Courts, some arrangement would doubtless be made by which a gardener would be paid by the day as his services were required.

Mr. MOREHEAD asked if the gardener was constantly employed now? He had walked outside the Supreme Court on many occasions and had never seen any man constantly at work there. If any really useful work was being done, such as tree-planting or cultivation of any kind, he should offer no opposition to the vote. Perhaps the gardener did other work.

The ATTORNEY-GENERAL said the gardener recently employed there did his work in so unsatisfactory a manner that he had had to discharge him a little time ago. The man was idling about, wasting his time, not attending to the ground, and was in the habit of cutting the grass and disposing of it on his own account. He hoped that before long there would be a little more show for the money, and that when the hon. member passed that way in the course of a week or two he would see a result very different from what he had hitherto seen.

Mr. CHUBB said he believed he was responsible for that item appearing in the Estimates. When he went to the office there were only the remains of a garden, and it was covered with weeds three or four feet high. He got some men from the Botanic Gardens, but the system was so expensive that he found it better to put a man on permanently. That was the man who had just been dismissed, but who worked very well while he (Mr. Chubb) was there. When he left, the garden was in very good order. But it was

badly planted at first. The trees were all out of position, and many of them were rubbishy things that might very well be taken away. To attend to the garden properly would require the constant work of one man. The grounds were fully an acre in extent, garden and grass. He hoped the Attorney-General would succeed in his attempt at economy, but he was afraid he would not.

Mr. W. BROOKES said that if he had to offer an opinion as to why the gardener had done his work so unsatisfactorily, it would be that he had not enough to do, and had too much wages. There might be an acre of garden and grass, but he was certain there was not a member of the House, or any private gentleman in Brisbane, who would give that salary for the same amount of work. He had no wish to see the garden neglected. On the contrary, he was pleased to see that there was some æstheticism even among lawyers, and to see well-kept trees, shrubs, and flowers growing in front of the various public offices, notably the Harbours and Rivers' offices. But it somehow or other always happened that as soon as a man got a settled salary the "Government stroke" invariably followed. He believed that any private person in Brisbane could get all the work done that was done round the Supreme Court for half the money.

Mr. SHERIDAN said he had recently visited the garden in question, and had examined it with as critical an eye as he possessed; and this he did say, that if the garden was well attended to it would take at least one man all his time. The soil was very bad indeed on the river front. That the garden was properly attended to he entirely denied. The grass was not well mown, and the soil was not loosened enough among the trees, and taking it as a whole he should call it an unkempt, ill-kept garden. But if kept as it ought to be kept—as, for instance, the garden of the Queensland Club was kept—it would take a man all his time to do the work. That was the result of his recent visit to the garden.

Mr. MOREHEAD said he had not, like the hon. member for Maryborough, cast a critical eye upon the garden round the Supreme Court; but of this he was certain, that if he could not get a man at £1 a week and his rations to do double or treble the work round his place, that man would not stop with him very long. But the hon. member for Maryborough had been himself accustomed to what the junior member for North Brisbane called the "Government stroke," and he therefore gauged a man's work from his own standard. But he, or the Premier, or the Minister for Works, or the Attorney-General, or the junior member for North Brisbane, who all had a considerable portion of garden ground round their houses, would take care to get far more work, or far better development of the land for the money. He was astonished to hear the hon. member for Maryborough talk in that way, although it was certainly of a piece with what they found in the Queen's Park and Botanic Gardens—which would be discussed later on, and which he looked forward to as the *bonne bouche* of the session. On that occasion they would, no doubt, not only have a good deal of pleasant entertainment, but of useful information as well. They would have a description of the hon. member as he went down to the lawn-tennis parties; they would be able to describe his deportment, and his kindliness, and how he showed the ladies round that portion of the park which should belong to the public, but for which the trustees were getting something like £14 or £16 a year from those unsophisticated young damsels. That piece of land belonged to the people, and the people should have it, at any rate, if he could have his way Returning to the question, he was rather inclined to think that the Attorney-General should have raised the emolument of that Civil servant who kindly took charge of the garden round the Supreme Court. So far as he could judge, it appeared to be a matter of condescension on his part to look after it at all.

Mr. MACFARLANE said he would suggest to the Attorney-General to call for tenders for attending to the garden in question. If he did he would find that he could get the work done for a great deal less than was paid for it now. As a trustee for a public building in Ipswich, he might mention that, not having work to occupy a man's full time, they advertised for a man to do the work, which consisted in looking after four-fifths of an acre, which included the building, and attending to shrubs, trees, cutting grass, and so on, and they got it done for £15 a year, by tender. That was done in less than one day a week. He supposed there were gardeners in Brisbane, the same as in other places, who went about doing odd jobs like that. He felt sure that the Supreme Court gardens could be well kept for about £15 or £20 a year, by tender.

Mr. FERGUSON said he wished to refer to the condition of the Supreme Court buildings at Rockhampton, which had been completed for several months, and were left exposed without a fence of any kind.

Mr. MOREHEAD: No garden?

Mr. FERGUSON said they had no garden, and never would, he supposed, in Rockhampton. It was too far north. Every new building that had been erected by the Government in Rockhampton had either been left unoccupied or some part had been left unfinished for years, in some cases. The new gaol was completed for years before it was occupied. The immigration depôt had been out of the hands of the contractors for twelve months, and he did not know whether it was occupied yet. The new Supreme Court buildings, which had cost £13,000 or £14,000, were finished, but had no fence, and were left exposed to cattle and goats, and animals of all kinds. He did not know whether the Attorney-General was aware of that, and would like to know whether any steps had been taken by the Government to get the place fenced in?

The ATTORNEY-GENERAL said he had been in communication with his hon. colleague, the Minister for Works, with reference to a number of matters connected with the new court-house at Rockhampton. The judge who presided at the recent sitting of the Supreme Court there had described it as the finest court-house in the colony. He had sent a long list of matters to his hon. colleague, the Minister for Works, that required to be attended to in connection with that building, and among the rest he had suggested fencing-in the ground. Of course the Government did not intend to allow it to remain in its present condition, and he was satisfied that the matter would be attended to without any unnecessary delay.

Mr. FERGUSON said he was very pleased to hear it. He should also like to impress upon the Attorney-General the importance of not putting up a shabby wooden fence around those buildings, as was often done in the outside townships of the colony. Those buildings in Rockhampton were in a very central position—in the main street—and he thought they were entitled to an iron railing and a dwarf wall—in the front, at all events. He did not know whether the hon. gentleman intended to erect the wooden fence, as was once proposed, or the fence that had been submitted to him lately.

Question put and passed.

SHERIFF.

The ATTORNEY-GENERAL, in moving that £5,555 be granted for the Sheriff's department, said he might mention that the amount was the same as last year, with the exception of two small items of increase. One increase was for the Supreme Court bailiff at Charters Towers, who had been receiving £75 a year. That was one of the most important circuit towns in the colony, where a large amount of work had to be done, such as the levying of executions, and so on—quite as much as at Townsville, and larger than in some other towns. That officer had a great distance of country to travel over. He had to keep horses, and horse-feed was a very expensive item there, and it was an actual injustice to him to require him to do all the work he had to do on the small salary of £75. It was therefore proposed to increase the amount of his allowance, not to the extent he was entitled to, nor even to place him on the same footing as the officers at Townsville and other places, but to give him an additional £50 a year. The other increase was £50 to provide a bailiff at Normanton. Those were the only items in which there was any difference from the vote for last year.

Mr. CHUBB asked if the Normanton bailiff had been appointed yet?

The ATTORNEY-GENERAL: Not yet.

Mr. CHUBB said his reason for asking the question was because he thought £50 was a very small sum to pay as salary for that officer at Normanton. Certainly there was not a large amount of work to be done there yet, but he would require, when the courts were appointed, to serve jury summonses, and of course wages at Normanton were very high. That was where the whole pinch of the case came in. They might apply the most expensive process of the courts to get a judgment; but if they had a dishonest bailiff to levy the fruits of it they would never get it. He had seen cases where bailiffs had taken "tips," or been ignorant, and had lost the fruits of what litigants had been struggling for. That was why they wanted most intelligent, honest men in that capacity, and he believed £50 a year was insufficient to enable them to get a trustworthy officer to do the work.

Mr. MOREHEAD said he did not suppose that £50 was the whole of the emoluments that that officer would receive at Normanton. The position might be combined with some other office, or he might have some other work to do. He took it that it was so. He did not know that even if they were to pay on the higher scale it would ensure honesty. If a man were a rogue, he would be a rogue; the difference between £150 and £50 would not make him honest.

Mr. BULCOCK said he would like to ask the Attorney-General whether reports which had been current in Brisbane for some time to the effect that the visiting justice at the gaol had ordered the infliction of the cat was true? If it was, he thought it ought not to be so. He thought flogging should only be done by order of the Governor in Council.

The ATTORNEY-GENERAL said the matter to which the hon. gentleman referred came under the head of "Gaols," with which his hon. colleague the Colonial Secretary had to do. He himself had no control over the visiting justices, or any other justice, in connection with the gaols, and he therefore could not give the Committee any information on the point. He believed that one of the gaol regulations was to the effect that under certain circumstances a justice might order the infliction of corporal punishment. The matter had not been brought under his notice or been reported to him in any way.

Mr. MOREHEAD said he was glad the hon. member for Enoggera had mentioned that matter. He could inform the hon. member that it was true as reported, and he (Mr. Morehead) entered his protest against it. To his mind a more degrading punishment than flogging did not exist, and it should not be inflicted on the mere dictum of any visiting justice in the colony.

Mr. PALMER said a case which happened recently showed the great injustice of what might be called a secret tribunal inflicting the lash in gaols. A man imprisoned for some trifling offence was out working on the road, and an opportunity was given to him to escape. He was captured, brought back, and sentenced by the visiting justice to twenty-five or thirty lashes. That was very unfair. It was not a crime; it arose from the laxity of the officials, and it was a gross act of injustice that a man should be flogged for doing what he was almost tempted to do. The police almost invited him to do it by taking him out to work and giving him an opportunity to escape—it was the wit of the police against the wit of the prisoner. To inflict a punishment of that kind, after a sort of star chamber inquiry, without the knowledge of any bench outside, was a gross injustice. The punishment was one which he believed should only be ordered by a judge.

Mr. HAMILTON said the case the hon. member had just instanced showed the cruel injustice of that punishment for such an offence. Probably had any other man been in the same position he would have tried to escape, and no one would have thought of punishing such a trivial offence in any other court. No man ought to be flogged unless he had been guilty of some dishonourable crime. A perfectly honourable man might be imprisoned; he might have committed something which was a legal impropriety, but which was not morally dishonourable, and a man who was lashed might be ruined for life. A few nights since, had the leader of the Opposition and the Colonial Secretary gone outside they might have been guilty of an aggravated assault——

Mr. MOREHEAD: The aggravation came from the Colonial Secretary.

Mr. HAMILTON said it would not have been the first instance of men being imprisoned for an aggravated assault; but had either of those gentlemen been imprisoned and attempted to escape he would have been triced up and flogged.

The COLONIAL SECRETARY said the case was brought under his notice after it was over. Instructions had now been given that whatever the visiting justice might order should be communicated to the Colonial Secretary, and that his sanction should be given before any action was taken. In the case mentioned, the prisoner who escaped resisted the police on his recapture. A court was held by the visiting justice and another justice, and they inflicted the lash. He (the Colonial Secretary) did not hear of it until he saw it in the paper. Instructions had been given that when a prisoner was sentenced to be flogged, or anything of that sort, the punishment should not be carried out without the sanction of the Colonial Secretary.

Mr. MOREHEAD said he trusted that both the visiting justice and the other justice had been removed from the Commission of the Peace. That was the smallest penalty they should have to bear.

The COLONIAL SECRETARY: They were acting within their powers.

Mr. MOREHEAD said he would not give them the opportunity of acting so again. If the lash was to be applied at all—and he very much

doubted whether it should; he considered it a brutalising punishment—it should certainly not be applied under such circumstances as had been related. Power should not be given to any justice to apply such a brutalising punishment to any man, no matter how bad he might be.

Mr. W. BROOKES said there seemed to be a little incongruity in what the hon. Colonial Secretary told them. Those justices were acting within their powers, and yet they were told they were not to do it again. He could not make those things agree. He certainly thought it should not be within their power until they had the authority of the Colonial Secretary; that would seem the natural order of things. He was very much inclined to the opinion that those justices who acted in that arbitrary manner should be warned that if they did it again they would be removed from the Commission of the Peace.

Mr. MOREHEAD: What about the poor man who was flogged? That cannot be undone.

Mr. CHUBB said he saw £300 down for premiums on fidelity policies of bailiffs. There seemed to be about ten bailiffs, so that would be £30 per man. He would like to know if that was paid in a lump sum to one society to cover all the bailiffs, or if each bailiff was insured separately. If they were insured separately the expense was more than it might be. He recollected when he was in office suggesting that the Government should make a contract with some insurance office to insure the whole of the officers in the service who were liable as public accountants; it was carried out in some departments, and a great saving was effected. If that were done in the present case the cost might be only one-tenth of that £300. A bailiff might be dismissed in three months, and a fresh policy taken out for his successor, and a twelve months' premium would be paid in each case. There might be four men in the same office during the year, and that would mean four annual premiums.

The ATTORNEY-GENERAL said the office was insured and not the man. The hon. member was mistaken in supposing only ten bailiffs were guaranteed; it included all the bailiffs—all the high bailiffs and the deputy high bailiffs all over the colony.

Mr. CHUBB: Does it include District Court bailiffs?

The ATTORNEY-GENERAL: All bailiffs under the Sheriffs Act.

Question put and passed.

DISTRICT COURTS.

The ATTORNEY-GENERAL moved that £10,950 be voted for District Courts. Hon. members would see that the amount was identical with that voted last year.

Mr. CHUBB said there was one thing he would refer to, and that was that the Judge of the Northern District Court, who now had to visit Croydon, was allowed only 30s. per day travelling expenses. On more than one occasion that Judge had complained that he could not travel on that allowance, and was obliged to go to the ordinary tables at the hotels. A judge ought to have a private room, in order that he might not come in contact with persons who might come before him; but the Judge could not avoid that with the allowance he received. The Chief Engineer for the Northern Railways received two guineas per day for travelling expenses, and he believed that would not be too much to allow the Northern District Court Judge. The matter had been a source of complaint for many years. Complaint was made to him (Mr. Chubb) although the Judge then did not go so far north as he did now. Croydon was a very expensive place, and he knew 30s. a day would not pay travelling expenses. There was a marked difference between that amount and that received by Supreme Court Judges. Of course, a District Court Judge did not occupy the same high position, but he had to live decently.

The ATTORNEY-GENERAL said he ought to have stated that since the Estimates had been framed a District Court had been established at Croydon, and the Government were prepared to make provision on the Supplementary Estimates for a registrar and bailiff at that place. He was of opinion that the travelling expenses of the Northern District Court were not sufficient; but he had not lost sight of the matter, and had hoped it could have been increased. He had a conversation with the Judge before he went away, and he was quite sure the allowance would not be enough. He had undertaken to bring the question before his colleagues, and had not the slightest doubt that they would concur with his suggestion, that a special allowance should be made for visiting Croydon.

Mr. MOREHEAD said it was most amusing to hear how the lawyers agreed as to the way in which judges should live, and the expenses that they ought to draw from the State. He never saw such unanimity of opinion between the two sides of the Committee as existed between the Attorney-General and the late Attorney-General in regard to the poor judges. He might be a poor judge himself, but he knew that he could travel on a less allowance than the judges travelled on. He would even sit down to table with common men sometimes; of course he need not enter into conversation with them unless he liked. He would sit at the ordinary table at an hotel next to a man he was going to try. It would not be for very long; he could consume all the food he wanted to in twenty-five minutes. It seemed as if the colony was to be overridden by lawyers and their expenses. There should be a difference in the rate of the expenses allowed to the District Court Judges in the Southern and Northern districts of the colony. He thought 30s. per day ought to be the maximum. The Judge in the Southern division ought to get only 20s.

The PREMIER: That is all he receives.

Mr. MOREHEAD said he did not know why a judge should insist upon having private rooms in such an expensive place as Croydon must be. He had heard from those who had come from Croydon, that the police magistrate there had lived for months in a wretched place of some few feet square—less than twelve feet, he was told—roofed and walled with iron, and with no floor. He thought, perhaps, that gentleman might complain that he ought to receive special consideration. He did not think that judges, after all, were badly off when they received £1,000 a year, and that particular judge received 30s. per day as a travelling allowance. He was not very hard worked, and he had an office of high dignity and was called "Your honour." He had all sorts of advantages which other people had not. Unfortunate members of that Committee who lived in town had only the privilege of drawing two guineas a day while the House was sitting, and were called "honourable members" only by gentlemen outside who addressed letters to them, and sometimes they put "M.L.A." on them, although possibly sometimes they made a mistake and put "M.L.C." The District Court Judges were after all—and he said it with all due deference, as he had never been before them—just the same flesh and blood that hon. members were, and he did not think the country got any more than fair value for the services of those gentlemen under any circumstances.

Mr. CHUBB said the leader of the Opposition and he had different ideas as to what a judge ought to do. The hon. member seemed to think a judge should sit down in his shirt sleeves beside a person that he was going to try. District Court judges were appointed at a salary of £1,000 a year and travelling expenses; and it was never intended that they should trench upon their salaries to pay those travelling expenses. The salary was supposed to be clear. He was not advocating that they should receive one shilling above what was necessary. If the amount allowed was sufficient to meet his travelling expenses, a judge had no right to ask for a sixpence more.

Mr. BLACK said he would like to know if the 30s. was exclusive of steamer and coach fares?

The ATTORNEY-GENERAL said it included them; but occasionally a District Court judge had to be taken by horse or buggy, and the Crown prosecutor with him, from one place to another, and that was paid for by the Government. A judge could not be expected to go from Port Douglas to Herberton and pay the expenses out of his own pocket.

Mr. BLACK said he did not see why £9 6s. 4d. should be paid to a Supreme Court judge, with an associate and tipstaff, while 30s. was paid to a District Court judge travelling in the same district, and both being composed of the same materials—that was to say, flesh and blood—and belonging to the same profession—a highly protected profession. He would ask the Attorney-General to explain the difference between a Supreme Court judge and a District Court judge, and why one should be so fortunate while the other was left in almost an impecunious position, as described by the hon. member for Bowen?

The ATTORNEY-GENERAL said the difference was that a Supreme Court judge had unlimited civil and criminal jurisdiction, while the jurisdiction of a District Court judge in both civil and criminal matters was limited. In England the Supreme Court judges received £5,000 a year and the County Court judges very much less, and a distinction was observed between the two all over the world. District Court judges had a right to travel respectably and comfortably as well as Supreme Court judges, and he could not see any reason for an arbitrary distinction in the matter of travelling expenses any more than he could see any reason why a Supreme Court judge should have a pension when he retired after fifteen years' service and a District Court judge should have no pension. He could not account for all the anomalies that existed.

Mr. MOREHEAD said he could have understood the hon. member's explanation if he had said the Supreme Court judge had unlimited powers of digestion or of swallowing as against very limited powers given to the District Court judge, because it appeared after all to narrow itself down to a question as to the physical holding capacity of the two varieties of judges. It was fortunate to find that there were varieties of judges; but the country appeared to be robbed all the same, whether they were paid on the higher or on the lower scale—if there was a lower scale. The justification set forth by the Attorney-General for the distinction seemed to be too absurd.

The ATTORNEY-GENERAL: I did not justify it.

Mr. MOREHEAD said that perhaps the hon. member hoped to become a judge himself some day, therefore it was right that he should justify it. He (Mr. Morehead) thought the 30s. a day ample for travelling expenses, and he hoped no extra allowance would be given to the Northern District Judge. He thought it might do that gentleman a little good if he did rub shoulders at the common table with ordinary people, with whom those judges did not seem inclined to associate; and if he wanted a private room he might pay for it. Hon. members very often sat at the common table in an hotel without very much detriment to themselves or prejudice to those who sat next to them.

Question put and passed.

INSOLVENCY.

The ATTORNEY-GENERAL moved that the sum of £1,462 be granted for the service of the year 1887-8, for salaries and contingencies.

Question put and passed.

INTESTACY.

The ATTORNEY-GENERAL moved that the sum of £1,137 be granted for the service of the year 1887-8 for Intestacy. There had been a small readjustment. £20 had been taken from contingencies, £8 being added to the salary of the junior clerk and messenger, who was doing good service, and £12 to the salary of another clerk.

Mr. MOREHEAD said he had only to congratulate the Attorney-General on the ingenious way in which he had secured those small increases for the officers concerned. He had no doubt, however, that they were deserved.

Question put and passed.

The House resumed; the CHAIRMAN reported progress, and obtained leave to sit again on Tuesday next.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House do now adjourn. The first business on the paper on Tuesday will be railway matters. The order in which the business will be taken will be—first, the Thane's Creek railway, then the South Brisbane line, and after that the line from Normanton to Croydon, and there is no reason why they should not all be disposed of on Tuesday.

Mr. MOREHEAD said: Mr. Speaker,—The hon. gentleman says there is no reason why they should not all be disposed of on Tuesday. I can give him my word that they will not be disposed of if they are taken in that order.

The HON. J. M. MACROSSAN said: Mr. Speaker,—Before the House adjourns I wish to draw attention to a little bit of manipulation of which the Government have been guilty. When the proof-sheet of the business-paper came out this morning as usual, No. 3 did not appear ahead of No. 4. But some peculiar manipulation has occurred which looks very much like log-rolling. The Thane's Creek railway now appears first on the business-paper, so that members on both sides of the House who are anxious that a railway should be made from Normanton to Croydon should allow the Thane's Creek line to pass in order that they may get the railway to Croydon. I can assure the hon. gentleman that if that is his intention he will be defeated. However anxious we may be for that railway we are not going to sell ourselves for a mess of pottage.

The PREMIER said: Mr. Speaker,—The hon. member says he has noticed a change in the order of the business-paper. Surely from his experience as a Minister, he knows that the business paper is arranged by the Government according to their convenience. I forgot to tell the Clerk last evening to arrange the paper in the order in which it now appears, and when I saw the proof this morning I sent him a memorandum asking him to put it in that order, because that was the order in which the Government desired to take the business.

Question put and passed.

The House adjourned at thirty-five minutes past 10 o'clock.