

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 6 SEPTEMBER 1888**

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LEGISLATIVE ASSEMBLY.

*Thursday, 6 September, 1888.*

The Case of Benjamin Kitt.—The Resignation of the Government.—Motion for Adjournment.—The Resignation of the Government.—Adjournment.

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

THE CASE OF BENJAMIN KITT.

The PREMIER (Hon. Sir T. McIlwraith) said : Mr. Speaker,—I beg to lay upon the table of the House further correspondence between His Excellency the Governor and myself with regard to the case of Benjamin Kitt; and move that the papers be printed.

Question put and passed,

### THE RESIGNATION OF THE GOVERNMENT.

The PREMIER said: Mr. Speaker,—The papers I have laid upon the table of the House include the correspondence between His Excellency and Ministers, which I read in the House yesterday. In addition to that I have received another minute, which is also printed amongst those papers as No. 3, and to which I have returned no answer. The minute is as follows:—

“MINUTE FOR THE HON. THE CHIEF SECRETARY.

“The Governor has had the honour to receive the Chief Secretary's letter of yesterday's date. He has only to observe, with reference to the last paragraph, that he is, of course, not responsible for the conduct of parliamentary business, and that it must be open to Parliament to do what it thinks best; but that as he has declined to accept the resignation of Ministers, and they have the confidence of Parliament, he is not himself aware of any obstacle to the progress of public work.

“(Signed) A. MUSGRAVE.

“Government House,  
6th September, 1888.”

Mr. Speaker, this would open up, very likely, a discussion upon the theory of parliamentary government, which I do not think would be of the slightest use at the present time. We are in this position: We have tendered our resignation, and, of course, His Excellency cannot possibly assume that we are Ministers for the ordinary business of parliamentary work while in that position. We are there simply to perform the work of the Ministry, so far as the ordinary business of the country is concerned, until our successors are appointed. That is our position, and we cannot possibly go on with any parliamentary business. It would be an absurdity to consider that I should think of delivering my Financial Statement, for instance, while we are hanging between heaven and earth in this way. That must be plain to anyone without going into constitutional law at all. Yesterday, I believe, it was the intention of a great many hon. members to speak upon this subject. I have confined myself to a plain statement of the case, mostly from the correspondence, as I think that elucidated the position of Ministers sufficiently so far as we were concerned. In moving the adjournment of the House yesterday, and the mode in which it was put, perhaps I took members by surprise, because I was not unaware that a discussion was asked for by a number of members. I wish to say distinctly that I do not deprecate a discussion at all, because it would either strengthen the hands of Ministers or otherwise, should they know the opinions of members of the House. Of course, I know very well that hon. members will perfectly understand the position between His Excellency and Ministers. They will understand His Excellency's position—that he is not responsible to this House. I need not, therefore, ask that criticism be directed towards the action of Ministers, and not to the action of His Excellency, who is responsible for his acts to the Crown, and who, unfortunately, has no Ministers to defend him at the present time in his peculiar position. At the same time I do not see that we, of all people in this country, should be dumb on an occasion of this sort. I see there have been invited meetings throughout the country in different places. That has been done spontaneously throughout by the people. I do not deprecate that, because I know there is no greater assistance to those who have the reins of power at home and here, than to know the expressed will of a free people, and to know what opinions are held both inside and outside the House. If, therefore, hon. members desire to say anything upon the present position—having regard to what I said of personal criticisms of His

Excellency—and I am quite sure hon. members will follow my remarks—made in the kindest spirit—in that way, I think if they do that they can elucidate the subject under discussion. I think we ought to understand it, and we ought, if possible, to follow a unanimous course. I believe the country is very fairly with us in this way, and I think if the English people understand that, the instructions waited for now by His Excellency will not be long in coming, asking him to concede what we have by rights under the Constitution asked for. Of course it is understood, sir, that we are waiting now until His Excellency receives instructions from the Secretary of State. As I intimated before, those instructions, if adverse to the Government, cannot affect the position they have taken up; they will still be Ministers who have sent in their resignation. They may possibly, however, if the decision is otherwise, affect His Excellency's position, and I am only giving His Excellency the usual courtesy of waiting for a reply. When that may arrive I am not aware. I telegraphed myself to London to find out where Ministers were, and the reply I received was, that both the Secretary of State and the Under Colonial Secretary, Sir Robert Herbert, are at present out of London; so that it is possible there may be a delay of a day or two before they can be communicated with.

The HON. SIR S. W. GRIFFITH said: Mr. Speaker,—I ask permission to say a word. I think that, things being as they are—His Excellency having been prevented by accidental circumstances from receiving a reply to his telegram to-day—no useful purpose can be served by discussing the matter just now. The discussion can take place just as usefully on Tuesday next. Of course the matter must be discussed. Hon. members on both sides of the House would like to express their opinion upon it—I know I should, for one; but I do not think that just now, while the question is in its present stage, it would be fair, His Excellency having referred the matter to Her Majesty the Queen, to have any discussion to-day, or that any useful purpose could be served by such discussion. As at present advised, I decline to take any part in a discussion to-day, although when the proper time arrives I shall be fully prepared to do so, and should even be disposed to initiate one.

The PREMIER said: If the hon. member will allow me to explain the position we are in at the present time, he would not take up the view he has just given expression to. Whatever answer may be returned to His Excellency from home, the position of the Government is exactly the same. We are waiting, therefore, in courtesy, to see how far the answer from home may alter the action of His Excellency the Governor. His Excellency has clearly expressed himself, that there is no chance whatever of his receding from his position if he is backed up from home, and I think we ought to have an expression of opinion as to how we shall be supported in the position we have taken up. A message may arrive before next Tuesday from the Secretary of State telling us that we must succumb. But we do not intend to succumb, and the consequence will be that next Tuesday we shall be in this position—that the Governor is forcing an unwilling Ministry to work, and they will not work. There will be a deadlock between the Governor and the Parliament.

The HON. SIR S. W. GRIFFITH: Why don't you wait until that happens?

The PREMIER: The Governor has expressed himself so clearly that he will act by his instructions from home, that I shall be very much gratified to have an expression of opinion from the House on the subject, if the House desire to

do so. I am going to make no motion myself. I am not deprecating a discussion, but I do not see why we, of all bodies of men in the country, should at the present time be silent.

# MOTION FOR ADJOURNMENT.

## THE RESIGNATION OF THE GOVERNMENT.

Mr. MURPHY said: Mr. Speaker,—In order to put myself within the rules of the House, I shall conclude what I have to say with the usual motion for adjournment. My object in rising, sir, is to bring on a discussion in the House on the constitutional difficulty that has occurred between His Excellency the Governor and his Ministers. Following the remarks of the Premier, deprecating the introduction of His Excellency's name into the discussion, I need hardly express the hope that hon. members who follow me in the discussion—and I know there are many anxious to speak on the subject—will accept that as a position they should take up in the debate—that the question is to be debated purely on constitutional grounds, and that His Excellency the Governor's name shall not be introduced into it. To introduce His Excellency's name would, indeed, be quite contrary to the rules and practice of Parliament. Of course all persons, more especially members of Parliament, should unite in doing all they can to inculcate respect for His Excellency's office; and if we introduce his name into this debate, we shall not only be violating the rules of the House, but we might be bringing His Excellency into conflict with the people of the colony. Therefore it is better that we should avoid any allusion to him, and discuss the question purely from the point of view as to whether the Government have taken the stand they should on this matter or not. I mean to address myself to that point. I mean to try to prove, and I hope I shall succeed in proving conclusively to the House, and to the country especially, that the action the Government have taken in this matter is perfectly constitutional and in accordance with all the rules and practices of responsible government. The question appears to me at present to be narrowed down to this point—leaving out altogether the question of the deadlock—and it amounts to a deadlock now—Should the representative of the Crown, in a matter such as this, have accepted the advice of his responsible Ministers? Of course there can be no argument upon the question as to whether the Governor has a right to act in this matter upon his own responsibility, because that is clearly laid down; but it is also clearly laid down that upon any case in which the Governor has to differ from his Ministers the surrounding circumstances of the case must also be taken into consideration. The Governor is perfectly justified in differing from his Ministers, and refusing to accept their advice, when Imperial interests are concerned, when intercolonial interests would be concerned, or when it is a question of international law. In those instances the Governor would be perfectly justified in refusing to accept the advice of his Ministers. But in this present case, is there a question of international law?—is there any question of Imperial interests?—or is there any question affecting intercolonial interests? I think you, sir, and all hon. members will agree with me that there is no question of that kind entering into the present constitutional difficulty. It is one purely affecting the interests of the people of this colony only, because this prisoner is not a prisoner that the Government propose to let out at large upon the world. They only propose to liberate him under the provisions of the Offenders Probation Act, and to confine him to his own colony. We are not going to turn a

criminal out upon our neighbours; we are not going to let him go to any other colony; therefore the case narrows itself down to purely a matter of local interest. There is no question, either, that the Ministry of the day are attempting any gross abuse of the prerogative of the Crown. Therefore upon every ground—upon every possible point that can be raised—the Government are perfectly within the instructions as laid down to Governors by the Secretaries of State for the Colonies; and in order to show that the Government are right in the position they have taken up in this matter, and that the arguments I am adducing in support of their action are correct, I shall quote from despatches that have been written by Secretaries of State to Governors of the colonies. The case I am about to quote is taken from page 258 of "Todd's Parliamentary Government in the British Colonies," under the heading "Administration of the Prerogative of Mercy," the marginal note being "Lord Belmore in New South Wales":—

"Shortly after the appointment of the Earl of Belmore, in 1868, to be the Governor of New South Wales, the proper constitutional procedure in the administration of this prerogative was amicably discussed between himself and the Premier (Mr. John Robertson). By mutual consent the Secretary of State for the Colonies was appealed to for his views in the matter of the personal responsibility of the Governor in granting or withholding remissions of sentences—as to whether, in fact, the Governor was bound by his instructions to act on his own independent judgment or not. This application elicited from the Secretary of State (Lord Granville) a brief reply, dated October 4, 1869, which said that 'the responsibility of deciding upon such applications rests with the Governor, and he has undoubtedly a right to act upon his own independent judgment. But unless any Imperial interest or policy is involved—as might be the case in a matter of treason, or slave-trading, or in matters in which foreigners might be concerned—the Governor would be bound to allow great weight to the recommendation of his Ministry.'

"Lord Granville's despatch was followed by another from his successor, Lord Kimberley, addressed to all the Australian Governors, and dated November 1, 1871. It was therein stated that 'the Governor, as invested with a portion of the Queen's prerogative, is bound to examine personally each case in which he is called upon to exercise the power entrusted to him, although in a colony under responsible government he will, of course, pay due regard to the advice of his Ministers, who are responsible to the colony for the proper administration of justice and the prevention of crime, and will not grant any pardon without receiving their advice thereupon.'"

"Clear and explicit as were the directions contained in this circular despatch of which a brief extract only is given in the preceding citation they appear to have been misunderstood in New South Wales. Upon the arrival of Sir Hercules Robinson in that colony in June, 1872, to assume the government, he found a practice prevailing there almost as objectionable and irregular as the one above mentioned, which was complained of by Lord Belmore—namely, that all applications for mitigation of pardon of sentences (not being capital cases) were expected to be disposed of by the Governor himself, unaided by advice from any Minister. Governor Robinson lost no time in applying to the Colonial Secretary for further instructions thereupon. Lord Kimberley, in reply to this appeal, wrote a despatch dated February, 1873, pointing out that there was no inconsistency in previous instructions issued from the Colonial Office on this subject. 'A Governor in granting pardons'—"

These are the words of Lord Kimberley—

"'as exercising a portion of the Queen's prerogative, has strictly a right to exercise independent judgment;' but, in a colony under responsible government he is 'bound not to grant any pardon without (Ministerial) advice thereon.' It is only necessary 'in capital cases' for the Governor to 'formally consult with his Ministers in Council.'"

Showing the great distinction he drew between capital cases and cases which were not capital.

"In other cases, the Governor may consult, or act upon the advice of the Minister who is, for the time being, primarily concerned in such matters, in whatever manner is most convenient to both."

Mr. (now Sir Henry) Parkes was evidently not satisfied with that decision, because he thought it still left the matter in doubt, in this way: that it was not left in the same position that other matters were left where the Ministry and the Governor might come into collision. He wanted this matter placed upon such a foundation that the Government would be justified in resigning if they differed from the Governor respecting it—the same as they would upon any other constitutional difference. Therefore he wrote another despatch in reference to the “independent judgment” of the Governor. To that memorandum Sir Hercules Robinson—who in the meantime had become Governor of the colony—replied:—

“Under a constitutional form of government, the Crown is supposed to accept or reject the advice of responsible Ministers. As Governor he has an ‘undoubted right’ to reject such advice—if he is prepared to accept the consequences. But, practically, he would never do so, except in cases which he considered to involve ‘such a gross abuse of prerogative that both the Secretary of State and local public opinion would be likely to support him in the adoption of extreme measures.’

“In all ordinary cases, therefore, in which neither Imperial interests nor policy are involved, the Governor, whatever his own private opinion might be, was prepared to accept the advice of the Minister specially responsible to Parliament for the administration of justice.”

I think, sir, the extracts I have read prove conclusively that the position the present Government have taken up in this matter is entirely in accord with the instructions that were sent to His Excellency Governor Belmore, and entirely in accord with the reading of those instructions by Sir Hercules Robinson. There is one matter in the correspondence between His Excellency the Governor and Sir Thomas McIlwraith that I would like to refer to, and that is in section 5 of the Governor's minute, dated the 31st August, as follows:—

“For these reasons the Governor is of opinion that he would be incurring the risk of doing an illegal thing if, by his action in Kitt's case, he admitted the validity of the contention that the Governor is in all such cases bound to act upon the advice of the Council for the time being. And it is not necessary to go further back than to the well-known case of Sir Chas. Darling, when Governor of Victoria, to obtain evidence that the Governor is not protected from the consequences of his acts, even by having followed the advice of his Ministry, but that a very painful and peculiar personal responsibility does rest upon him.”

I would like to show—and I think I can very clearly—that the case of Governor Darling is not at all on “all fours” with this one. The first dispute under the Darling administration arose over the first protective tariff that ever was submitted in Victoria—a tariff submitted by the McCulloch Government. That tariff was rejected by the Legislative Council of Victoria. It was then “tacked” on by the Government of the day to the Appropriation Act, in order to force it through the other Chamber, but that was rejected by the Upper House. Upon this there was a deadlock. The Governor, then acting under the advice of his Ministry, contracted a loan, and by that means—by his warrants—carried on the government of the country, the money being borrowed for the purpose from, I think, the London Chartered Bank. When this matter was dealt with by the Colonial Office, the Governor was not summarily dismissed, as he was subsequently, or almost dismissed—at all events, he was withdrawn from his governorship—but he was simply admonished by the Colonial Office for having done an unlawful act. It was not for following the advice of his Ministers in doing a lawful thing, but in following the advice of his Ministers in doing an unlawful thing—the unlawful thing being that they unlawfully

borrowed money without the consent of Parliament, and paid the money away also without the consent of Parliament. Therefore Governor Darling had committed an unlawful act, and it was for that that he was admonished; not for having followed the advice of his Ministers, but because he was specially instructed—as all Governors are specially instructed—not to follow the advice of their Ministers when they wish to do an unlawful act. And his dismissal from office ultimately was not even for following the advice of his Ministers in that unlawful act, but it was for having written something home in a despatch, referring to a petition that had been sent home to the Colonial Office, praying that he be withdrawn from the colony. The petition, I may state, was signed by all the members of the Upper House, and all the politicians sitting then on the Opposition side of the House, and by the bulk of the leading citizens of the colony; and in the Governor's despatch he made the remark that should this party—should the persons signing that petition (namely, all the leading politicians of the colony)—should they come into power, it would be impossible for him to sit in Council with them, after the terms in which they had expressed themselves with regard to him in that petition; and upon that he was withdrawn. He took the advice of his Ministers in doing an unlawful act. In this case the Government wish to do a perfectly lawful act, and, therefore, there can be no parallel whatever between the cases. I think, so far as I have discussed this subject, that I have proved pretty conclusively to this House that the steps taken by the Government in the present constitutional difficulty have been entirely constitutional, and the reason why I was anxious to initiate this discussion was for the purpose of letting the constituencies see that we are acting entirely within the Constitution, and that we are upholding the rights of the people of this colony to free and independent government. And it is the same spirit that animates me in speaking this evening that animates the other members who, I know, wish to address the House upon this subject. I beg to move the adjournment of the House.

Mr. ADAMS said: Mr. Speaker,—I think, sir, that the country has spoken out very plainly on this deadlock, and I think it is the duty of every hon. member to give expression to his feelings on the matter. It seemed to me, when I read the papers first, that there was not very much in them; but I think the more hon. members read those papers the more they will find that the present Government could not have taken any other action than they have done honestly and honourably to themselves or the House. It would appear to me, in looking over the papers, that this case has been considered a very frivolous matter. Now, it is quite clear that the advice tendered to His Excellency the Governor was not tendered in a hurry and not before the case had due consideration, and it seems further that it was previous to the present Government coming into power that inquiries had been made. We find that on the 25th April, 1888, the then Colonial Secretary, the Hon. B. B. Moreton, had instituted inquiries through the police, and he got their report in the following terms:—

“Senior-Sergeant Mathers, No. 25, begs to report that Benjamin Kitt bore a good character, and was of good repute, during the nine or ten months he resided here, and up to the date on which he was charged with larceny, for which he was found guilty, and sentenced to three years' penal servitude on 29th March last, by Mr. Justice Noel.”

In addition to that, Inspector Isley says:—

“For your information, I have never heard anything against this man previous to his conviction.”

Therefore it must have appeared to the Government that the police had nothing against this man, and that up to the time of his conviction he had been a very good citizen. I am not going to say that he did not commit that theft, but I think we can come to no other conclusion than this, that the sentence passed was excessive, and that, taken in conjunction with the man's petition, would justify any Government in looking into the case. Having looked into it, I think they were quite justified in recommending His Excellency to release the prisoner under the provisions of the Offenders Probation Act. It seems to me that this man Kitt was never sentenced to three years for that crime alone, but that he was sentenced for something else, for we find that in the Judge's notes he says:—

"The convict is not of such an age as to point to inexperience of life being the cause of his dishonesty, nor from the circumstances surrounding his dishonesty can I come to any conclusion than that the prisoner had been guilty of numerous acts of thieving during the time he was employed by the prosecutor Moore."

He appears, therefore, to have been sentenced for things which had never been proved against him. Whether the Judge had been a private detective or not it is not for me to say, but he says distinctly that, on account of the prisoner's numerous acts of thieving, he could not extend to him the benefit of the Probation Act. I think that that is going rather too far. Here is a man convicted of a crime. Even if he had committed the crime, the value of the stolen articles (40s.) was not sufficient to justify such a sentence; and if we look back we find that six or eight weeks previously the same judge sentenced a prisoner to three months' imprisonment for stealing with violence a gold watch and chain. The crimes with which the Judge charges the prisoner must certainly only be in his own imagination, for we find the police distinctly stating that there was nothing known against the man's character up to the time of his conviction. There is another important point to be borne in mind. The Premier in one of his letters points out that—

"During Your Excellency's administration of the Government you have remitted the sentences of no less than 169 prisoners. Of these 71 were tried in the Supreme Court, and 40 in the District Court. Of those tried in the Supreme Court you obtained a report from the judge in 39 cases only; of those tried in the District Court you received a report in 17 cases. Of those tried by a Supreme Court judge you remitted the sentence in 28 cases against the opinion of the judge; and of those tried by a District Court judge you remitted the sentences in 8 cases against the opinion of the judge."

Now, it is very strange that His Excellency should have remitted the sentences of all those individuals, and when the first recommendation of the present Ministry was made he peremptorily refuses to act on the recommendation. There must be something in that; and the remark which the Governor makes later on deserves to have special attention called to it. He says:—

"The Governor still thinks that the case of Benjamin Kitt is not one of those to which the Offenders Probation Act was intended to apply. But this case is of very little importance by itself. It is manifest that the question involved is that respecting the important principle arising out of it, which may shortly be applied in other cases of much greater consequence."

It appears, therefore, that His Excellency has not Kitt's case in mind at all, but there are other cases which he anticipates will come up for decision. I certainly think he should have waited until those cases occurred before making his stand. I have every confidence myself in the present Ministry. I have every confidence that they have thoroughly well considered this subject, and I say the point is merely this: whether Queensland is to be governed by the people or by a "figurehead"—nothing more or less—and I think it is time that that question should be solved, so that we may know

what we have to expect. I am as loyal as any hon. member in this House, but I think a stand should be made when a case of this sort occurs. Each and every one of the members of this House should express his opinion upon the action of the Government—as to whether it is right or wrong. I am perfectly satisfied that they are right. The district I represent will thoroughly concur in the action they have taken, and I believe every member of this House will endorse the opinion that what the Government has done has been for the benefit of the colony generally. For that reason I shall support them.

Mr. O'CONNELL said: Mr. Speaker,—This is a matter of such great importance that I do not think it right to record a silent vote upon it. The correspondence between His Excellency the Governor and the head of the present Government is of such an exhaustive nature that I will not trouble hon. members very much by quoting from it, especially as the letters have already been read to the House. I have simply to congratulate the Premier on the able stand he has taken, and I am sure that the district which I represent will fully endorse the action of himself and his colleagues in the Ministry. I regret very much that the leader of the Opposition should have left the House this afternoon. I totally differ from him in the view he has taken of this matter. The hon. gentleman seems to have imagined that the action of the Ministry is *sub judice*. I entirely dissent from that opinion. The action of the Governor in refusing to accept the advice of his responsible advisers is certainly *sub judice*, and His Excellency has referred the matter to his master, the Secretary of State for the Colonies; but the action of the Ministry has never been referred to the Secretary of State, and I contend that we have the right under our Constitution to discuss the question. The Governor should most certainly listen to the advice of the Government of the country for the time being. I believe that for some time there has been a growing popular feeling against accepting Governors over whose selection the colony has no control. The reason, I believe, there has not been a popular movement against existing circumstances is, that the Governor has for a long time been looked upon as a colourless medium through whom the wishes of the people, as expressed by the Government of the day, pass and become law. I think the Governor has been looked upon as a connecting link binding us to the British Empire. We recognise him as Her Majesty's representative and as our social leader, and we respect him in that position; but we are not prepared to accept his dictum in everything. As far as local affairs are concerned, we look upon him as practically dead. If the Governor were allowed to take up the position laid down in one of his letters, in which he says, "it seems to him to be out of the question, if his assent is necessary, that by any Royal Instructions, or by any Act of Parliament, or by any system of government, a servant of the public could be required to prostitute his own personal convictions at the direction of any other man or body of men"—I say that if he were allowed to take up that position, instead of our having a Governor in the ordinary acceptation of the term, we should have a dictator—a man who would hold greater powers in the colony than Her Majesty the Queen holds in her own dominions. I, for one, totally object to such a position being allowed. Our right to local government is a right to administer our laws according to our own ideas of justice. If our laws allow a criminal to be at large in the colony, I ask who is to suffer if any ill effects follow from the carrying out of that law? Is it His Excellency, in our well-kept and well-guarded Government House? Is it the Secretary of State for the Colonies? Is it Her Majesty

the Queen at Windsor Castle? I say decidedly, no. The people of Queensland who allowed the man to be at large will be the sufferers; and if they are to be the sufferers, they should have the right to say whom they choose to be at large, and whom they choose not to be at large. And how is the expression of the opinion of the people of Queensland to be given? It must be given through the Ministry of the day. The people have, for the time being, delegated their authority to the Ministry, and the Ministry have to account to them for the use they make of that delegated authority. As the holders of the people's authority they certainly are the only persons who have the right to govern. I think we should act in Australia as they do in America—on the fundamental principle that the Government is for the people and by the people, and we should be prepared to stand and fight for that principle if necessary. I know very well that in giving utterance to the opinions I have expressed I may be called disloyal; I would, however, like to read a quotation to the House on the point. It is rather long, but I cannot help that, as I want to put it on record as an expression of my feelings on this case. The remarks were made by Mr. John Bright at home, and bear more or less on this subject. They are as follows:—

"I should like to ask the federation people whether the colonies of this country—Canada and the many colonies, the great colonies that cluster in the South Pacific, the Australian colonies—whether they think that these colonies will be willing to bind themselves to the stupid foreign policy of the Governments of this country? Will they be willing to undertake the responsibility of entering into war, the seat of which is 10,000 miles away, and in which they cannot have the slightest influence or interest, and when they may not have been in the least consulted as to the cause of quarrel for which this country was rushing into war? In my opinion the colonies will never stand a policy of that kind. If I was a Canadian, or Victorian, or New South Wales man, or Queenslander, or New Zealander, I would take good care, as far as I was concerned, that my voice should never go in favour of any connection whatever with those complications in the foreign policy of the Government of the mother-country. It would be much better for humanity, and for them, and for us, that these colonies should be under Governments of their own, and independent, and should not meddle with quarrels in which they were not concerned. Let them endeavour to maintain their own honour, and not take part in the miserable quarrels, contests, and wars, which for a long time past have disfigured the history of the kingdom in which we live."

That finishes Mr. Bright's speech. The article from which I quote then proceeds:—

"Mr. Bright is not the only great Englishman who recognises the impracticability or perniciousness of 'Imperial' federation, and the utterly untenable position in which we are at present placed. If English statesmen can hold separatist views without being dubbed 'disloyal,' surely Australians may claim the same privilege."

The article goes on then to give a definition of the word "disloyal," and says:—

"But the word 'disloyal' is etymologically misunderstood. Richard A. Proctor says, in reference to it: 'As readers of *Knowledge* know, I have nothing of what is commonly mis-called loyalty. I simply do not understand it—at least as a feeling to be entertained by grown men; as a child, and even for several years after childhood, I knew it well enough, and for this reason I assign the feeling to that early stage in the development of our races of which the feelings of childhood or boyhood bear witness. Indeed, we need only consider the requirements of savage races to see that personal "loyalty" is a useful and desirable race quality. Devotion to a chief (even though he may be of the piratical type, like Rollo the Norman, or Kedric the Saxon, from whom the Royal Family of England derives its title) was of old devotion to race—nay, even to family. It was essentially a duty in savage times to be ready to fight to the death for chief and ruler, even though, instead of faith and fatherland, that meant fighting for plunder and other folks' land. Now, matters have to some degree altered. Even if science would permit us to believe that the

present inheritors of royal title inherited a trace of the fighting qualities of the old pirate chieftains, we now no longer recognise these qualities as in any way valuable or even respectable. Loyalty to one's fellow-men no longer includes special "loyalty" to a family or person—nay, the word "loyalty" so applied is absurd to those who see things as they really are.' When we drink the health of a sovereign we do so not so much to merely show our loyalty to an individual or a family, but to exhibit our loyalty to the existing Constitution which that sovereign embodies in his or her person. As the separatist *Brisbane Courier* puts it in reference to this controversy, 'It is easy to raise the cry of "disloyalty," but those who would use the term must first answer the question, "Loyal or disloyal to whom and what?" Our first duty is to be loyal to our country which gives us breath, sustenance, and sheltering homes.'"

These are my sentiments, and I am proud to be able to express them here this afternoon, and look forward to the time when this trouble may be looked back upon as the beginning of a true national sentiment. I believe it will be the means of bringing home to many men, who never thought before of an Australian nationality, that there is such a question, and it will make them earnest where otherwise they would simply have been sleepy drones.

Mr. GANNON said: Mr. Speaker,—I have only one or two words to say, which are as follow: I rise to give my firm opinion, and to say that I am glad the Ministry, headed by the Hon. Sir Thomas McIlwraith, have taken the stand they have in this case. I expected that some hon. gentleman on the opposite side of the House would have had something to say on this question; but so far nothing has been said. I hope before the debate is over that we may hear something from that side. I may say that if this question had arisen under the Administration of the Hon. Sir Samuel Griffith, and I was sitting in opposition, I should have got up and commended him for acting as the present Government have acted. I represent a large number of constituents, and I am also in my relations in the city meeting large numbers of people of all complexions of opinion, and I have not met one single man since this crisis has arisen who has not been in favour of the action of the Government. The question had arisen, and when I had the honour to address the electors in my district—I spoke with respect to the matter of Governors and imported Governors. I trust I am not saying anything disrespectful about the Governor, for when I refer to the Governor I am speaking generally, and what I say is not said with any idea of disrespect; but the question has been very much debated outside, and I think all colonists have now come to the conclusion that the time has arrived when we, by our leaders, should have the nomination of those who are sent out to govern us. I have spoken of this as the first step towards getting Governors of our own. We have many very able gentlemen in this colony, and I know plenty of hon. gentlemen sitting in this House who are quite able to govern us as well as anyone who is likely to be sent out from the old country. I am certain that this sentiment is echoed by 9,999 out of every 10,000 of our colonists. As I said, I did not get up with the intention of making a long speech, but just to say a few words of commendation of the action of the Premier and the Ministry; and I thank the hon. gentleman, on behalf of my constituents, for the firm stand he has taken in this particular matter. The loss to the colony has been very great through this deadlock, which has come at a most unfortunate time for our finances. We had been looking forward to great changes, and this trouble has no doubt caused serious trouble. Before sitting down I must once more say that I, as representing my constituents and a large number of colonists, am particularly pleased to add my voice in thanking the Ministry for the firm stand they have taken in this matter.

Mr. STEVENSON said : Mr. Speaker,—This is the first time that I have had the pleasure of addressing you, or addressing this House, in the present Parliament, and I hope that I shall not forget that we have a larger number of members now than formerly. I hope that other hon. members will remember that we have seventy-two members instead of fifty-nine, as in the last Parliament. I call the attention of hon. members to this, as there is not time for long speeches, and especially do I draw the attention to this of those hon. members who have nothing to do but employ their time in preparing long speeches and looking up extracts—

An HONOURABLE MEMBER: Which side do you refer to?

Mr. STEVENSON: I do not think this is a question of constitutional government. I believe the House and the country know—although such a short period has elapsed since this crisis has occurred—the position we are in; and I do not think we need quote any authorities to the House or make extracts from the papers read by the Premier. I think we all understand the position perfectly, and I think our special duty to-day is to let the Ministry know whether we are backed up by our constituents or otherwise. It is not a question of what “Todd” or “May” says, but a matter concerning our own local affairs; and the question is, whether the Governor is to rule us in these affairs or the Government who are responsible to Parliament and the country? That, I think, is the position, and our duty is to let the Ministry know whether we are backed up by our constituents in supporting them. So far as I am concerned, I have received telegrams from my constituents, and I believe most hon. members have also, in support of the action of the Government. Although this debate has been deprecated by the leader of the Opposition, it is very opportune for us to let the Ministry know that we support them. People have said this is a matter of no great importance, and even the leader of the Opposition has blamed the Ministry. He said in this House, and he also told the Governor, that he does not consider this matter of sufficient importance to justify the resignation of the Ministry. Does not the Governor himself show us by the action he has taken that he considers it of very great importance? If the leader of the Opposition, whom he sent for, had formed a Ministry as requested, would he not have accepted that resignation on the spot? Instead of that, when he found he could not get the leader of the Opposition to accept the responsibility of forming a Ministry, he wrote to say he would not accept the resignation of his Ministers. Could anything be more absurd than that? But as I remember there are seventy-two members in this House, I do not wish to take up the time of the House any longer, but I think it is our duty to give every member of this House an opportunity of expressing his views, and therefore I simply wish to express my feelings as to what is the opinion outside—and I agree with what the last speaker said on the subject, whom I congratulate upon his very pertinent, and at the same time short, speech—as far as I have come in contact with outside people, and also from the telegrams I have received. I have one which I have just received from the Mayor of Clermont, which is as follows:—

“Public feeling here strongly in favour of Government. Called a special meeting of council this afternoon to decide about a large public meeting.”

I believe most hon. members have also received telegrams from their different electorates, backing them up in the support they are giving to the Ministry at the present time. I hope that hon.

members will not discuss the question at any great length, because we know perfectly well the position—whether in our own local affairs we are to be ruled by the Governor or by those who are responsible to Parliament and to the country.

Mr. PAUL said : Mr. Speaker,—I rise for the purpose of giving my cordial support to the Ministry for the constitutional way in which they have acted. At the same time I wish to state that I am very loyal to the old country, and should be very sorry to see the day when England has not a small voice in the government of these colonies. I hope we shall long continue to have excellent men sent out here to govern us. I believe that the stand the Governor is taking in this case will have the effect of making the English Government select men who thoroughly understand the principles of responsible government. I notice in the correspondence that the Governor, in a minute to the Chief Secretary, says:—

“The question now under consideration is quite a different question—it is whether it is his duty to use the prerogative at the bidding of Ministers contrary to his own conviction of what is right. In this the Governor ventures to believe there is no authority and no precedent whatever.”

Mr. Speaker, I wish to quote a case which will, I think, prove to His Excellency that there has been a precedent, one which occurred when Sir Alfred Stephen was Governor of New South Wales. There was a case of the most atrocious character, and in which a heinous offence had been committed. It was so horrible in its details that the prisoner was sentenced to death. Sir Alfred Stephen held very strong convictions against a remission of the sentence. Petitions were coming in, and torchlight processions proceeded to Government House, and the leading members of the Opposition addressed His Excellency in the most terrible language. Every pressure was brought to bear to induce him to alter his opinion. The Cabinet of the day was divided, and would not make any recommendation. But when the political feeling which divided the Government gave way, and the Governor was recommended to remit the sentence, he did so, although against his own convictions. That was a case in point. I think it would be much better in a case like this, of clearly local interest, that His Excellency should retire from the position he has taken up.

Mr. COWLEY said : Mr. Speaker,—I do not wish to speak at any length upon this question, because, unfortunately, if we say anything in advocacy of the course taken by the present Ministry, we to a certain extent censure a gentleman who is not present to say a word in his own defence, and who has not apparently a single individual in the House to say a word for him. At the same time I feel I am justified in saying, after mature consideration, that I thoroughly endorse—and I am sure my constituents will do the same—the action which the Ministry have taken. I promise the Ministry my cordial support, because I believe they are right. I think they have acted constitutionally and legally. And I support them for another reason, and that is because if they had not acted constitutionally and legally it is time the law was amended and the question definitely settled, once and for all, what shall be the power of the Ministry, and the power of the Governor. For that reason I would support them even if they were wrong, as I believe that is what the law should be.

Mr. PALMER said : Mr. Speaker,—I have a telegram to read in regard to the question under dispute. I for one concur in the remarks made by the hon. member for Clermont in which he



said that the people of the colony seem to have arrived at a very fair conclusion, and a just conclusion, upon the matter without any reference whatever to either "Todd" or "May." They seem to have understood the position for themselves, and the subject has been discussed at public meetings, and resolutions have been arrived at. It is in consequence of some resolutions arrived at at a public meeting at Normanton, which have been forwarded to me, that I now address the House. The telegram is dated to-day, and reads as follows :—

"Large public meeting last evening. Present all leading citizens. Anent resignation of the Ministry. Following resolutions carried unanimously :—

"(1.) That in the opinion of this meeting the action of the Governor in refusing to accept the advice of his responsible advisers was injudicious, unwarrantable, unconstitutional!"—

You will see, Mr. Speaker, that they have arrived at a solution of the constitutional question, and I may very safely say that there is not a copy of "May" or "Todd" in the whole of the town of Normanton—

"an insult to constitutional government as understood in these colonies, and that the Governor should be asked to reconsider his decision. (2.) That the time has arrived when the last remnant of nominalism should be swept away; that the Government be requested to bring in a Bill providing that all future Governors shall be elected by the people."

The people of Normanton have on several occasions given their voice in a manner that will show that they come to very extraordinary conclusions sometimes. At the same time they give very good reasons for them, and they are always prepared to give expression to them.

"(3.) That the mayor be requested to wire the foregoing resolutions to the member for Normanton for presentation to the Government."

I am the member for Carpentaria, but as Normanton is the capital city of the electorate, I suppose it is all right. Those are my reasons for troubling the House at present. I need not say that I endorse what previous speakers have said. I think the question should be settled once and for ever. I have read up all the precedents quoted in "Todd" and "May," and there still seems to be a doubt upon the subject. In all matters where the Governor does take it upon himself to differ from his Ministers, he does so absolutely upon his own responsibility. The Governor has done so upon this occasion, and will have to abide by the result.

Mr. DUNSMURE said : Mr. Speaker,—I will only detain the House a moment, and in so doing will follow the lead of the hon. member for Clermont. I rise more particularly to read a telegram I received from Roma, the capital of the district I have the honour to represent. The telegram reads thus :—

"Motion passed endorsing McIlwraith's action. Just wired National Progress Association."

From that it is clear that the citizens of Roma accord their approval to the action of the Ministry, and I may say I entirely endorse their opinion, and shall be most happy to assist the Government in any way I can.

Mr. LYONS said : Mr. Speaker,—I do not intend to remain silent while these proceedings are going on, and I rise to congratulate the Premier and members of the Ministry for the bold stand they have taken upon this occasion. I should have been disappointed in the Premier if he had not taken the stand he has, and I am sure the whole colony will endorse his action. The time has passed when we are to be dictated to by any one man. The Governor says that he does not care about altering his conscience upon the advice of his responsible advisers; but what has he responsible advisers for? What are they here for, and why are they called to assist

him in the government of the colony but to give him advice? He says he will not accept it, and I say we must follow up the stand taken by the Government, and, if we must, insist upon his accepting it. Magna Charta was demanded and obtained on some such occasion as this, and I say the Governor cannot dare to set aside the rights of the people. There are many matters of local importance arising for settlement at home, and who will dare to say that the Queen would interfere and interrupt the conduct of the business of the country? On behalf of my constituents I congratulate the Government upon the stand they have taken, and assure them of my hearty support.

Mr. POWERS said : Mr. Speaker,—I rise to endorse, on behalf of my constituents, so far as I have heard from them, the action of the Ministry, and to express my pleasure that a time has arisen to take some decided stand in this matter. I need not go beyond that this afternoon, as it does not seem to me that we can at present assist the Government much in the matter, but I did not wish to remain silent upon the point. I think the correspondence sent by Ministers to His Excellency states the matter very clearly, and I do not suppose that anything which may be said this afternoon will place the case in a clearer manner before the House or the country. I am glad that this case has arisen, because whatever inconvenience may be caused at present to the country, a discussion of the matter must do good eventually. It will show the country also where the Liberal party really sit in this House. Hon. members opposite may laugh, but their leader has said that he cannot confirm the action of the Government in this matter, and it is clear from that that they are not led by a Liberal leader. Every fight for constitutional liberty in England, whence we get our Constitution, has been made by the Liberal party and not by the Conservative party, who are generally pleased with Imperialism and Royalty. It is the Liberal party that has always fought for the rights of the people, and I am glad to find that in this case Sir Thomas McIlwraith, as the leader of the Liberal National party, has taken the stand he has, and he has my support, as I approve of his action.

Mr. CROMBIE said : Mr. Speaker,—I have been waiting to see if any hon. member on the other side would rise to speak on this subject, but it appears from their silence that I should have to wait all night. It seems to me that the followers of the leader of the Opposition are as much under that hon. gentleman's thumb as they were when he was leader of the Government; they are just as dumb, at all events, as when they sat on this side of the House. My object in rising is to tell the House my opinion of the action of the Government in the present deadlock, and it is this: I fully approve of their action all through, and I hope they will stand by that action until the question is finally decided.

Mr. AGNEW said : Mr. Speaker,—I am disinclined—when so many hon. members have spoken on this subject—to remain silent. I rise to speak upon the question, not because I think with many hon. members on this side of the House that very much good is likely to accrue from our thrashing out the debate upon the subject to-night, but because I am disinclined that my constituents should think that I am afraid to express my opinion upon the subject. I desire to express my hearty approval of the action of Ministers in this matter. I believe their action meets with the unhesitating approval of seven-eighths of the population of Queensland. It is with some difficulty this evening that hon. members can

mention the name of the Governor in this debate, or discuss any matter with which he is directly connected, but he has indicated clearly to us that he is the connecting link—what I mean to convey to the House is: that at the present time, while we fancy that we enjoy responsible government, we only enjoy—from his version of it, and it would appear that the Governor is to propound the law henceforth in this colony, so long as he remains—we only enjoy what he is pleased to term “so-called responsible government.” My decided opinion is that if he is the element which stands between us and responsible Government, and so-called responsible Government, the sooner he is removed the better will it be for this colony. It is not very easy to understand why hon. members on the other side should hesitate to enter into this discussion, unless it is that they are afraid to display their colours to the colony; the general opinion being that a large majority of them hold very high and Imperialistic notions. If I held opinions of that kind I would have taken this opportunity to give them vent; and I think they are not true to themselves in not having accepted the position in which they found themselves, and been guided exclusively by the papers put into our hands. To my mind, those papers are clear enough to enable any intelligent man, either here or elsewhere, to form an opinion on the facts of the case. I, at all events, have formed my opinion, and my opinion is firmly this, that the Government could not have acted in any other manner than they have done. I thoroughly and heartily commend them for the stand they have taken. If I had been in their position myself, I most certainly should have done that and no other. Personally, I would rather never enter the House again, of which I am so proud to be a member, than see them recede one iota from the stand they have taken.

Mr. MURRAY said: Mr. Speaker,—I merely rise to congratulate the Government, and to assure them of my hearty support on the noble stand they have taken on this question. This being a matter of purely local administration, and not one involving questions of Imperial interests, I think they are acting in, perhaps, the only possible way they could have acted; and I have only risen to assure them that their action not only meets with my sympathy and support, but with the sympathy and support of my constituents.

Mr. GLASSEY said: Mr. Speaker,—I observe that no less than twelve members have addressed the House, showing that their speeches have not been lengthy, and I will endeavour, as far as possible, to follow the good example that has been set. I do not rise in consequence of the challenge that has been given by some hon. members on the other side with regard to the silence manifested by hon. members on this side of the House. I stand here as a very humble member distinctly pledged to vote, on the first favourable opportunity that arises, that this House, as representing the opinion of the colony, shall elect its own governors. Therefore I am entirely at one with the Ministry in the stand they have taken on what, in my judgment, is a very crucial constitutional question. I cannot express my own feelings in clearer language than I find in a very pertinent paragraph which occurs in a letter which I have received from a constituent, and which I will read for the information of hon. members and of the country through them. Speaking of the action of the Ministry with regard to the release of the prisoner Kitt, he says:—

“Whether in justice to the prisoner he ought to be released I am not in a position to say; but as soon as the Ministry, who are the responsible advisers of the Governor, ceases to have power to act, then”—

and he uses clear and distinct “pit language”—“the sooner they take their tools out the better.”

That, in my judgment, is the clear and distinct issue at present. The Governor declines to act on the advice of his responsible advisers. Those advisers, I presume, have the confidence of the country—at least we have seen no indication to the contrary—and so far and so long as they act in a purely constitutional manner, I, as a very humble member of the House, will give them my aid and support. Further, I may say that I think the decision of the Judge—with all due respect to that gentleman and the high and honourable position he occupies—perhaps deservedly so—was outrageously severe in the extreme; and I am pleased that, notwithstanding that there is only one individual involved, it has been considered by the responsible Ministry of the country that his sentence was too severe; and I think we should commend them for the stand they have taken regarding one single individual whose liberty was at stake. Therefore, so far as I am concerned, remembering the pledges I made to my constituents before entering the House, I shall stand by the Ministry in this case, unless some unforeseen circumstance arises which has not yet been presented, or some other information is embodied in documents which I have not yet been able to see. But so far as the documents before us go, the action of the Ministry, in my judgment, is perfectly right; and if the question should come to a division on a vote of confidence as to whether they are to be upheld in the position they have taken or not, my vote will go with them.

Mr. MURPHY, in reply, said:—Mr. Speaker,—I can hardly congratulate the hon. gentlemen who sit on the other side upon their silence on this question. With one exception—the hon. member for Bundanba—there is not one of them who has the courage of his opinions. I congratulate that hon. member, and I congratulate his constituents upon being represented by a man who has that courage. On the other hand, I can hardly congratulate the constituents who have returned the other gentlemen sitting on that side of the House, that those hon. gentlemen are still sitting “under orders,” that they have not the courage of their opinions.

An HONOURABLE MEMBER: We have no telegrams.

Mr. MURPHY: An hon. gentleman says they have no telegrams.

An HONOURABLE MEMBER: If they have they won't read them.

Mr. MURPHY: No; and they are not likely to get any telegrams after the evidence of their cowardice that we have seen this afternoon.

An HONOURABLE MEMBER: We are no cowards. We'll speak at the proper time.

Mr. MURPHY: An hon. member says they will speak when the proper time comes. Perhaps they will not get another chance. An opportunity has now been given them to speak, which they may not get again, and why have they not taken advantage of it? Because the order went round that they were not to speak.

HONOURABLE MEMBERS of the Opposition: No, no!

HONOURABLE MEMBERS on the Government side: Yes, yes!

The COLONIAL SECRETARY (Hon. B. D. Morehead): I can prove it.

Mr. MURPHY: And why is it, Mr. Speaker? Is it because they do not sympathise with the view taken by this side of the House? I believe, sir, it is a shadow of that “Imperialism” that is still over them.

HONOURABLE MEMBERS: Oh, no!

Mr. MURPHY: I conscientiously believe, Mr. Speaker, that they are afraid to speak.

HONOURABLE MEMBERS on the Opposition side: No, no!

Mr. MURPHY: I believe they are afraid of offending the "powers that be."

An HONOURABLE MEMBER: Who are they?

Mr. MURPHY: I shall not gratify the hon. gentleman's curiosity by stating. He knows very well the power to which I refer. I am as sure as I am standing here, sir, that hon. members opposite are acting "under orders"—

HONOURABLE MEMBERS on the Opposition: No, no!

Mr. MURPHY: I believe that they are actually prostituting their own views upon this matter, because I cannot see how any sensible body of men can take any other view of the situation than that which has been taken by this side of the House. I am in this unfortunate position in replying on the motion, that I have no arguments to reply to. The only way I can get the opinion of hon. members opposite is by their silence.

An HONOURABLE MEMBER: "Silence gives consent."

Mr. MURPHY: "Silence gives consent"; therefore I presume that hon. members on the other side of the House are in opposition to the steps that have been taken by the Government.

HONOURABLE MEMBERS on both sides: No, no!

Mr. MURPHY: That is the only conclusion I can come to.

Mr. GRIMES: We consent to your motion.

Mr. MURPHY: By their silence in that case they would not consent to the motion, and I think at least we might have their views upon this question, which is not one of politics. It is a question in which the liberty of the people of the country are concerned. This is a constitutional question upon which we, as the Parliament of this colony, should have shown ourselves as a united body prepared to defend the rights of the people. Therefore, I conclude from the silence of hon. members opposite, that they do not agree with the position the Government have taken up, and I only hope that their constituents will challenge them, sooner or later, for the course they have adopted—for being afraid, in fact, to express their concurrence with the action of the Government. The hon. the leader of the Opposition—I am pleased to see the hon. gentleman enter the House, for I should regret having to make any remarks about him in his absence—I say the leader of the Opposition, in the advice he gave to the Governor, showed at once that he is only half-hearted in his support of our position.

The HON. SIR S. W. GRIFFITH: How do you know?

Mr. MURPHY: I do not know; but I have a perfect right to draw my own deductions from the language used and from the hon. gentleman's actions. Why did not the hon. gentleman, in making his statement to the House, tell us actually what advice he did give His Excellency?

The HON. SIR S. W. GRIFFITH: Because it would have been grossly improper.

Mr. MURPHY: Why did he not give His Excellency the advice which the people of the colony expected he would give to him—that he had put himself in a false position, and the sooner he retreated from it the better? Why didn't he give him that advice? But no; he daren't do that. Why, I do not know; but his followers have taken up his cue, and they have compromised themselves before the public as being afraid to defend the rights of the people

of this colony and the rights of Parliament. As I have no argument to reply to, except the silence of hon. members opposite, I do not think I need prolong the debate. I beg to withdraw the motion.

Mr. ALAND said: Mr. Speaker,—I am not going to enter into the matter of this discussion. I have my own views on the subject, and no doubt every other hon. member sitting in this House has his opinion upon it too. I merely rise to say that we are not going to be forced to express our opinions at the will and beck of hon. gentlemen on the opposite side of the House. The hon. gentleman who has just spoken has been very loud indeed in his lecture to us this afternoon. Well, sir, we can put up with his lecture, and, as far as our constituencies are concerned, we are perfectly satisfied with what they may think of us. We are perfectly sure that the constituents who sent us to this side of the House have as much confidence in us as the constituents who sent the hon. member for Barcoo to this House. He had not the pleasure of contesting his election, so that perhaps he hardly knows what the feeling is.

Mr. MURPHY: I had a unanimous vote.

Mr. ALAND: I do not know that an uncontested election is, after all, the best way for a man to gain admission to this House. However much I might prefer, as a personal matter, not to have to fight an election, yet I am always the better satisfied with having gone through the fight. The hon. gentleman has stated that hon. members on this side of the House have been told to hold their tongues, and that, as we followed our leader when we sat on the Government side of the House, so we also follow him when sitting on this side. We take that for granted; but I may retort and say that hon. gentlemen on the other side have been speaking to order this afternoon. We have just as much right to say that, as the hon. gentleman had in making the charge against us he did. As to the matter now before the House I do not intend to express my opinion. I hold a strong opinion upon it, which I believe is generally shared by hon. members on this side, and which is not very far from the opinion of hon. members on the other side.

The HON. SIR S. W. GRIFFITH said: Mr. Speaker,—I do not intend to take any part in this debate. I merely rise to say that I shall be glad to inform the House what I communicated to His Excellency yesterday, when the proper time comes. It is a recognised rule of etiquette, and of common propriety, I think, that a communication made to the Governor, as the Queen's Representative, should not be disclosed without the Governor's permission. As soon as I have obtained the Governor's permission to disclose that advice I shall have the greatest pleasure in imparting it to the House, and I am quite prepared to wait for a convenient opportunity of doing so.

The PREMIER said: Mr. Speaker,—The hon. gentleman has made a very extraordinary statement to the House. He told us yesterday what took place between himself and His Excellency upon the question at issue, and he took the opportunity of saying something more than that, which was very extraordinary. I should like to know what His Excellency asked his advice about, and how it comes about that he gave advice as to my conduct. The Governor, no doubt, sent for the hon. member to ask him how he should carry on the Government. That was the matter on which he wanted advice, but it appears that he asked advice as to my conduct.

The HON. SIR S. W. GRIFFITH: Certainly not.

The PREMIER: Then why should the hon. member tell us that he actually gave the advice that he thought we should not have resigned? Who cares what his advice is? Does he mean to tell us that His Excellency asked for such stupid advice as that?

The HON. SIR S. W. GRIFFITH: His Excellency asked for no opinion as to the resignation of the Ministry.

The PREMIER: The Governor knows perfectly well the weak position he is in, and he wants advice to get him out of the difficulty, not advice as to what we have done, or the opinion that it would have been better if we had not done it. The hon. gentleman cannot improve matters like that. He ought to have advised His Excellency plainly and manfully as to the best way to get out of his difficult position; he had no business to tell him that I had acted wrongly. Let him hold his opinion regarding what I have done, and tell it to me in Parliament; and when he does I will tell him what I think about it.

Motion, by leave, withdrawn.

#### ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House, at its rising, adjourn till Tuesday next. I have not the slightest expectation of any telegrams coming through before the usual hour for sitting, and therefore I do not think we should sit to-morrow.

Question put and passed.

The PREMIER: I move that this House do now adjourn.

Question put and passed.

The House adjourned at twenty-two minutes past 5 o'clock.