

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 12 OCTOBER 1898

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WEDNESDAY, 12 OCTOBER, 1898.

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

MINISTERIAL STATEMENT.

CHANGES IN THE GOVERNMENT.

The PREMIER: It is my duty to inform the House that there have been certain changes made in the distribution of Ministerial portfolios, and that to-day His Excellency has been pleased to approve of the following changes:—I have relinquished the office of Home Secretary, and have been appointed Chief Secretary of Queensland; the Hon. Justin Fox Greenlaw Foxton has relinquished the portfolio of Public Lands and has been appointed Home Secretary; and the Hon. James Vincent Chataway has been appointed Secretary for Public Lands as well as Secretary for Agriculture. In addition, I may mention that the Hon. George Wilkie Gray, a member of the Legislative Council, has been called to be a member of the Executive Council of Queensland.

QUESTION.

STOCK TRAVELLED FROM ESK TO NORMANBY.

Mr. LEAHY asked the Secretary for Agriculture—

1. Has any information reached him lately as to the present condition of the stock travelled from Esk to Normanby, which were referred to on a motion for the adjournment of the House lately by the honourable member for Rosewood?

2. If so, what is the nature of such report or information, and, if a report, will he lay the same on the table of the House?

The SECRETARY FOR AGRICULTURE replied—

1. Yes.
2. A report has been received, dated 7th October, from Inspector E. T. Hancock, in which, after detailing the distribution in paddocks of the 1,127 head of cattle, he says—

I rode through the Bald Ridges and made a careful inspection of the bullocks, but could see nothing to cause the least suspicion; but, to make sure, had 110 head through the crush, with the result that I found two (2) scrub ticks, and in no case was there a mark on the skin that would lead one to suspect that a cattle tick had ever been there. The 110 head were a fair average lot, and I have no hesitation in saying these particular cattle are clean. I also went through the 205 head now in the "Washpool" paddock with a like result.

OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.

FIRST READING.

On the motion of the PREMIER leave was given to introduce a Bill to amend the Officials in Parliament Act of 1896.

The PREMIER: I move that the Bill be now read a first time.

Mr. LEAHY: Before you put the question I would say that it is not altogether unusual for the Minister in charge of a Bill of this momentous nature to give an explanation on its first reading. I admit it is not the practice, but I do not think it is exactly out of order. It is done in the House of Commons—

The SPEAKER: The hon. member is entirely out of order under our Standing Orders. No discussion can take place at this stage. Besides he should remember that this motion has been called "formal."

Question put and passed; and the second reading of the Bill made an Order of the Day for to-morrow.

ELECTIONS BILL.

On the motion of the PREMIER, it was resolved—

That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider the desirableness of introducing a Bill to amend the Elections Acts, 1885 to 1897.

TOWNSVILLE MUNICIPAL LOAN ACT REPEAL BILL.

On the motion of the TREASURER, it was resolved—

That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider the desirableness of introducing a Bill to repeal the Townsville Municipal Loan Act of 1897.

CAIRNS GAS COMPANY BILL.

SELECT COMMITTEE.

On the motion of Mr. DRAKE, it was resolved—

1. That the Cairns Gas Company Limited, 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. Lissner, Mr. Dawson, Mr. Smith, Mr. Jenkinson, and the mover.

RABBIT BOARDS ACT AMENDMENT BILL.

SECOND READING.

The HOME SECRETARY (Hon. J. F. G. Foxton): It is not necessary, I think, that I should occupy the time of the House at any very great length in moving the second reading of this Bill, because on a recent occasion, when the hon. member for Balonne introduced a motion expressing a desire that the whole question of rabbit destruction should be more completely nationalised, as he put it, than it has been heretofore, I took the opportunity of forecasting the nature of this Bill, and of giving hon. members, so

far as I was then able to do it, an outline of its provisions, more especially of those which may be regarded as the leading features of the measure. However, for the information of those members who were not here at that time, and who have not had an opportunity of reading what was said on that occasion, it may be as well to premise that in my opinion, and in the opinion of the Government, the question with which this Bill deals is one which really affects the welfare of the colony to a very large extent. It is true that the rabbits are not in every man's backyard, and that they do not affect him directly—that is, the people who are resident in the towns; but anything which materially affects or diminishes the power of production of one of our great industries must necessarily react upon the whole colony, no matter what the industry may be that is more particularly affected. Our present system of combating the advancement of rabbits is one upon which we may fairly congratulate ourselves, but at the same time it is far from perfect; and, as I said on a previous occasion, it will be a long time before this House hears the last of the rabbit question. It is one which, like the poor, will be always with us—at least as far as we can judge. All that we can hope to do, as far as one can foresee at present, is to pass such measures as will enable the Executive effectively to cope with the advancing pest and keep it in check. I believe that the experience, not only of this colony, but also of the southern colonies, shows that this can be done; but it can only be done by measures which by some hon. members and by some people throughout the colony may be considered to be more or less drastic. Nevertheless we have the rabbits with us, and under our system of combating them they are gradually gaining ground—they are not only increasing in numbers where they are already, but they are spreading. I am very thankful to be able to say that the system of rabbit-netting which we have adopted—at a very considerable cost to the Treasury, both directly and indirectly—has had the effect of reducing the spread of the pest to what may almost be considered a minimum compared with what might have been the case, and what certainly would have been the case had those fences never been erected. However, rabbit-netting fences, no matter how complete may be their reticulations, must be regarded only as the first step. Destruction within those fences is unquestionably essential if we are going to preserve the magnificent pastures of this great colony, and I may mention that the leading feature of this Bill is to provide more effectively for the compulsory destruction of rabbits by private owners. At present there is unquestionably a great deal of destruction being carried on, both by the rabbit boards and by private individuals who have holdings within rabbit districts but there are certain localities in which destruction is not being carried on as vigorously as it ought to be in the best interests of the colony, and in the best interests of the people who are more immediately concerned. The man who has had the enterprise to go to the expense of fencing in his holding with rabbit-netting, either by obtaining the netting from the Government under the liberal provisions which are in force, or by providing the netting at his own expense, is now the only person who can be compelled by any official authority under law to destroy the rabbits on his holding. Hon. members will easily see why a limitation was placed in the Acts now in force, for if men were compelled to destroy rabbits on unenclosed land they might be destroying, not only their neighbours' rabbits, but also rabbits which had come there from unoccupied Crown lands. The only way in which that can be remedied, and the

compulsory clauses made to operate in such a way that every private holder shall be brought within their scope, is by the Government itself undertaking to act in regard to unoccupied Crown lands in exactly the same way as it desires private holders to act with regard to the lands which are held by them—that is to say, the Government should take upon themselves the duty of destroying rabbits on unoccupied Crown lands and reserves—for these should be included too, because so far as our legislation has gone, it is no part of the duty of the local authorities to destroy rabbits on the reserves placed under their control for public purposes, such as camping and water reserves. I may say, therefore, that the leading feature of the Bill is to make the compulsory clauses apply, not only to those holdings which are occupied by men of enterprise, and who are keeping the rabbits in check by fencing, but to make them apply to all unfenced lands, whether in the occupation of private lessees or of freeholders wherever rabbits are found, the State undertaking to do its share in exactly the same manner in regard to public lands which are unoccupied. I believe if that is done, there will be far greater encouragement for men to fence, because there will be a confidence on the part, not only of freeholders, but of Crown lessees that the Government itself is prepared to deal with the matter in an effective way, and in such a way as to keep the rabbits in check wherever they may be found. I mentioned on the last occasion on which I spoke on the subject, that so far as I was aware the compulsory clauses had not been enforced by the local boards. The local boards—of which there are some half-dozen—have the administration of this portion of the law relating to rabbits as it now stands. I mentioned then that, so far as it had come to my knowledge—of course it may not be an actual fact—but so far as my knowledge extends, it is a fact that these compulsory clauses have not been enforced. I understand that in some of the rabbit districts exception has been taken to the statement, although I have not heard that I was wrong in supposing they had not been enforced. I should perhaps have added that in one or two districts the destruction has been carried on with such vigour by the local boards, and by the pastoral lessees within their jurisdiction, that there was really no reason to put those clauses in force at all, and that was really the reason why it had not been done. I ought to mention that in justice to those boards which have displayed the greatest vigour in the matter of coping with the pest. Notwithstanding that, I think the provision in the Bill which takes out of the hands of the local boards the power of compelling holders and occupiers of land to destroy rabbits on their holdings will be found a good one. It is proposed to transfer that power to the Minister, acting on the recommendation of the Central Rabbit Board. Of course it may be a very invidious thing to say, but one cannot shut one's eyes to the fact that in many instances the compulsory clauses might be regarded by individual lessees as being rather hard upon them. A man might be called upon to expend a considerable sum of money in the destruction of rabbits, perhaps in a bad season, or when things were not too bright with him financially, and he might endeavour to bring pressure to bear upon the members of the board. In fact, the members of the local boards might have a feeling for him which might induce them not to be too hard in compelling him to destroy rabbits. But, inasmuch as the non-destruction of the rabbits becomes a national evil, they unquestionably should be destroyed, and it is therefore advisable to transfer the power to enforce the compulsory clauses to the Minister,

acting upon the advice of the central board, of which the Minister is chairman, and which, I may say, is constituted of gentlemen who, so far as it is possible to arrange it, are more or less representatives of the different rabbit districts.

Mr. FITZGERALD: Why can't the central board do it without bringing in the Minister?

The HOME SECRETARY: I think it is better to have executive authority. I certainly think it should be an official act; and there are sufficient safeguards against oppression in providing that it shall be done on the recommendation of the central board. Of course the Minister is chairman of the board, and it is my invariable practice to preside at every meeting of the board. There is one reason why it has not been altogether practicable to bring the compulsory clauses into force up to the present, and that is that there are only two Government inspectors for the whole of the rabbit districts. The duties of one—Mr. Donaldson—comprise the inspection of the fences in the Warrego, Maranca, Carnarvon, and Darling Downs rabbit board districts. There are practically no rabbits in the two latter districts, and I hope there never will be any. Mr. Avery, the other inspector, has the Leichhardt, Mitchell, and Gregory rabbit board districts under his charge.

Mr. KEOGH: It is a fair picnic for him.

The HOME SECRETARY: It is very far from being a picnic. In fact the country has been in such a state during the last twelve months that it has been quite impossible for one of the inspectors to do his work on horses, and it was necessary for the central board to provide him with camels. Under this system it will be absolutely necessary to appoint more inspectors for the purpose of supervising the destruction of rabbits throughout the whole of the rabbit districts, and, as the eyes and ears of the central board, they will be able to report direct to that body and give it that information which up to the present it has been more or less unable to obtain, except through the inspectors employed by the local boards.

Mr. STORY: The inspectors make written reports on every bit of their districts every month.

The HOME SECRETARY: I believe it will work well. It will entail additional expenditure, but I do not anticipate that it will cost any considerable sum over and above the £10,000 which is now appropriated annually under the Rabbit Boards Act for disbursement by the central board. A large proportion of that £10,000—between £6,000 and £7,000—is required to maintain the fences along our border and the borders of New South Wales, South Australia, and the Northern Territory. These fences are maintained in a thoroughly efficient manner and are very excellent investments for the colony. There will be something required over and above the £10,000, but I do not anticipate that the amount will be very large. It is impossible to forecast what it will be. It will very largely depend upon the extent of unoccupied country there may be, and I quite believe that the passing of this Bill will cause some country now occupied to be thrown up. That we cannot help. It seems to me that this is the only way in which we can grapple with the difficulty, and if the Crown does its duty by that country which is thrown up, the probability is that it will be taken up again at a higher rental when the country is free from rabbits. It is also provided that the operation of the present Rabbit Act shall be extended for five years up to the end of 1907. That will be necessary whether we do it now or in twelve months or two years, and the reason for it is this: Certain Government funds have been loaned under the authority of the

Rabbit Act to local bodies, repayable by instalments which cover principal and interest, and at least one of those bodies has borrowed so extensively that the whole of its revenue will not be more than sufficient to pay off that debt.

Mr. LEAHY : I think there are two.

The HOME SECRETARY : I do not know whether that absolutely applies to two. Another, I know, is not far behind. The Warrego board is the most heavily indebted, and for very good reason, seeing that rabbits are thickest and worst in that district, and if it devoted the whole of its funds to repaying the Government they would have nothing left to manage their own affairs, keep up the destruction of rabbits, and maintain their fences. So that it is necessary, in order that these boards may meet their engagements—which I am satisfied they are most anxious to do—to lengthen the time for repayment of the loans granted to them. There is also a provision and an important one, distinguishing between freeholders and leaseholders who obtain rabbit-proof netting. The present law provides that any holder, freeholder or leaseholder, may apply to the Government and claim netting at cost price, to be delivered at the nearest railway station, if he executes a charge upon his holding securing the payment of 5 per cent. interest on the amount paid for the netting. That, perhaps, is quite permissible and justifiable in the case of leaseholds, because, although it is only a charge for the payment of interest, it remains a perpetual charge until the principal is paid off. It is an encumbrance on the holding, and in the case of grazing farms may extend over thirty years. It is quite justifiable, because there is a provision in the charge that the fences must be maintained in good order. The life of a rabbit fence extends, with reasonable care, up to the full term of almost any lease which is held at the present time, so that if the rabbit netting is maintained in accordance with the covenants it will revert to the Crown at the expiration of the lease. But in the case of freeholds a different principle should obtain. The land belongs to the freeholder for ever; the Crown has absolutely parted with it, and it seems to me that it is a fair thing to adopt the principle which has been adopted in the Sugar Works Guarantee Act and other Acts—that money advanced by the Crown should be paid off in instalments which cover principle and interest under the schedule provided in the Public Works Loan Act. In that case freeholders will, instead of executing charges, execute mortgages for the purpose of securing the repayment of the loan.

Mr. ARMSTRONG : Does this provision extend to agricultural farms and all holdings, or only to grazing farms?

The HOME SECRETARY : It includes every possible tenure, from freehold to occupation license.

Mr. ARMSTRONG : The extension of lease merely mentions grazing farms.

The HOME SECRETARY : This has nothing to do with the extension of lease.

Mr. ARMSTRONG : I understand that.

The HOME SECRETARY : There are further powers enabling the compulsory provisions to be carried into effect, but otherwise I think I have sketched in outline the provisions of the Bill. I commend it to the House. It is one that will not only benefit the pastoral industry but the farming industry, and also indirectly every business man in the colony.

Mr. LEAHY : Would you mind showing the difference that clause 3 makes in the existing law?

The HOME SECRETARY : Under the present Act the local boards have the power to compel owners of runs—using the word “runs”

in its widest sense—to erect fences for the purpose of putting thereon wire netting. Under that it is supposed that these are groups under the present system, and I rather think the groups are supposed to be in clean country.

Mr. STORY : No; they fence the rabbits in the group.

The HOME SECRETARY : Originally the idea was to fence the rabbits out of the groups.

Mr. LEAHY : The Act does not say which.

The HOME SECRETARY : The effect of fencing a group within a ring fence has been that people within the group have the rabbits fenced on to them, and they have to “pay the piper.” What is proposed now is to leave it to the board to say where a fence should be erected, not necessarily enclosing a group, but perhaps connecting two other systems of rabbit fencing running in any direction. It may be a straight fence or a crooked fence; it may enclose a group or not; it may be any fence wherever the local rabbit board is of opinion that there is an area which is infested and another area which is protected, or ought to be protected; they will be at liberty to compel the owners to put up a fence separating those two areas. Then there are provisions under this Bill for distributing the cost of that fence, and they are very much more equitable than under the present system. Now, instead of the whole of the cost being thrown upon persons who ought not at all to be charged therewith, it will be defrayed in the following way:—Persons whose country abuts on the fence, and for which it forms the boundary, will be required to pay one-sixth of the cost of that fence each. One-third of the cost of the fence will be defrayed by the persons immediately on either side. The reason is that they are provided with a sheep-proof fence.

Mr. LEAHY : That is assuming that it is in a district, not on outside boundary.

The HOME SECRETARY : The boundary is practically fenced. The balance of the two-thirds of the cost of erection of the fence will be borne by the holders of so much of the country on one side as is considered by the board to be the protected area, including the people who have already within that area contributed the one-sixth. That, I believe, meets with general approval in the rabbit districts, and it is strongly recommended by the Maranoa Rabbit Board, which is most effectively managed, and has upon it men of very large experience who are enthusiastic in everything connected with rabbit destruction. The suggestion reached me too late to be embodied in the Bill. I had the honour to introduce in 1896, but I felt that at the earliest opportunity, whenever any amendment of the Rabbit Act was brought in, that suggestion should find a place in it. I think I have now covered the whole ground.

Mr. STORY : In what particular place is it provided that the central board should carry out the destruction of rabbits on Crown lands that are unoccupied?

The HOME SECRETARY : It does not say so. That is merely a matter of policy. It will depend upon the House, and it is no use putting it into the Bill.

Mr. STORY : This is nationalising it.

The HOME SECRETARY : I have considered that question, and it is not a bit of good putting into an Act of Parliament a provision that the Crown shall do this, that, or the other, because the Government can only carry on such work as it is enabled to do by the annual grant made by this House, so that there is really nothing in it. You would get no further towards the object which the hon. member for Balonne desires to see brought about by imposing the

duty on the Crown in the Act, because it will always depend on the amount this House chooses to vote for that purpose.

Mr. STORY: An hon. gentleman opposite says that is very vague.

Mr. GLASSEY: So it is.

The HOME SECRETARY: What can you do? Unless we are prepared to increase the £10,000 which is now voted, and say £20,000 or £30,000, or some other specific sum, should be appropriated for the purpose, it would be impossible. It must depend on the vote on the Estimates.

Mr. ARMSTRONG: They do not spend all the £10,000 now.

The HOME SECRETARY: A portion goes towards the maintenance of the border fence, some towards carrying on experiments—chicken cholera, for instance—but the balance of that £10,000 is available for the destruction of rabbits on Crown lands, and the central board propose to devote it to that purpose. More will be required, but how much more it is impossible to say at present, and the excess will have to be provided by an annual vote of this Chamber. If I could say it would cost £13,000 a year to destroy those rabbits, I should perhaps be inclined to introduce into this measure a provision which would appropriate a further sum of £10,000.

Mr. LEAHY: If you said £40,000 you would be nearer.

The HOME SECRETARY: We do not know what it will cost. I am inclined to think that is excessive unless there are very large forfeitures indeed. So far as I have been able to ascertain, the extent of country on which the Crown have to operate is not very large. There is not much unoccupied, and I think there will be less this year, although some may be forfeited.

Mr. STORY: New South Wales.

The HOME SECRETARY: We are not as bad as New South Wales yet. That is what we are trying by this measure to avoid, and I think we are distinctly on the right track—that with proper and firm administration of the compulsory clauses the rabbits will be kept in check if not reduced.

Mr. STORY: And a Minister provided by Providence who knows something about it.

The HOME SECRETARY: Providence has not endowed me very liberally in the matter, but I have endeavoured to make myself master of the subject.

Mr. STORY: It was your possible successor that I was alluding to. We have a Minister who knows something about it now.

The HOME SECRETARY: I freely admit that I should like to have more information on the subject, and I have taken such steps as will enable my successor to obtain very much more information than has been obtainable by Ministers for Lands in the past. The inspectors, whose employment will be necessary to carry out the provisions of this Bill, will report to the central administration, and will enable the Minister to deal much more effectually with it in the future than he has been able to do in the past. I move that the Bill be now read a second time.

Mr. GLASSEY: It is to be regretted that hon. members have not been supplied with a copy of this Bill at an earlier date, as well as with reports and other matters dealing with this very important question. This is largely a repealing Bill as well as an amending Bill; but hon. members can hardly be expected, having only had it in their hands a few hours, to give it that attention and consideration which it deserves. I have only been able to glance at it in a cursory manner, and have barely had time to look up the Acts which the Bill repeals. Hon.

members are placed at a disadvantage when called upon at such short notice to deal with a question of such vast importance to the country. This all goes to show that Ministers have not given that care and attention, at an earlier period of the year, to the preparation of their measures which they ought to have given, seeing that Parliament was called together so late, and that they had a good deal of time at their disposal in which to mature their proposed legislation. With regard to the Bill itself, its main feature is to have uniform destruction of rabbits. The hon. members for Balonne and Bulloo of course take a very deep interest in this question, coming as they do from that part of the country which is most immediately affected by it. Yet the question is one which, as the Minister said, affects the entire colony. I share, and have always shared, that opinion, and that is one reason why I say that in dealing with a question of this kind members should have abundance of time at their disposal, and the fullest information placed before them, so as to enable them to arrive at the best possible means to accomplish the end in view—namely, to prevent this pest from spreading, and to destroy it as far as we are capable of doing with the means which may be provided. I yield to no man in my desire to assist the Ministry—whatever Ministry may be in power—to cope with this evil and to preserve the pastures of the country for the use and benefit and welfare of the people. So far as the extension of time is concerned, perhaps that is not an unreasonable request, although it is not a matter of particular urgency, seeing that the present Act has yet three years to run. And with regard to giving these boards more extensive and drastic powers than they have hitherto possessed, I think very few hon. members will call that in question. If this Act is to be a success the number of inspectors will have to be very considerably increased, for, as the hon. gentleman has told us, with the few inspectors hitherto employed it is impossible for them, considering the immense area they have to go over to act in that efficient manner which the nature of the task requires. As I said, I am not in a position to discuss this matter as fully and adequately as I should like to do, and I must reserve any remarks I may have to make upon it until we reach the committee stage. The Minister mentioned that it would probably require more money than the Government have at their disposal at present to keep down and destroy the pest, and the hon. member for Bulloo interjected that probably it would require £40,000 a year.

Mr. LEAHY: Yes, if he is going to do it right.

Mr. GLASSEY: It is just as well that we should have a clear and distinct understanding as to the amount of money that will be required.

The HOME SECRETARY: That will depend on Parliament every year.

Mr. GLASSEY: Quite so. The hon. member for Balonne has a motion before the Chamber that this question should be made more of a national one than is at present the case. That will involve a considerable expenditure. But it is necessary that we should know how much. If £40,000 or £30,000 let us know it. At any rate, we ought to have some reliable information on the point, so that hon. members may make up their minds whether they are prepared to expend that sum or not. For my own part, I am as anxious and willing—and most of those sitting near me are as anxious and willing as myself—as any hon. member on the other side to deal with this question in an adequate manner, providing that the Crown tenants are not specially favoured, and that the splendid concessions granted to some of them should meet with

some consideration in return. But we shall be better able to deal with that matter when the next Bill on the paper—the Pastoral Leases Extension Bill—comes on, as it is part and parcel of this question. But why should we have this continuous patchwork legislation? It would be far better to appoint a body of two or three gentlemen to go into the matter thoroughly, ascertain the true position of affairs, tell us what measures will be most efficient, and what it will cost to carry them out.

Mr. LEAHY: I asked you to go out West with me, but you would not.

Mr. GLASSEY: Nothing would give me greater pleasure if I had the time, and I will promise the hon. member that if an opportunity occurs during the recess, before we are engaged in the trouble and turmoil of the general election, I will go with him. All I am anxious for is to get the best possible information concerning that and every other question affecting the country, and there is none of greater importance than the one with which we are now dealing. It is a great pity that we should be continually dealing with the question in this patchwork fashion—groping in the dark, and, as it were, playing with the question. Why not bring in a large and comprehensive measure after obtaining the most reliable and complete information possible, and tell the country once for all how far this question is to become a national one, and what amount of money requires to be expended, so that the people and their representatives may know to what extent the country is to be committed?

The HOME SECRETARY: You will have to ask the rabbits that?

Mr. GLASSEY: No; we will not have to ask the rabbits. If some effective remedy can be provided for checking their advance, surely we can estimate what sum of money is likely to be required to carry out that remedy! But instead of that, we have little measures brought forward session after session, perhaps a couple in a single session, but certainly one each session. I think the question is more likely to be settled in the way I have indicated than by this patchwork legislation. It is not my intention to oppose the second reading of the Bill, but I think members should be allowed more time to consider Bills of this character, which are practically repeal Bills, and not have them rushed through the House.

Mr. ARMSTRONG: I move that the debate be now adjourned.

The HOME SECRETARY: I quite admit that there is a great deal of force in what the leader of the Opposition has said with regard to the short time this Bill has been in the hands of hon. members. I understand that it only came into their hands, in some instances, when they came into the House this afternoon. Of course nothing could be further from my view than to cause any inconvenience to hon. members in discussing a measure of this importance; but we want to get on with the business as quickly as we can, and as I took the opportunity on a previous occasion to make almost a second-reading speech with regard to the measure I thought hon. members would be pretty well seized of its object and would not object to its being brought on so early. However, I do not propose to offer any opposition to the motion for the adjournment of the debate, as I understand that it is inconvenient for hon. members to proceed with the discussion.

Question—That the debate be now adjourned—put and passed; and the resumption of the debate made an Order of the Day for to-morrow.

PASTORAL LEASES EXTENSION BILL.

SECOND READING.

The HOME SECRETARY: I hope that hon. members will not ask that the debate on the second reading of this Bill be adjourned, for three reasons. The first is that the Bill has been in the hands of hon. members very much longer than the other measure, having been introduced last week; the second is that it is a very short Bill which anyone can read through in five minutes, and the third is that the measure is one which, if passed, should be passed at once. It is a matter which ought to be dealt with yea or nay forthwith, and I am sorry I was unable to introduce it at an earlier period of the session. I need not go over the history of the Pastoral Leases Extension Acts, but I may point out that certain rights have accrued under them.

Mr. HARDACRE: Not rights.

The HOME SECRETARY: Indeed, plenty of rights have accrued under them. Practically all those lessees who desire to take advantage of the Pastoral Leases Extension Act have already come under the provisions of the Act, and there is no provision in this Bill which extends the scope of the Pastoral Leases Extension Acts. The Lands Commission distinctly recommended that no provision of that sort should be adopted, and I am certainly not going to ask this House to extend the principle. Any person desiring to obtain the benefit of the Pastoral Leases Extension Act had to give notice by a certain date, and that date is not extended by this Bill, nor was it extended by the last two Bills. Then those persons who came under the provisions of the Pastoral Leases Extension Act are compelled by the law as it stands to rabbit-net through holdings on or before the 31st of December next, provided that if any lessee can show that he has been unable to complete the whole of the fencing before that date, and he has completed the fences on the southern and western boundaries of his holding, he should be allowed to the end of next year to complete the balance of the fencing. So that any pastoral lessee who has given notice—which had to be given about two years ago—that he intends to take advantage of this Act, is practically given up to the 31st of December, 1899, to finally complete his fences, provided that he is able to show that he has completed the fences on the southern and western boundaries before the 31st of December next.

Mr. GLASSEY: But there are no new applications?

The HOME SECRETARY: No new applications whatever. There is more than one district—but there is one district in particular which has been suffering during the last two or three years from probably the most severe drought which has ever occurred in that district, and notwithstanding their most strenuous efforts to complete their fences, many of the lessees have been unable to do so. In some instances they have not been able to get the netting, which has been lying for many months at the railway stations. They have executed their charges, and complied with everything they possibly could, but Nature has stepped in and prevented them, in some instances, from drawing their netting from the railway stations. In some instances they have been unable to travel, and in other cases they have been compelled to carry water thirty miles to the people working at their fences in order to keep the work going. That is in the Maranoa district. The drought has been most severe, and there has been no abatement of it until within the last week or two. This Bill provides that if anyone is able to show that he has made fair endeavours to complete his fences on his southern and western

boundaries before the 30th of June next instead of before the 31st of December next, he may still be allowed to complete his fencing up to the 31st December, 1899—which is the date already fixed for the final completion of the fencing. It merely extends the time for the completion of the southern and western fences for a period of six months. There are some very hard cases indeed where men have suffered from the effects of drought, and we all know how the pastoral industry does suffer when there are long-continued and severe droughts. These men have not only lost very heavy sums of money from the effects of the drought, but unless this Bill is passed they will also be mulcted—and to no purpose—in the heavy expenditure which they have already incurred in their endeavours to comply with the contracts into which they have entered. Under these circumstances I think the House will be unwise, and would be acting unfairly towards men who are so placed, if it did not give them some slight measure of relief. The Bill, as I say, does not extend the final completion of the fences, but it provides—where they can show that they have made reasonable endeavours to complete their fences but have been prevented by the drought I have referred to—that they shall have six months additional in which to complete their southern and western boundary fences. I beg to move that the Bill be now read a second time.

Mr. HARDACRE: I do not know that we can actually oppose the second reading of this Bill generally. I believe that some of the fences have been delayed through the cause mentioned by the hon. gentleman, but we have a right to ask for more information with regard to the special holdings in regard to which we are now asked for this further extension. Already there have been several extensions of time, and we might well ask now if this is to be the final request. In 1895 the principal Act was amended in order to give an extension; in 1897 a further extension was granted, and now we are asked for still another.

The HOME SECRETARY: This is on different lines to the others.

Mr. HARDACRE: It may be for different reasons.

The HOME SECRETARY: No, it is for the same reason; but it is on different lines. In the other cases there was an extension of the final period, in this case there is not.

Mr. HARDACRE: In 1897, if they could offer proof that they had made reasonable efforts to complete their south and west fences they could get an extension of a year without any Act at all. Now we are practically asked to give them a further extension of two years to furnish the proof.

The HOME SECRETARY: No; only six months. Mr. ARMSTRONG: Are you referring to section 6 of the principal Act?

Mr. HARDACRE: No; to section 4 of the Act of 1895. That gave them until 1897 to offer proof that they have made every reasonable effort. Then they have a possibility of an extension for another year. We are now repealing that section and substituting one which permits them to offer proof until 1899.

The HOME SECRETARY: Only to the 30th June—that is only six months more.

Mr. HARDACRE: I mentioned the year but not the month. It is a question whether they have not already ample time in which to perform all the conditions which they undertook to comply with. They have no right, although we may give them consideration. They certainly have no rights to claim.

The HOME SECRETARY: They have no right to claim this Bill, of course, but they have rights all the same.

Mr. HARDACRE: The hon. gentleman misunderstands me. Of course they have certain rights, but they have not the particular rights which the hon. gentleman has given as the reason for introducing this Bill. It is just about time that we should call attention to the way in which this Act has been used, not for the purpose of preventing the spread of rabbits, but simply for the purpose of getting extensions of leases in order to block settlement. In 1895 hon. members on this side protested most strenuously against the large areas that were included in the Bill passed that year, and we predicted precisely what has since come about. If any hon. member looks at the map sent out with the report of the Lands Department he will see—especially in the Barcoo and Mitchell districts—how the pick of the country, where there are no rabbits within hundreds of miles, is being blocked to settlement by the extensions of leases obtained under the Pastoral Leases Extension Act. It will be a revelation to hon. members to see the obstacles which are being placed in the way of settlement. It is only right that the hon. gentleman should inform the House whether some of the persons who are asking for a further extension of time are not the lessees of this particular country. If it turns out to be so, I would offer most strenuous opposition to the passing of the Bill.

The HOME SECRETARY: This will apply principally to where the rabbits are thickest.

Mr. HARDACRE: When we go into committee the Minister may be prepared to give us some further information.

The HOME SECRETARY: I do not think it would be quite fair to them.

Mr. HARDACRE: Perhaps the district most affected with rabbits has some good reason to be considered, and I will not offer any opposition to a measure which will give a fair and reasonable amount of relief. And, considering the expenses already incurred, I would be unwilling to prevent the full benefit of the improvements being derived, or do anything which would bring about a forfeiture of the extension.

Mr. ARMSTRONG: The hon. member who has just sat down has, with his excessive zeal, mixed up the position, and I rise simply for the purpose of putting him straight. This Bill, he says, may be used for the purpose of securing an extension of lease, but the Minister has pointed out that that is absolutely impossible, and the hon. member must recognise that. If he will read the report of that much-abused Land Commission, he will find that they advised very strongly against introducing legislation which would have that tendency, and their report has been acted upon. The legislation of 1897 merely had the effect of relieving many of the burdens which were imposed by the previous Act. It did not insist that the fences should be put absolutely on the boundaries, and it provided other conveniences to those who had to construct those fences. I refer the hon. member to section 6 of the Act. Further than that the extension which was given was an extension from 30th June, 1897, to 30th June, 1898, with proof up to 31st December. This Bill merely provides that the time for proof may be extended. The hon. member has raised "a storm in a teapot."

Mr. HARDACRE: I said exactly what you are saying.

Mr. ARMSTRONG: The hon. member said this Bill might be used to secure an extension of lease for the purpose of blocking settlement.

Mr. HARDACRE: I said the 1897 Act was so used.

Mr. ARMSTRONG: I think the hon. member was wrong. This measure is a very neces-

sary one, which will commend itself to anyone with any knowledge of the subject. I shall support it most heartily.

Mr. GLASSEY: What the hon. member for Leichhardt contended for was that more definite information should be given by the Minister with regard to who were applying for this Bill. There is nothing wrong about that. I do not think any hon. member desires to block legislation which would have the effect of removing hardships, but it is not unreasonable that the very fullest information should be supplied. Some persons may receive an extra easement by this Bill. That is nothing, provided that the bulk of the people can be assisted. The hon. member for Leichhardt also mentioned that the Pastoral Leases Extension Act of 1895 gave very considerable concessions to persons which it has been demonstrated beyond doubt should never have been given. However, there the law stands, and it must be respected; but surely the hon. member for Lockyer does not contend that the hon. member for Leichhardt is not justified in taking such a stand as will prevent a repetition of past mistakes! I do not believe there is any likelihood of any hon. member opposing this Bill; but in committee, when further information is given, it is just possible that it may be discovered that the persons who are asking for relief have had ample time and opportunity and means of erecting the required improvements.

The HOME SECRETARY: There are not many of them.

Mr. GLASSEY: Possibly not; but it may be the case. No doubt the Minister may be able to give the information asked for by the hon. member for Leichhardt. There is no intention to raise unnecessary objections, but hon. members on this side require the fullest information.

Question put and passed; and the committal of the Bill made an Order of the Day for to-morrow.

SUPPLY.

ELECTORAL CLAIMS, BULLOO DISTRICT.

The TREASURER: Mr. Speaker,—I move that you do now leave the chair.

Mr. KERR: Before you leave the chair I have a matter to bring before the House in connection with electoral affairs in the Bulloo district. I chanced, in the month of March, to be travelling near Duck Creek Opal Field, and I attested twenty-nine claims for certain miners who were living on the field. Those men sent their agent to Eulo on the 5th April with their claims, and after he got there the registration court was not held, owing, as the clerk of petty sessions said, to the fact of there being no bench. He got notice that the court was adjourned until the 20th of the month, but when he went back on the 20th he found that certain action had been taken by the Crown Law Office or by the Home Secretary, and that Duck Creek Opal Field and Beechal Station, situated in the Eulo portion of the electorate, had been detached from the Eulo division and placed in the Thargomindah division. I will just read the letter setting forth the facts. It is from James Thompson, dated 15th September, 1898—

Duck Creek, 15th September, 1898.

Enclosed you will find a letter from the Home Secretary's Office in answer to one I sent that gentleman last month, requesting him to cause my name to be replaced on the electoral roll at Eulo; but from his answer you will see that anyone living out here could not get his name on the roll. You will glean from the Eulo registrar's letter to me that it is high twelve months since my claim was received in Eulo, but I have not succeeded yet. The ordinary law of Queensland does not apply here evidently. Mr. Dickson thinks justices of the peace grow on every bush. It is 100 miles from here in any direction to a justice of the peace, and risk finding him at home. Then being a stranger to him he cavils at your qualifications. It appears to me if I am to succeed in getting my name

on the electoral roll I shall have to throw up my ordinary business and devote myself to the matter until it is accomplished. I want you to take special note of the fact that my claim was registered in Eulo last February. By whose orders was it erased, and months afterwards the claim was sent to Thargomindah? This comes to hand before you receive a letter containing the other papers in this case from Charles Brown; you will kindly hold it over until you get them altogether.

I may state that I only received the letter yesterday, therefore I was unable to bring the matter up before. This is the reply of the Home Secretary referred to in the letter I have just read—

I have the honour, . . . to inform you that the electoral registrar at Eulo was, on the 14th June last, advised by this department that neither the Eulo nor the Thargomindah electoral courts could deal with claims arising in the area which has been detached from Eulo, and that claimants should be requested to make fresh claims at Thargomindah. The action taken by the electoral registrar in connection with your claim has, accordingly, been in consonance with the instructions received by that officer, and the only course to be adopted under the circumstances, with a view to procuring the insertion of your name upon the roll, is for you to lodge a fresh claim with the electoral registrar at Thargomindah, as stated above.

I want to mark that the Home Secretary states here that neither the Eulo nor the Thargomindah electoral courts could deal with claims in respect of the district which had been detached, so that persons living in that portion of the electorate are disfranchised. This man lodged his claim, he states, in October last year, at Eulo, and it was too late then for the registration court. It came up before the Eulo court I think in February, and it was then allowed, and it was to be confirmed, I understand, by the registration court that would be held on the 5th April. There was an agent appointed at Duck Creek to represent, I think, twenty-five men that had made application at the October court, and I, being there in the month of March, attested twenty-nine claims, and I will just read the agent's letter addressed to me, which explains the matter better than I can myself—

Thargomindah, 4th October, 1898.

I am writing this note to you just to let you see the way that men are dealt with in the back towns. You will remember that you came to Duck Creek some time ago, and that you attested twenty-nine electoral claims there for the men on the field. The said claims I myself took in to Eulo on the 4th April last, as I was appointed agent by the men, to act for them at the revision court, to be held on the 5th of April. I was also to act as agent for a lot of men that sent in their claims on 11th of October last year. But when I got in and handed the claims attested by you to the electoral registrar, he told me that the court would not be held on the day that it should have been held. And it was not held until the 20th of April. I again went into Eulo on that date, and was told that Duck Creek, with the whole of Beechal Station, had been transferred from the Eulo division into the Thargomindah division, and that all claims from Duck Creek had to be sent in to the latter place to be dealt with; this was done, and when they came before the court in Thargomindah, they were all thrown out as informal.

That is the complaint of these men—that the claims which had been allowed at the February court, which were lodged in October, were thrown out at Thargomindah after they had been allowed by the court at Eulo.

Mr. GLASSEY: They were registered, but not confirmed.

Mr. KERR: They were registered, but not confirmed. The letter goes on to say—

Now and the men told that they must fill in a fresh claim and send to the electoral registrar, Thargomindah. Now, as these claims were sent in to Eulo long before the transfer took place, the men cannot see how they could be informal, as Eulo was the right place for them to be sent in to at the time they went in. And you will see by the enclosed letter from Mr. Daley, the registrar at Eulo, that Mr. J. Thompson's claim was received by him in October last year, and registered in February court. Now this is only one of twenty-five

that went in at the same time, and was registered at that court. Now, if the people controlling the Elections Act can do this sort of thing, then they can make transfers of any part of an electorate from one division to another division and so stop anyone from getting a vote at all. So we would like you, as the man that attested the most of these claims, for to ask in the House if it is just or not.

The letter referred to, received from Mr. Daley, the electoral registrar at Eulo, is as follows:—

Your electoral claim was received by me on the 11th October last year. The court for that month was then over. Your claim, with others, had to stand over till the next first registration court, which was the February bi-monthly court.

Your claim was registered at that court for the division of Eulo.

On the 16th April last, Duck Creek and Beechal were transferred from the Eulo division to Thargomindah, and after that date all business concerning electoral claims from Duck Creek would be and were transferred to Thargomindah.

The reason I have brought this matter before the House is this: These twenty-five men, who made their application in October last year, were too late for the ordinary registration court, and, as Mr. Daley states, they were registered in the month of February of this year. But the court was removed. I do not know who was the cause of this removal. I made inquiries at the Home Secretary's office some time ago, and was informed that it was done by the Crown Law Officers. But there is one point the Crown Law Officers have missed. If any firm or business man intends to make an alteration in his business he generally takes the most opportune time to do so. This department took the most inopportune time possible. Perhaps the Crown Law Officers may have been under the misapprehension that the ordinary revision court had been held on the 5th; but, owing to there being no bench at Eulo on that date, the electoral registrar was not able to get a bench together until the 20th. The department came down on the 16th. I contend that the court which should have been held on the 5th, and stood adjourned until the 20th, was the same court, and ought to have dealt with those claims that were registered in February. It is easy to see, as this man writes, that if there is to be a removal from one division of an electorate to another it would be a very simple matter to disfranchise a number of men for a considerable period. And there is no getting away from this fact: that although the twenty-five men made their application in October, 1897, and were registered in February, 1898, they are still unable to have their names on the electoral roll because the department saw fit—owing partly, I believe, to some trouble about cattle killing—to remove Beechal Station out of the Eulo division. But when the department is making a change it ought to make it between two revision courts. As has been stated by this man, the grievance is that they made application in due form to the Eulo division, and some were registered in that division, yet when their claims were sent in to Thargomindah the bench there threw them out because they were sent in, I suppose, for the Eulo division of the electorate. It may be said it was easy to make fresh claims to the Thargomindah division, but as Mr. Thompson says—and I have only his word for it—"it is 100 miles from here, in any direction, to a justice of the peace."

Mr. LEAHY: That statement is not right. He is "drawing your leg."

Mr. KERR: He is not drawing my leg. Those are the facts as represented to me by my correspondent.

Mr. LEAHY: The matter which the hon. member for Barcoo has been referring to is one which arose within the district which I have the honour to represent in this House. I dare say the hon. member is perfectly right in discussing

the question, his attention having been called to it by some persons residing within the district; and as he is the sole judge in the matter, I presume he has satisfied himself that it is a proper one to which to call the attention of the Home Secretary. The facts are these, and perhaps it will be news to the hon. member for Barcoo to hear them. I cannot but think that the hon. member is already in possession of a great deal of information relating to this matter, because he and I discussed the matter outside—to some extent at all events—and I think he might have paid me the compliment, as the member representing the district, of informing me that he intended to introduce the matter in this Chamber, for he might have known that I should take some interest in the question. The fact of the matter is, as the hon. member has explained, that the mining district of Duck Creek is within the petty sessions district of Eulo and the district of Bulloo. There is no police magistrate at Eulo, but the place is visited sometimes by the police magistrate at Cunnamulla when circumstances admit of his going to Eulo. But it very frequently happens that when the police magistrate has determined to go to Eulo very important matters arise requiring his presence at Cunnamulla, which is a large and rising district, and he is thus prevented from attending at Eulo. The result is that the greatest difficulty arises with regard to the adjudication on electoral claims and other matters in Eulo. At the time referred to there were about 300 men in the Duck Creek mining district, and of course most of the business which the miners would have to transact would be business arising within the mining district. They were in the mining district of Thargomindah and the petty sessions district of Eulo, and naturally the miners wanted to have the two districts assimilated so that when they went to town they could do all their business there, and not have to go to two different places to transact different business. Duck Creek was looked after by the Police Department, and everything they were concerned with was of course sent to Thargomindah; but electoral claims had to go to Eulo. It was only recently that it was discovered that those two places were not in the same petty sessions district; prior to that electoral claims were sent to Thargomindah for registration, but through some technicality, owing to the boundaries of the petty sessions districts being different, claims had afterwards to be sent to Eulo. Several complaints reached me, and I believe reached the department, with regard to the matter; and in addition to other grievances they suffered it was represented to me that they suffered the very great grievance of being unable to get their names on the electoral roll through there being no registration court fixed at Eulo that could be depended upon. As the hon. member has shown, names were kept over for six or eight months through there being no opportunity of forming a bench at Eulo. Does the hon. member want to keep the people in that position?

Mr. KERR: What they complain of is the removal of the court.

Mr. LEAHY: I know; I am coming to that. If the district remained as it was it would be impossible for those men to get their names on the roll in the future, or even now perhaps, because there is no court of petty sessions there; but a substantial advantage in that respect has been conferred upon the residents of that mining district by the present arrangement. Several letters were written to me asking me to try to get the boundaries of the two districts assimilated, and I could see no reason why that should not be done. That was at the beginning of the

year, and before Sir Horace Tozer left for England—I think he left in March—at all events in February, he dealt with the question of the assimilation of the boundaries, as the hon. member would find by inquiring at the office of the Home Secretary. Of course when the Executive dealt with the matter they could not know that the hon. member for Barcoo would go up there two months later to put names on the roll, but I can tell him that months before he went there the change was in contemplation. If a change had to be made, it must be made at some time, and whatever time was chosen it is probable that it would give rise to some grievance. In this particular instance the grievance was with regard to electoral claims; if the change had been made a month or two earlier, a grievance might have arisen in connection with some other matter. The hon. member seemed to give a political tinge to the fact that those twenty-nine men were not able to get their claims confirmed at the registration court in Eulo or Thargomindah. I think that is a grievance. My attention was called to the matter by several persons in the West, and my opinion was that they should be allowed to have their claims dealt with at the Thargomindah court, but the matter was referred to the Crown Law Officers, who advised that it would be illegal for that court to adjudicate upon the claims, and the police magistrate acted upon that opinion. It would be no advantage to the persons concerned if their names were placed on the roll in an illegal manner, as their right to vote might afterwards be called in question. At that time there was no probability of a general election looming in the near future, for that was six months ago, and any person whose claim was not dealt with at that particular time has had any amount of time since then to send in a fresh claim and get registered at Thargomindah if he has the necessary qualification. There will be no such risk or chance of claims not being dealt with there as there was at Eulo, where they only formed a bench perhaps once in six months, and I believe they will have time enough even now to get their names enrolled before a general election. With regard to the statement that there is no justice of the peace within 100 miles of the place, I do not think that is correct. I do not know what is the exact distance, but I do not think it is 100 miles.

Mr. GLASSEY: Is it too far?

Mr. LEAHY: I think it is too far, but, as I have said, I believe they have still time to get their names on the roll before a general election. I know that the owner of Tilbooroo, who was living there up till recently, is a magistrate; and not only is he a magistrate, but he is prepared to do his duty in electoral matters, and has witnessed a great many claims. He lived near the place in question, and therefore the people could not have suffered any very great grievance upon that ground.

Mr. KERR: He is not there now.

Mr. LEAHY: He is the owner of the place, and may have gone away for a time, as owners sometimes have to do. I think I have disposed of most of the hon. member's contention. I do not think he has any case whatever. Very often in these cases hon. members hear only one side of the question, and if the hon. member seriously considers this grievance that he is agitating now he will see that it is a very small matter. When this change was made by the department it was for the purpose of enabling men to get their names revised by the Thargomindah court, but the Crown Law Officers said it would be illegal. However, I can assure the hon. member that the intention was not to prevent men getting on to the rolls, but to assist them.

The PREMIER: The hon. gentleman who has just addressed the House has so fully explained the matter that it is needless for me to reiterate the circumstances. The hon. member for Bulloo is really more acquainted with the subject than I am, because he has been aware, from the inception of the change in the time of my predecessor, of the arrangements that were being made in regard to the separation of that particular portion of the district. The hon. member for Bulloo also complained that the hon. member for Barcoo did not apprise or notify him of the action taken upon this occasion, but I think I have even a greater cause to complain, because the matter has come upon me quite as a surprise. If he had given me notice that he intended to raise the question I should have been fully armed with all the information on the subject, but as it is I have to express my obligations to the hon. member for Bulloo for putting the matter clearly before the House, and to state that his version is substantially correct. The sympathy of the Home Secretary's Department is altogether with those men who have been debarred from having their names recorded at the registration court. They have made their claims at the bi-monthly court, but on account of the separation of the district which occurred the Thargomindah bench declined to receive the claims. Under these circumstances the department fully expected that these claims would have been allowed to be received, but they were prevented from receiving them by the Crown Law Officers, and that is the sole reason. I do not think it is fair to the department that the hon. member should even insinuate that this division was made with a view to preventing these men from qualifying themselves as electors. The division was made in order to facilitate their getting their names on the roll, but their intentions were frustrated by the Crown Law Officers by whom the department was guided in connection with the matter. As the whole matter has now been explained, it is unnecessary for me to say any more, and I thank the hon. member for Bulloo for proving that these charges against the department are unfounded. We were guided entirely by the opinion of the Crown Law Officers.

Mr. FITZGERALD: The hon. the Premier has treated this matter very lightly, but I contend that a question affecting the franchise of fifty-four residents of that district is of some importance. It appears from the facts that twenty-five of these men put in claim forms on the 1st October, and at the revision court which was established for the purpose these claims were registered, and should have appeared on the April roll. But the jurisdiction of the court at Eulo had been merged into the jurisdiction of the court at Thargomindah, and because the claims were marked with the name "Eulo" as the division the claimants were disfranchised. The Premier said the department acted on the advice of the Crown Law Officers, and I admit what he said about not having had time enough to have brought all the papers before this House in order that he might explain the whole position. But I contend that it looks as if the opinion of the Crown Law Officers is altogether wrong according to law. Does the hon. gentleman mean to say that if a man were brought up at the Eulo court on a criminal charge, and the jurisdiction of that court were merged into that of the Thargomindah court, the man could not be tried at Thargomindah? If a man were entitled to make a claim before the Eulo court, and that court were merged into the Thargomindah court, could he not claim his rights in the latter court?

Mr. LEAHY: There might be objections outside of that.

Mr. FITZGERALD: There might be; but this is the only objection being urged here. The Thargomindah people said they had no jurisdiction over that at all, but I can give instances to the contrary. When an electoral claim comes before the registration court at Longreach with the division marked "Aramac" or "Muttaborra," and the justices see that the claim is in order, and that it should really be within the district of Longreach, they admit it. One of the amendments made in the Elections Act last year was that all informalities were to be waived, and this is purely and simply an informality. As the hon. member for Bulloo says, there may have been other reasons for disfranchising these men, but the only reason which has been stated up to the present is the one to which I have referred. It must be borne in mind that they had passed the registration court, which is supposed to deal with and decide all questions of informality.

Mr. LEAHY: There might not have been a court at all in Eulo since then.

Mr. FITZGERALD: Yes, but the hon. member says that the Eulo district has been merged in the Thargomindah district. If the Longreach district was merged to-morrow in the Barcardine district, and I had issued a summons in the District Court held at Longreach, I am certain that no District Court judge would decide that it was outside the jurisdiction of the Barcardine court. I would like to see how such a decision would stand on appeal. Then there is this question about the Crown Law Officers. I do not like to say much against the Crown Law Officers, but the opinion which the Premier says they gave is so extraordinary that I cannot help referring to the matter. I know from my experience as a solicitor in the West that the action of the Crown Law Office—which is supposed to be taken on the advice of the Crown Law Officers—is such that I would not give much for its opinion. I know of one instance where they gave instructions to sue, and the police magistrate drew attention to the fact that the cause of action was over six months old, and under the Justices Act they could not prosecute. The opinions which are given by the Crown Law Offices are very often given—not by the Attorney-General, who is supposed to give them—but by an Under Secretary who knows about as much of law as my boot. The Under Secretary at the present time is a man without any legal training, and that is a billet that has always been held up to the present by persons trained in the law.

The PREMIER: We are not discussing his merits at the present time. It is very unfair to speak in such a manner of a Government officer.

Mr. FITZGERALD: We are not discussing his merits, but we are discussing the merits of the Crown Law Office, and I say that the law that comes from that office is often given by that gentleman, and very likely by persons below him still.

The PREMIER: That is your opinion.

Mr. FITZGERALD: I say it because I am perfectly certain that the Attorney-General who is now deceased would never have given such opinions as I have seen coming from the Crown Law Office. I just mention this because the Premier said that he was guided by the advice given by the Crown Law Officers. As a member of the profession, I must say that I doubt very much the justice of that advice. Of course I know that the Premier is at a disadvantage in not having the facts before him.

Mr. LEAHY: You have not, either.

Mr. FITZGERALD: We cannot take suppositions; we must consider the case as it appears before us. Here are twenty-five men who passed

the ordinary registration court, and afterwards the whole bunch were knocked out, and the only reason given by the Premier is that the Crown Law Officers advise that the Thargomindah court could not deal with their claims.

The PREMIER: The Thargomindah court declined to deal with them.

Mr. FITZGERALD: But I understand the Thargomindah court refused to decide the matter on the advice of the Crown Law Officers.

The PREMIER: No.

Mr. FITZGERALD: That is what I understood the hon. gentleman to say.

The PREMIER: You are arguing entirely on false premises.

Mr. FITZGERALD: That was the only excuse I understood the hon. gentleman had to offer. This is a very serious matter, as it affects the rights of a great many people. The hon. member for Bulloo—and I believe him to be a just man—has said that these men will be able to get on the roll in time for the general election, but there is very little time to spare for that.

Mr. LEAHY: I said they could have been on by now if they had liked.

Mr. FITZGERALD: They might if they knew in time.

Mr. LEAHY: They may be on now for all you know.

Mr. FITZGERALD: If they had received notice from the clerk of petty sessions at Eulo in a reasonable time after April they might have put in new claims.

Mr. LEAHY: Very few of them would have voted for your party, any way. I have more of a grievance than you have.

Mr. FITZGERALD: I am in no way concerned with what party those men belong to. I do not suppose that any of our party will oppose the hon. member at the next election.

Mr. GLASSEY: I have a good mind to oppose him myself.

Mr. LEAHY: I wish you would, for the sake of dealing with the rabbit question.

Mr. FITZGERALD: There is no personal or party question in regard to this matter, because I am afraid we cannot get the hon. member out of his seat. A man's right to citizenship is one of the most sacred things he has. In France, where I was educated, so sacred is a man's citizenship considered to be that one of the gravest sentences that can be passed upon a man guilty of some serious crime is to deprive him of his civic rights. And when any hon. member raises such a question in this House, he ought to be listened to and assisted by Ministers and senior members.

Mr. LEAHY: They suspend the rights of the whole of the citizens in France sometimes.

Mr. FITZGERALD: We are not in France. I admit they do things there that I hope never to see done in this colony, but there is nothing to which they pay more respect than the right of citizenship.

The SECRETARY FOR PUBLIC INSTRUCTION: Government by the army.

Mr. LEAHY: And the mob.

Mr. FITZGERALD: That is getting away from my contention that the right of citizenship should be regarded as a man's most sacred possession, and any person who would interfere with that right, or any judicial or legislative body that would prevent him from exercising that right, ought to be sat upon at once. Every time I hear of grievances of this sort I shall raise my voice in favour of persons in this country obtaining the full rights of citizenship.

Mr. TURLEY: I hardly think it should be allowed to go forth that the hon. member for Barcoo introduced this question to make political capital out of it.

Mr. LEAHY: I did not say that.

Mr. TURLEY: The Chief Secretary said the insinuation was that it was done for political purposes. I do not think for a moment that anything of the sort was intended. The hon. member got up and gave the facts as they had been supplied to him in writing, and that he was justified in doing. He said—and most people will be inclined to agree with him—that at the time the court was shifted the department which had the ordering of the change should have made itself acquainted with the fact whether the court had been held in Eulo on the 5th or put off until the 20th. If that had been done this little disagreement would have been obviated. I simply rose to say that I hardly think it is fair to charge the hon. member for Barcoo with putting a political tinge on the question, or insinuating that the matter has been brought forward for political purposes.

Mr. GLASSEY: There are two points which stand out conspicuously in this case. There is a complaint that there is an insufficient number of justices of the peace in this particular district to whom men can apply to have their claims attested. That is a matter which the Chief Secretary can easily remedy. It must be obvious that more justices are required when persons have to travel fifty or 100 miles to get themselves on the roll. The complaint as to an insufficient number of justices is one very often heard from members representing sparsely populated districts, and the trouble should be overcome without delay. The next point is, why should a court sitting at Thargomindah, and having before it a number of claims sent in under the belief that the court sat at Eulo, not insert the word "Thargomindah" when an obvious error of that description has been made? By that means the whole trouble would have been got over. I have had considerable experience in the old country, extending over thirteen years, in attending revision courts year after year as an unpaid agent, and I have never known a revising barrister disfranchise a man on account of a little informality which could easily be corrected in the court. One of the objects of the last amending Act that we passed was to do away with rejection of claims for minor informalities; and yet from time to time we have these little technicalities coming along causing a lot of trouble and disfranchising numbers of people entitled to vote. I remember well on one occasion placing thirty-six claims before a court for revision by the revising barrister, and in consequence of an official failing to put in an appearance to represent those claims some of the minor lights of the court were inclined to throw them out, but the barrister said, "No, these men have discharged their duty, and if an official fails to discharge his, their rights must still be maintained." That is business and common sense, and if the same principle had been applied in this case these persons would not have been disfranchised. We are told that the matter was referred to the Crown Law Officers, who have decided that this is the law. I hope it is not the law. If it is, then the law is exceedingly stupid, and the sooner it is altered the better. The court is not constituted to throw obstacles in the way of persons obtaining their rights as citizens, but should guard and maintain those rights at all costs.

Mr. STEWART: This is one of the most serious cases of its kind that has yet been mentioned in this Chamber, and I am exceedingly surprised at the attitude of the hon. gentleman who leads the Government. The Parliament of this country passes a law providing that in election matters certain formalities should be gone through, and that upon the conclusion of those formalities persons who claim to be enfranchised should be enfranchised. We have

here the case of men who conform to every requirement of the law, and yet they cannot get on the rolls of the colony. If an event of that description does not reflect discredit upon the administration of the country I do not know what would reflect discredit upon them. If the hon. gentleman at the head of the Government is not ashamed of a thing of that kind, what would bring the blush to his countenance? If I were Premier of this colony, and such a thing happened, and if I could find no way of giving redress, I would resign on the spot—I would give up the reins of office as being utterly incapable of holding them. Take an analogous case. Suppose a man applies for probate at Rockhampton, and establishes his claim, but before the final touch is put on the matter the court is transferred to Townsville, must he begin *de novo* in the Townsville court or would the jurisdiction be transferred to Townsville?

The SECRETARY FOR PUBLIC INSTRUCTION: Ask a lawyer.

Mr. STEWART: Suppose at this very court of petty sessions at Eulo a wages case had to be tried and a verdict was given for the complainant with distress in the event of non-payment, does anyone imagine that the course of law would have been stopped in such a case by the removal of the court of petty sessions from Eulo to Thargomindah? Does anyone imagine that the complainant would have had to begin the whole process over again? I do not think so. I might give any number of instances of the same character. But why pursue these parallels? The thing is so ridiculous on the face of it. It seems to me to be ridiculous to be compelled to discuss such a question in a Legislative Assembly. We had a statement from the leader of the Government to the effect that the action of the justices at Thargomindah was taken on the authority of the Crown Law Office. Again, when another hon. gentleman was speaking, the hon. gentleman at the head of the Government interjected that such was not the case. Of course both these statements cannot be true, and I prefer to take the statement the hon. gentleman made when he was on his feet—that this particular action was taken by the express order of the Crown Law Officers in Brisbane. If that is so, what does it imply? It implies that the justices at Thargomindah knew perfectly well, some time before the court was held, that these claims were to come before them for revision; that they had consulted the Crown Law Office in Brisbane, and that their decision was given after due and deliberate consideration. And such a decision! Can anyone imagine a decision more stupid than this? I have shown the utter fallacy of the position by the parallel cases I have brought forward. I have shown the utter ignorance, the utter want of common sense on the part not only of the Law Officers of the Crown but of the Administration. We have had a complaint made—and it was emphasised by the hon. gentleman who represents the constituency within which this trouble took place—as to the want of justices of the peace. That is a want that is felt all over the colony. The electoral law expressly provides that claims for enrolment as voters shall be signed by justices of the peace, and yet the Government—I do not know whether they do it deliberately or not deliberately—but, as a matter of fact, the Government refuses to give the public facilities to get their names on the roll.

The PREMIER: No.

Mr. STEWART: I know that up in my district, where there are a number of justices of the peace, we find occasionally a great deal of difficulty in getting hold of a justice of the peace and getting names on the roll. Hon. members

from that quarter have at various times nominated reputable gentlemen to be put on the commission of the peace, but not one of those nominations has been accepted by the Government. And why? I cannot tell why. I might insinuate that it was because those men did not favour the present Government; but, knowing what an absolutely impartial gentleman the hon. gentleman at the head of the Government is, how impartial his colleagues are, and how desirous they are that every man in the colony should have the utmost facility to get his name on the roll, I scout such an idea. But in any case the fact remains that, even in the comparatively populous district of Rockhampton and neighbourhood, we find very great difficulty at times in getting names on the roll, and we find still greater difficulty in getting persons whom we consider quite suitable for the position placed on the commission of the peace. I do not wish to pursue this subject any further, but I cannot sit down without again expressing my opinion not only of the Law Officers of the Crown but of the Administration itself. I think the Law Officers of the Crown did give the advice which the leader of the Government said they gave—advice which I, being a layman, and not pretending to any great knowledge of the law, say at once was not in accordance either with law or with common sense, and if that is the case they are not fit for the position they occupy. And even if the law is as the law officers have said, I say it was the bounden duty of the Administration to find a way out of such a difficulty. Here is a gross miscarriage of justice, and for the Government to come to this House and say they have no remedy for such a thing as that is to confess the most absolute incapacity—nay, I would go further and say imbecility. I wonder would the process of law in any other business relation, except that regarding getting men's names on the roll, be choked off in this summary manner? If we take any cases we like, on the abolition of any court the jurisdiction of that court would be transferred to another court; but in the case of the electoral rolls the procedure is strangled, and these men are deprived—not by any act of their own, but by the deliberate act of the Administration—of the franchise, which is, as the hon. member for Mitchell put it, the dearest right next to his life any man can possess in this colony.

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member who spoke last, in somewhat gaudy language, has been good enough to give us his view of this case, not through my spectacles, but through his own. Now when a case is presented by an avowed enemy, one would very naturally be disposed to discount it. The first objection I take is to the manner in which it is presented. It is impossible under such circumstances as these really to get at the merits of the case. It is brought forward without any notice whatever. There are hundreds of cases which must come under the observation of the Home Secretary, some of which, perhaps, would admit of argument; but if any one of them is suddenly brought forward it is hardly likely that the explanation of the facts can be at once produced. When a legal member brings a charge of this sort, he might put it to himself in what position he would be in as an advocate if some case he never heard of was suddenly brought before him in court, in which he was to plead, without knowing either the plaintiff or the defendant, or anything at all about it until that moment. Cases of this sort can hardly be taken seriously.

Mr. KERR: This is not a case of that sort.

The SECRETARY FOR PUBLIC INSTRUCTION: The Home Secretary, at any rate, has not time or opportunity to ascertain in

this particular case how many justices of the peace there are in that particular locality. That is one of the charges—that there are not enough justices of the peace—and without notice it is impossible to place the real facts before the House. The hon. member has stated that the case as put forward by him in a most unfavourable light, presents some features which he condemns. He says the Administration display imbecility, and that the Crown Law Officers display imbecility also. But he admits that he does not know anything about law. I should like to know how a member who says he knows nothing about law and nothing particular about the case, is in a position to get up in this Chamber and say that the Crown Law Officers display imbecility. I take it that no man who is not a competent lawyer, or who has studied the law and is a man of some eminence, can take upon himself without doing himself much more harm than the Crown Law Officers, to pronounce judgment upon trained officials, men who have a distinguished standing in the colony. Nothing is easier than for the hon. member to make charges of imbecility. I should not be surprised to hear him say that the Chief Justice knows nothing about law, and we are to take his opinion upon that. When a man pronounces judgment, I ask myself whether he is competent. The hon. member has confessed himself quite incompetent, and I venture to say that in this case Ministers are quite contented to stand in the same category as the Crown Law Officers—condemned by the hon. member for Rockhampton North. His praise in this direction would be of no more value than his blame. It must be quite plain, from the absence of notice to begin with, that this discussion is merely a little device which can have but the one result of occupying time which, I venture to say, might be much more profitably passed in discussing the Estimates.

Mr. KIDSTON: The hon. gentleman imputes to this side of the House, or to the hon. member for Barcoo, in bringing this matter forward, a desire to waste the time of the House.

The SECRETARY FOR PUBLIC INSTRUCTION and Mr. LORD: Pure obstruction!

Mr. KIDSTON: It seems to me, and I have taken a good deal of interest in the difficulties that exist in this country with regard to men getting their names on the roll, that of all the cases I have come across this is about the most extraordinary of men being deliberately disfranchised. Some twenty-five men put in their claims, properly filled up and attested, and those claims are passed at the ordinary registration court at Eulo. In ordinary cases two months afterwards those claims would have been revised and the men's names placed on the electoral roll. But through some change the district was transferred from Eulo to Thargomindah, and the court at the latter place refused to recognise the claims, as we have been informed, on the advice of the Crown Law Officers. Is not that a gross miscarriage of justice? The hon. member for Rockhampton North said that if he was Premier under such circumstances he would resign. I do not ask the present Premier to resign. After what has been brought to light I should not expect a mere trifle like that to cause him to resign. But I should expect him, if he has an honest desire to fairly administer the law controlled by his own department, to bring to account the men who are responsible for this maladministration of the law. Last session we revised the electoral law. One complaint made at that time was that men were often kept from getting their names on the roll by mere technical errors. This House fully recognised the evils complained of, and provided that no claim should

be rejected for any mere informality. These men showed to the court at Thargomindah that they were entitled to have their names on the roll, and yet, on the advice of the Crown Law Officers, their claims were rejected. And we are told that the Government do not know whether the Crown Law Officers should have given that advice or not. Do we not know what we meant when we passed that law? Is not this House competent to say what it means? And is not that what it means? The whole informality in these claims, if it be judged an informality—I do not admit that it was an informality—but, the only reason the court at Thargomindah had for refusing these claims was, that instead of the name "Thargomindah" being written on them the name "Eulo" was written on them. The name "Eulo" was properly put on them, because the claims were put in at the court at Eulo, and were passed by that court. But in the intervening two months part of the district previously known as Eulo—that part in which the men who made these claims resided—was included in the Thargomindah district, and the name "Eulo" being on the claims was alleged to be a serious informality, and the men were disfranchised. Could any maladministration of the law be grosser or more partial? There must be some extraordinary things happen out in that Western country in regard to men getting their names on the roll. I have at home, or used to have, a photograph copy of a letter from a Barcoo justice of the peace to a brother justice of the peace, reminding him that the revision court was coming on, and giving him particular instructions what to do, as they did not want a Labour member to be elected for the Barcoo again.

The SECRETARY FOR PUBLIC INSTRUCTION: You didn't want the other man elected.

Mr. KIDSTON: I did not want the other man to be elected, but I have filled up claims for many men who I knew would vote for the other fellow.

Mr. ARMSTRONG: So has everybody.

Mr. KIDSTON: That justice of the peace did not, for he was advising his brother justice of the peace to keep off the roll the names of persons who were likely to vote for the Labour member, which showed that he—and I am afraid there are too many such men in the Western country—was unworthy to have the administration of this law in his hands; and we shall never have satisfaction until some better method is adopted. It was complained by the hon. member for Bulloo that the hon. member for Barcoo, in bringing this matter forward, seemed to impute bad motives to some one because these claims had been refused at Thargomindah. Is it not very natural to impute the very worst motives?

Mr. ARMSTRONG: It is very hard to prove them, though.

Mr. KIDSTON: Yes, that is the difficulty; it is very hard to prove them, but there is the fact. Where is the justification for these men being kept off the roll? Let someone who believes that the court at Thargomindah did right stand up and give us a reason for its action. The Premier did not.

The PREMIER: Yes.

Mr. KIDSTON: What was it?

The PREMIER: The opinion of the Crown Law Officers.

Mr. KIDSTON: The Crown Law Officers! This is the law with regard to claims that have passed the preliminary court, and come up before the second court for ratification—

The declaration contained in any claim shall be taken as *prima facie* evidence of the qualification claimed.

The declaration on these claims had already been admitted at a properly qualified court, and I

would ask what reason do the Crown Law Officers give for their opinion? The Home Secretary, who is a bit of a lawyer himself, smiles in a superior way, because I presume to read English, to read the law and try to understand it.

The HOME SECRETARY: I do not know what you were reading, for I have only just this moment come into the House.

Mr. KIDSTON: Surely hon. members who defend this action can give some reason to justify the rejection of these claims. I say there has not been the slightest attempt to justify the rejection of the claims. It is stipulated in the Act that no mere informality shall be allowed to cause the rejection of a claim if the main facts stated in that claim are held to be correct, and under those circumstances I cannot see any reason at all for the Crown Law Officers advising as they did, or for the court at Thargomindah rejecting the claims. What safety is there for citizens under an administration of the law that permits abuses of this kind? And what safety is there when Ministers who when such abuses are brought under their notice simply smile and fall back upon their majority? I declare it to be the distinct duty of the Home Secretary to have such a gross miscarriage of justice rectified, and he does not do his duty until he does that.

The PREMIER: You have not proved that it is a miscarriage of justice; it is only your opinion against the opinion of the Crown Law Officers.

Mr. KIDSTON: I have not proved it?

The PREMIER: No.

Mr. KIDSTON: Then I shall have to do it over again. There were twenty-five claims passed at Eulo in February last. They came before the court for the first time and were passed, and I suppose they would then be published in the electoral list as the claims of persons claiming to have their names placed on the electoral roll, and unless some objection was afterwards lodged showing that the claims should be rejected at the revision court, any mere informality in the claims had nothing to do with their rejection. I think that will be admitted.

Mr. LEAHY: No, no; that is not admitted at all.

Mr. KIDSTON: I have already read to the House the law which states that when a claim comes up for revision "the declaration contained in any claim shall be taken as *prima facie* evidence of the qualification claimed," and unless there is some objection urged—

The SECRETARY FOR PUBLIC LANDS: By the registrar.

Mr. KIDSTON: By the registrar, or some one else, the man is to all intents and purposes an elector. As a matter of fact the law assumes that the man will be an elector after the second revision court. The only thing that happened in this particular case between the passing of these claims in the first instance and their coming up for revision was an alteration in the boundaries of the petty sessions district. That was the only reason the court at Thargomindah had for preventing these names from getting on to the roll.

Mr. LEAHY: You have no authority for that statement; it is mere assumption.

Mr. STEWART: Why did you not give the facts?

Mr. LEAHY: I tried to get the court to deal with them.

Mr. KIDSTON: I have stated that the only thing that happened between those names being registered and their coming up for revision was the alteration in the boundaries of the district. The hon. member for Bulloo says that something else happened.

Mr. LEAHY: I did not. I said you had no proof that anything else happened.

Mr. KIDSTON: That is mere interruption. The case came before the Home Secretary, who was asked to do justice. He was asked to bring to book the men who were responsible for such a maladministration of the law, and if he or the hon. member for Bulloo can prove that there was sufficient reason, he should do so.

The PREMIER: I gave sufficient reason, and I am supported by the Crown Law Officers.

Mr. KIDSTON: Are the Crown Law Officers to be allowed to do things like this without being called into question in any way at all? If I put in a claim at Rockhampton to have my name put on the roll, am I to be disfranchised because the Crown Law Officers give a certain opinion? I should like to know the reason, and I shall not be satisfied that a maladministration of law has not taken place unless I know some far better reason than has been adduced for not admitting these claims at the Thargomindah court.

Mr. ARMSTRONG: Before the question is put I should like to say one or two words, not so much upon the question that has been raised as upon others, although if what hon. members opposite have said be correct there is some ground for the objection that has been taken. Not having a legal training I cannot give any opinion upon the legal aspect of the case, but hon. members opposite will find that it is little details that prevent men from getting on to the rolls. There is a tendency in nearly all our administration to bind everything down in hard-and-fast lines, and that tendency must and does operate, and will operate still more in future, to lead to difficulty. There should be a little more latitude given to men who have to deal with these matters, and from a common-sense point of view there is a great deal in the argument that has been raised. I do not know anything about the legal details, but I would point out under cover of this motion, that it is not alone in this case that incongruities exist. There are two incongruities that I wish to call attention to from a freeholder's point of view, which does not meet with very much sympathy from hon. members opposite. There is a case of a gentleman who recently left the country and went to Victoria. He was on the roll and his property was valued at over £100. During his absence the returning officer made inquiries at the local government office and found that the unimproved value of the property was under £100, although with the improvements its value was several hundreds. But because it stood in the local authority's books at less than £100, this man was struck off the roll. Another incongruity is this: In filling up a claim before a justice, the freeholder makes a declaration that he possesses a freehold worth more than £100, and I wish to ask the Minister upon whom the onus of proof falls as to the value of the property if objection be taken to the claim when it comes before the court? That is an entirely different position from that taken this afternoon by hon. members opposite, and I could give many more such cases if necessary. As we are now approaching the most important revision court of the whole year, I think an answer should be given to my question for the guidance of those who will preside over those courts.

Mr. BOLES: It has been urged from the other side that this debate is simply a waste of time, but I might as well say that I have considerable feeling in this matter, because in my district there has been a great deal of maladministration in the matter of these electoral rolls. In reference to the case brought forward by the hon. member for Bacoo, I do not intend to offer any opinion except to say that the Thargomindah bench had no option but to register these twenty-five names unless they were opposed *bonâ fide*. The law is very de-

finite on the point that no technical objection shall be taken to disfranchise these people. Clause 28 says that first meetings shall be held in the months of January, April, and July, at which names may be registered, and then clause 31 says that the clerk of petty sessions shall produce every claim at the next following sitting of the quarterly registration court, and the declaration contained in any claim shall be taken as *prima facie* evidence of the qualification of the elector. The court is bound to accept the claims unless a *bonâ fide* objection is lodged against them. So far as the moral aspect of the question is concerned, what frequently happens is not justice, and I believe it is not just from the legal aspect either. We passed an Elections Act last year, and that measure places greater obstacles in the way of men obtaining the franchise than even the previous Act. There are about twelve different forms to be filled in representing as many different classes of qualifications. Some people in the country districts possess a leasehold qualification while others possess a residence qualification. Then, again, in the towns there are householders, freeholders, and residence voters. If a man fills in his claim on the wrong form, or if a wrong form is sent to him, it is immediately objected to by the bench. I am informed by those who have some legal knowledge that it is absolutely necessary that claims should be rejected if they are made on the wrong forms. I have known claims require to be made out two or three times before they were made out on the proper forms. I do not see why one form should not suffice for all the various qualifications. If a man is entitled to a vote, why should not the same form do whether he has a residence qualification or a freehold qualification? There is no difficulty in getting on the rolls in Brisbane, where justices of the peace may be met at every corner; but in the country districts a man may have to travel hundreds of miles before he can find a justice of the peace, and then the justice of the peace may not have sufficient intelligence to fill up the form correctly. This is a very great hardship. I quite agree with the hon. member for Rockhampton North with regard to the question of justices. My experience of the last six years has been that the policy of the Government has been to keep men off the commission of the peace. Names have been recommended of men in my district—men of intelligence, and holding a large stake in the district—and they have been coolly passed over without recognition, for no other reason, I believe, but that it is generally supposed they are opposed to what is called the "Dickson-Bulcock earmark." At the same time we see pure carpet-baggers put on the commission—adventurers—men who have not been more than nine months in the country.

The HOME SECRETARY: Who was that?

Mr. BOLES: Ask the Premier.

The HOME SECRETARY: No, it is your statement. I ask his name—you do not know it.

Mr. BOLES: Of course it is said on the other side that this debate is a mere waste of time. I admit that the bench in my district is extremely fair. The police magistrate endeavours to administer the Elections Act in the true spirit of the Act, and, where a man shows that he is entitled to the franchise, no clerical error is allowed to invalidate his claim. I believe that is a very proper policy.

The TREASURER: They all do that pretty well.

Mr. BOLES: I doubt that very much. But the point is with regard to these forms.

The HOME SECRETARY: What was the quotation you made just now from the statutes?

Mr. BOLES: I said that there were ten or twelve different classes of forms.

The HOME SECRETARY: What page in the statutes?

Mr. BOLES: They are dealt with by regulation, and if the hon. gentleman goes to the Printing Office he can get them all.

Mr. McMASTER: There are only four.

Mr. BOLES: I am quite certain there are at least ten different ones.

Mr. ARMSTRONG: You must manufacture them up your way.

The HOME SECRETARY: I asked the page of the statutes you quoted from.

Mr. BOLES: I believe it is dealt with not by statute, but by regulation. I can cite a case in point. A man leaves a certain town, where he is on the roll for a residence qualification, although he also possesses a freehold qualification. He makes a claim to be placed on the roll for his freehold qualification on what he believes to be the proper form. Now, there are two different forms, and he asks me which is the correct one. "Well," I say, "I cannot tell you. The best thing you can do is to fill up both forms, and submit them both to the bench. There is no doubt that between the two you will have the right one." He filled them both in, and, strange to say, both were wrong—there was a third form.

The HOME SECRETARY: What could you expect when you advised him?

Mr. BOLES: This shows the efforts which are made to keep men off the rolls.

The SECRETARY FOR PUBLIC LANDS AND AGRICULTURE: You kept him off.

Mr. BOLES: Remember this man was a freeholder and not a carpet-bagger. He had a freehold worth considerably more than £100 in excess of all encumbrances, and yet he was put to the trouble and annoyance of having to fill in three forms before he could become entitled to exercise the franchise. It is right that a matter of this sort should be brought before the House. Those people who are entitled to votes should get them, and nothing should be made easier than for a man to get his name on the roll when he is entitled to have it there. I do not see why all these impediments should be thrown in their way. I know men who have been living in my district for over twelve months, but who have not been able to get their names on the roll. They would have to ride fifty miles to get a justice of the peace; they would have to ride as far to get a railway stationmaster, and they say that it is after all almost better to lose their votes than have to lose two or three days. There is another question I would like to refer to. That is the question of polling places at general elections.

The PREMIER: You know very well that I cannot reply.

Mr. BOLES: Perhaps the hon. gentleman will be able to reply on the Estimates, and possibly I shall raise the question again at that time.

The SPEAKER: I think perhaps that would be the better course for the hon. member to adopt. The hon. member for Barcoo, Mr. Kerr, brought forward a specific grievance, and that was in order. The hon. member seems to me now to be traversing the whole of the Elections Act and speaking in a general manner upon it. It would be much better to deal with such matters as polling places for the next general election when the Estimates are under discussion.

Mr. BOLES: I agree with you, Mr. Speaker, but I think the debate has been pretty well on the general question. However, I will gladly leave the matter until the Estimates come on, when the Premier will have an opportunity of reply. I have no desire to take advantage of him at the present time.

Mr. DUNSFORD: I do not think a matter like this should be deferred until the Estimates are under discussion, because we have no assurance that the Estimates dealing with this particular question will come on immediately. If this grievance is to be remedied it must be remedied at once. It has been said by some Ministers that we are only wasting time by ventilating matters of this sort. Yet here we are with a general election approaching and fifty-four men are being disfranchised without cause! Is the franchise of any good at all to the people? If it is, then I say we are not doing justice to any one of those fifty-four men in depriving them of their votes. If one man robs another of property he is punished, but here we have wholesale robbery of the rights of citizenship and there is no penalty attached to the offence. Surely the matter is of sufficient importance to discuss, and if there is any time to discuss it this is the time. "Now is the appointed hour." I see the Secretary for Public Instruction laughing. I suppose he did not know I was so well up in the scriptures. During the time I have been in this House repeated occasions have arisen on which members have been compelled to rise and draw attention to grievances similar to this. I well remember in 1893 my colleague and myself had to mention a case in which an effort was made at Charters Towers to disfranchise 1,900 men, among them being a parish priest, several justices of the peace, mining managers, and other prominent citizens, and these things are being repeated in every portion of the colony. A man is compelled to register a birth, a death, or a marriage; he can be compelled to register a dog; but here we have obstacles thrown in the way of registering the right of citizenship. Why, in the name of common sense, should obstacles be thrown in the way of men who contribute their share of revenue to the State, who obey the laws of the State, and who are educationally qualified to vote? Let us put ourselves in the places of these men who are deprived of their rights. What would the Premier say if obstacles were thrown in his way of recording his vote?

The PREMIER: I would abide by the law.

Mr. DUNSFORD: The Minister would be the first man to call upon his friends in the House to assist him, and those friends would be unworthy of the name, would be unworthy representatives of the people, if they did not see that justice was done towards him. It is our duty to see that these fifty-four men receive justice, and it is only by ventilating the matter that we can hope to gain a remedy. I hope it will not be said that it is out of place that this matter should be brought forward, and that we are not to discuss such grievances.

The SPEAKER: I distinctly stated that it was in order to discuss the grievance brought before the House by the hon. member for Barcoo, Mr. Kerr, but I said that if hon. members traversed the whole of the Elections Act that would not be in order. The administration of the Act can be discussed, but not the provisions of it.

Mr. DUNSFORD: I am pleased the Speaker has explained that matter, because I certainly understood that he did not desire to see this matter ventilated. I hope Government officers will take notice of this discussion, and that they will not act as though it were beneath them to remedy such grievances. If this matter occurred in the city a host of members would rise and protest against it. There is no denying the fact that these men have been disfranchised, and such being the case I hope an effort will be made to see that they are put upon the rolls. It would be unfair to the hon. member for Bulloo, and

perhaps to others who might contest the electorate, if, through the action of some officers of the State, an election bore a different aspect to what it otherwise would have done had these men been enfranchised. I do not know whether this action has been taken owing to the fact that the hon. member for Bulloo is now what is called a "rebel." It may be that the Government think he is worth powder and shot, and that something may be done to disfranchise certain men who would vote for him. If that is the case, or whatever the motive, I hope we shall hear of no further cases of a similar nature.

Question put and passed.

COMMITTEE.

PRISONS.

The PREMIER moved that £25,106 be granted for prisons. This Estimate was £302 less than the provision required last year, and the items in which decreases occurred were shown on the Estimate. There were some small increases of salaries to various officers on account of long service. The report of the Comptroller of Prisons showed that the number of criminals, especially long-sentence men, had been considerably reduced, and the present discipline, especially under the Offenders' Probation Act, seemed to be tending to a moral reformation—of juvenile offenders, at any rate. The Act had worked very satisfactorily, and he believed that where men were not hardened in crime, a humane attention to their wants and a firm discipline produced a very excellent effect, and tended to improve them and open the future of their lives to more satisfactory conditions. The discharge of duty in the Home Secretary's office was of itself a very educational course for any man who desired to have practical observation of the working of some of our social problems; and the study of our prisons and lunatic asylums—more particularly our prisons—afford considerable instruction and food for reflection as to the reformation of our criminal class. Some men were hardened criminals, who seemed to be beyond the reach of reformation, but he had come to the conclusion that very prolonged sentences did not as a rule tend to reform men. He really believed that those prolonged sentences were relics of a barbarous age; that after men had passed the best years of their lives in gaol they lost all energy and became of a hardened or sour disposition. Perhaps he was opening up a discussion on the question of prison discipline which he might desire should not be protracted; at the same time it was a matter for very serious consideration as to the condition of our prisons; that was to say, it was a matter which hon. members who desired to promote the social welfare of the body public might well direct their attention to. Our prison discipline at present was conducted on satisfactory lines, and it was satisfactory to know that the inmates of these institutions were considerably reduced in number. He believed that with continuing the system which had prevailed of revising periodically the sentences pronounced by our judicial tribunals, and giving offenders—at any rate juvenile offenders—the benefit of the Offenders' Probation Act, they might hope for the reformation of many who, if compelled to serve long sentences, would degenerate into hardened criminals.

Mr. GLASSEY had listened to many of the remarks made by the Premier with a great amount of satisfaction. Those remarks showed the value of a man holding for some length of time the position occupied by the hon. gentleman as Ministerial head of the Prisons Department; and he entirely agreed with the hon. gentleman that long terms of imprisonment and harsh

sentences did not tend to lessen crime or to reform persons. The hon. gentleman unfortunately used the term "criminal class." He (Mr. Glassey) denied that there was such a thing as a criminal class. Unfortunately there were in almost every society persons who committed crime, but he did not believe—notwithstanding all the evidence adduced, scientific and otherwise—that it could be demonstrated that there was such a thing as a criminal class. Coming to the necessity of reviewing from time to time the sentences passed upon people, he hoped the hon. gentleman before he left office—before he relinquished his control of the prisons, if possible—would review a few sentences. He had brought cases under the notice of the late Home Secretary, Sir Horace Tozer, and he must say that in many instances Sir Horace had released persons sometimes contrary to the wishes of some of his would-be friends, and even of some portion of the Press. Sometimes strictures were passed upon that gentleman because he exercised a little forbearance and humanity; and he hoped, notwithstanding the opinions expressed by certain critics, both in the Press and otherwise, that the hon. gentleman now at the head of affairs would—as he believed was honestly his intention—review some of the sentences that had been passed. He trusted that when the hon. gentleman could find it convenient he would review a good many of the sentences, more particularly those of young persons, and liberate them; and he ventured to say that in nine cases out of ten the result would be highly satisfactory, not only to the individuals themselves, but to society as a whole. He did not know whether the hon. gentleman had ever considered the question of removing the present penal settlement from the island to the mainland. The existing site was a most unsatisfactory one. He would also suggest the abolition of the grouping system in the prison. Amongst a group of twenty prisoners some might have been there for long periods, and others committed two or three times. The association of the young with such persons must infallibly do them harm. It would be a good thing to classify the prisoners, and young persons should not be permitted to associate with hardened offenders. He had never been a believer in the necessity of inflicting severe punishment on prisoners nor in long terms of imprisonment. Prisons should not be places of torture, but places where those committed to them might have an opportunity of calmly reflecting on their misdeeds, and resolving on leading a better life. That, he was certain, would lead to a great reduction in criminality. With regard to the vote he did not see much to complain of. There was room for an increase in the case of the more poorly-paid officers. He noticed that at Blackall a warder had recently been appointed at £120. That did not seem enough when they considered the extra cost of living in towns in the interior. At St. Helena and elsewhere the pay was higher, but if it was merely an experiment, and if it was determined to continue it, the Home Secretary might see his way to give an increase. He would only briefly refer to the question of the lockup at Fortitude Valley, because he believed the junior member for that electorate had something to say about it. The locality was altogether unsuitable, and if it were removed the site might be advantageously used for additions to the State school. It was promised last year that the matter should be attended to, but he was not aware that anything had been done.

Mr. McMASTER was pleased to see that the Comptroller of Prisons recommended the removal of the lockup from Fortitude Valley. He had been advocating its removal ever since he had been a member of the House. It must be

admitted that a very great improvement had taken place in the lockup within the last year or two. When the question was last before the Committee he was not aware of that change, and believed he did an injustice on that occasion to the matron and her assistant. He was informed on the best authority that the matron, by her kindness and firmness, had brought about such a reformation in the lockup that had not been known for many years. The yard had now been surrounded by a high iron fence, so that children could not see, nor hear so well, what was taking place in the yard. But notwithstanding all the improvement the site was objectionable. It was anything but pleasant to see "Black Maria" bestowing its cargo of passengers there almost every afternoon just about the time the school children were dispersing. Therefore, the children came more or less into contact with the prisoners located there. The district was thickly populated; there were buildings going up there nearly every day; the number of scholars at the school was increasing so rapidly that some of the pupils had to be taught on the veranda, and there was a movement now on foot to get increased school accommodation. He hoped the Government would act on the advice of the Comptroller of Prisons, who in his report said—

Should it be deemed advisable to keep this gaol in existence for any time, extra accommodation will be required in the form of additional cells, in order to better classify the prisoners, and especially for the purpose of keeping first offenders apart from the old and hardened ones.

Further on the Comptroller said—

This gaol is not in a good position, situated as it is in a thickly populated neighbourhood, surrounded by houses, and adjacent to large State schools. It is therefore questionable whether it would be advisable to spend more money in making additions which will undoubtedly be required if it is to remain in existence where it is, or whether, as previously mentioned, it would not be better to erect a new female gaol, built on modern lines, on the Boggo road reserve, capable of holding all the female prisoners who are now detained at the Valley and at Toowoomba.

The PREMIER: That is being carried out.

Mr. McMASTER: Then he had no more to say on the question, as they had now the promise of the Minister that the lockup would be removed.

The PREMIER: The hon. member for Fortitude Valley who had just spoken might have learnt from the newspaper reports that he and his colleague, the Secretary for Public Instruction, who was at that time Secretary for Works, had made inspections with the view of ascertaining if proper accommodation could be obtained for the removal of the female prisoners from Fortitude Valley to Boggo road. A suitable site had been decided upon, and the Government Architect was instructed some time ago to take levels and prepare the necessary plans. It was not altogether appropriate that an institution of that sort should be adjacent to a State school, and the accommodation at Fortitude Valley was not sufficient for the purpose. It was intended not only to remove the female prisoners from Fortitude Valley but also from Toowoomba as soon as the new building was erected, so that they might have all the female prisoners under one head. The gaol at Boggo road, as well as at Stewart's Creek, was constructed on the latest and most approved principles for prison discipline, and there was ample room there for the erection of another ward. With regard to what the leader of the Opposition considered to be rather small pay for a warder at Blackall, he might inform the hon. member that the appointment had not yet been filled up, but it was the lowest grade in the warders' service, and, as the hon. member knew,

after a certain period warders got automatic increases. It was gratifying to observe from the report of the Comptroller of Prisons that the short sentence prisoners represented 85 per cent. of the number of persons convicted during the past year, which proved that in the opinion of those who had to inflict punishment upon offenders a short term of imprisonment was the best that could be prescribed in the case of first offenders—juvenile offenders at any rate—with a view to giving them some hope of reformation and a new start in life. Of course while some men were deserving of special consideration, leniency might be wasted upon hardened offenders; and while he was not prepared to say that there should be no long sentences, he believed that as a general principle long sentences in the case of men who were convicted for a first offence did not tend to their moral reformation, but rather to harden them into deliberate criminals. With respect to the association of prisoners, which the leader of the Opposition had described as undesirable, he knew the Comptroller of Prisons was quite in accord with the views expressed by the hon. member, but the reason why they were associated was simply because they had not adequate accommodation to secure their disassociation. The question of removing the penal establishment at St. Helena to the mainland was one that had been repeatedly discussed. He recognised that the gaol there was little more than a stockade at present, and that it was certainly exposed to a great risk of fire. The discipline at St. Helena was excellent; the men were in good health, and he believed the majority of them were being trained up to learn some trade and become useful when they emerged into life again. He was clearly of opinion that if the gaol was to be perpetuated there a much better and much more secure building, affording larger accommodation than now existed, would have to be provided. In the meantime he declined to commit himself to any special opinion as to whether the gaol should be removed to the mainland or new buildings erected at St. Helena. But, notwithstanding his separation from the Home Office, he should maintain an intimate supervision of their prisons and prison discipline, as that was a matter which demanded the full consideration and attention of any person at the head of the Government. He was glad that such a reasonable tone had prevailed during this important debate.

Mr. McDONNELL was pleased to hear the answer given to his colleague by the Premier, as there was a general consensus of opinion in the Valley that the present prison was in a very unsuitable locality, particularly as it was so close to the State school. Certainly a new fence had been erected between them, but the "Black Maria" always happened to be there when the children were coming out of school, and that was the most shameful part of the whole business. They had been assured several times that this matter was going to be attended to in the near future, and he hoped that the promise now made would be carried out this year, as the matter was urgent. He would like also to point out that, although there was only accommodation in this prison for twelve prisoners, according to the Comptroller's report, there were at one time as many as twenty-three there, and that fact ought to induce the Government to hurry up. Another matter was in regard to classification. The bulk of the female offenders were sent to this prison, but there was no system of classification possible there at all. He endorsed what had been said by his colleague in regard to the matron, who did her duty to the satisfaction of the department; but of course she could not help the present state of things, and he would give a case in point. A little girl was

arrested some time ago upon a charge of attempted arson. He believed it was a trumped up charge, but she was sent to this prison and remained there waiting her trial, and during this time she had to mix up with the lowest criminals; and they knew that when females became degraded they were very low indeed. This child was respectably reared, and the case against her fell through, and he hoped the Crown Law Officers would inquire into the matter. Such an occurrence as that ought to be a sufficient inducement to the Government to treat the matter as urgent, and not lose any time over the erection of a prison for females where proper classification could be carried out.

The PREMIER wished to correct one statement the last speaker had made in referring to this little girl. There was as much classification carried out as a small building would admit—that was to say, first offenders and persons waiting trial were kept aloof from those who were convicted, and this girl was not allowed to herd with the others.

Mr. McDONNELL: His point was exactly as he had stated it. Some of those who were waiting trial were just as disreputable as those who were undergoing sentence.

The PREMIER: He was informed that the girl was kept in a separate cell by herself the whole time, so that she could not mix up with the others. The hon. member would accept that assurance from him.

Mr. DANIELS: The question of building a new prison at St. Helena had come up nearly every year, but nothing had been done yet. He had been through the present building, and it had at once struck him that in the event of a fire it was pretty certain that about half of the prisoners would be roasted. He thought it would be ridiculous to continue the prison at St. Helena when they had places on the mainland to which it would be far less trouble to convey prisoners and provisions. If the Government sold St. Helena as building sites, he was sure the proceeds would be sufficient to cover the cost of the new buildings on the mainland.

The HOME SECRETARY: Sell land! I thought that was heresy.

Mr. DANIELS: It might be better to lease the land, as the rents derived from building leases would be sufficient to pay the interest on the cost of construction of a first-class gaol. No one ever heard him say that he was entirely opposed to selling land under conditions, but he was utterly opposed to selling 20,000-acre blocks—the pick of the country. If the new prison was erected on St. Helena they would receive nothing as a set-off. The Premier informed them that the prisoners enjoyed the best of health at St. Helena, and there was no reason why other people should not have an opportunity of recruiting their health there.

Mr. McMASTER, referring to the case brought up by his colleague, said that according to the report of the Comptroller of Prisons on the Valley gaol the matron had made arrangements whereby two female debtors had been given separate accommodation from the other prisoners, and, if she had done that in the case of debtors, it was pretty certain that she would take care to keep the girl in question from mixing with the hardened criminals.

Mr. McDONNELL was quite satisfied with the explanation of the Premier, but he would point out, in reply to his colleague, that according to the law separate accommodation had to be provided for debtors, whereas there was no such compulsion in regard to this girl. If the matron had placed her apart from the other prisoners it was only because of her humane disposition.

Mr. DUNSFORD saw that during the year some effort had been made to close some of the

smaller prisons, and concentrate the prisoners in the larger and better-class prisons. That was a very good principle, because by that system they might be able to effect an economy, whilst at the same time improving the management. There was a great deal of complaint about the badly constructed prisons that were to be found in different parts of the colony—at Normanton, Cooktown, and St. Helena, for instance. They were said to be unsafe and totally unfit for prisons, so that they would soon have to face the question where their prisons should be located. It was very evident that the area of St. Helena was altogether inadequate for a large prison establishment, because if the prisons were to become self-supporting—and he saw no reason why they should not—they must have scope in which to work. According to the report of the Comptroller of Prisons, the prison at Stewart's Creek was the best constructed prison in the colony, but it was placed in a most unsuitable locality—right in a swamp, on land which could not be used for any productive purpose, and was most unhealthy, and the prisoners were almost eaten alive by the mosquitoes. The prisoners were condemned to punishment, but that was no reason why they should be condemned to torture, and it was a species of torture to let loose the Stewart's Creek mosquito on them. He hoped that when considering the question of sites, the Minister would choose localities where the prisoners would have a chance of being employed in healthy occupations and assist the State to make the institutions self-supporting.

Mr. STEWART noticed that according to the report of the Comptroller of Prisons work was performed at St. Helena for Government departments to the value of £7,001 1s. 8d. Would the hon. gentleman tell them what particular work was done for the Government departments?

The PREMIER: The articles turned out comprised saddlery, boots, tailoring, tinware, tanks, and various other things required by the Police and Railway Departments as well as all other Government departments. The object was to so train prisoners that they might earn a living on the expiry of their sentences.

Mr. McDONNELL asked why the £84 previously allowed to the Thursday Island gaoler for extra cost of living had been discontinued? The officer received a comparatively small salary, while the cost of living must be considerably greater than it was further south.

The PREMIER: There had been no reduction. The £84 was included in the sum of £284 which appeared under the heading "extra allowances."

Question put and passed.

REFORMATORIES.

The PREMIER moved that £2,405 be granted for the Lytton Reformatory and Industrial School for Girls, Toowoomba. There was an increase of £250 for the Industrial School for girls at Riverview, conducted by the Salvation Army. Girls who were dealt with by the police magistrate were sent there and an allowance of 5s. per week made for their maintenance.

Mr. BELL suggested that a better system of training the reformatory boys might be adopted, as had been suggested by the late Premier, who thought it would be a useful thing to send some of them to sea. It seemed to him that the idea was an excellent one, and would lead to the boys growing up to a useful life.

The PREMIER: The matter was well worthy of consideration. At present the boys were well trained, and under a very kind master. Many of those who had been hired out had accumulated large sums of money, and Mr. Wassell acted as

a sort of financial agent for them. There were one or two cases in which the boys had as much as £100 to their credit. Some persons were under the impression that the wages were taken by the State as a set off against the cost the boys had been, but that was not so. Undoubtedly it was desirable that more openings in life should be found for the lads, and as an experiment two of them had been sent in the new steamer "White Star" to Thursday Island. He also thought that some of the other Government steamers might be supplied with boys. In the meantime they were under excellent discipline, and were treated most humanely by Mr. Wassell. In all the cases that had come under his observation the boys could thank their stars that they had been taken away from the streets and placed in such good hands.

Mr. GLASSEY: The point raised by the hon. member for Dalby was of considerable interest. He was glad a beginning had been made in the direction of giving the boys a sea training, but the outlet in the direction of Government steamers was very limited, and he would suggest that some of them might be placed on the coastal steamers. He thought it would be highly desirable if Parliament were supplied with an annual report from the superintendent of the reformatory, so that they might have some guide as to the number of boys, what the occupations of those hired out were, and what their future was likely to be. Such a report would be very useful and interesting.

Mr. BELL: What do you think of the idea of a training ship?

Mr. GLASSEY: Some system ought to be devised by which these boys could be trained. He had never been satisfied as to how the boys fared in the different parts of the country. He was not going to say that they were badly treated, but there should be more information as to how they were engaged. He had met some of them in different parts of the country who had not that care and attention one would like to see bestowed upon them, and it was the duty of hon. members to see that every possible opportunity was given to those youths so that their future might be assured.

The PREMIER: It seemed to be the custom of the department not to have an annual report, but there was no objection to one being furnished—in fact, he thought it was desirable. The department received monthly reports of a most complete character from Mr. Wassell, and the system adopted was this: An intending employer wrote to Mr. Wassell to know if he had a boy suitable for a certain purpose—farm or station life, domestic service, or some other kind of work. Mr. Wassell satisfied himself that the intending employer was a man of respectability, and if there was a suitable boy he was licensed out at a certain wage. The boy was instructed to communicate with Mr. Wassell within reasonably short and regular periods, and if the boy failed to write Mr. Wassell addressed the employer to know how the boy was progressing, and kept closely in touch not only with the boy but with the employer. All wages had to be paid periodically, and so far as he could learn they were paid with great regularity, and banked to the credit of the boys, the Government retaining no part of their wages. It was desirable that the boys should have fuller opportunities for employment, but, so far as he could learn, between individual employers and the Salvation Army, all the boys available for service had been drafted off, and it was desirable that the younger boys should remain under discipline for a time. The two boys sent by the "White Star" were sent to initiate the system. He thought a certain number should be employed on the

Government steamers; but he deprecated their being employed generally on trading vessels on the coast. It was desirable that they should be under supervision and discipline, and he did not think it would be altogether desirable that they should come into competition with what he might term "free boys." The system had to be administered judiciously. It was going on satisfactorily at present, and he thought the superintendent deserved commendation for the excellent way in which he looked after the interests of the boys. In future he would see that an annual report was furnished.

Mr. GLASSEY did not quite agree with the hon. gentleman in drawing a distinction between these boys and others whom he described as "free boys." He made no distinction. They were part of our population; and, with the view of taking them away from their old habits, it was better to give the boys the opportunities he had mentioned, so that they might become what the hon. gentleman termed "free boys" more readily than if they were restricted in the manner suggested by the hon. gentleman. The hon. member for Dalby referred just now to the training of the boys on some vessel set apart for that purpose, and he would readily fall in with that suggestion, if it could be carried out without being too expensive. It was unfortunate that those boys had got into such habits that they had to be sent to such an institution as the one under consideration, but it was the duty of hon. members to see that no restrictions were imposed which would be any obstacle to their reform and to their future welfare.

The PREMIER: He did not wish to draw any invidious distinctions between the prospects in life of those waifs and strays who were being trained up by the State and those of what he had called free boys; but practically there was a very marked distinction to be drawn. If a boy from the reformatory was assigned to one of the steamship companies, under the statute law of the colony he would have to be licensed to the captain, and the captain would have to enter into certain obligations to look after him when in port. He did not think it at all likely that any captain would burden himself with such a responsibility when there were plenty of free boys for whom he incurred no such responsibility. Besides, it was the rule, he believed, that when a father indentured his son to the sea he had to pay a premium of 100 guineas, and with the increasing number of applicants for a sea life the premium was increasing. There would be more difficulty than the hon. member imagined in placing those boys on board ships where the owners had a direct interest in providing themselves with boys who were able to pay a premium. He might mention that some time ago it was deemed desirable to have a training ship in our ports, where those boys might have the advantage of being trained to nautical pursuits, and perhaps in time be drafted into the Royal Navy. That seemed a very excellent idea, but cold water was thrown upon it by the Admiralty, who would not accept anyone in whose lives there had been the slightest tinge of criminality. They were very emphatic in the matter, and although representations were made with the view of drafting off some of the younger boys nothing came of them. Doubtless a training ship would be a great boon, because, although not drafted into the Royal Navy, the lads might make very good merchant seamen.

Mr. DUNSFORD: He hoped the Premier did not mean to imply that those boys were of criminal origin or had criminal instincts.

The PREMIER: Certainly not.

Mr. DUNSFORD: They had mainly gone wrong through want of proper parental control. The system of placing one lad with one employer

and another with another was not a good one. The main object of a master was to get as much work as he could out of the boys; he did not train them up to anything, but used them as employees. He believed in the establishment of a training ship, as suggested by the hon. member for Dalby. That might be started on a small scale. There was the "Lucinda," which was at present absolutely useless. Let the Government utilise her for the purpose. The system had been found to work very satisfactorily in Sydney and elsewhere.

THE SECRETARY FOR PUBLIC INSTRUCTION: While he believed it would be a very good thing to train some of those boys, the suggestion that they should be trained on the "Lucinda" was hardly practicable. Whatever might be the present use of the "Lucinda," it would be folly to attempt to train sailors on a boat which had practically neither masts, nor yards, nor sails.

Mr. McDONNELL: For a number of years they had been promised a Bill dealing with State children. Was it the intention of the Government to submit that Bill this session?

The PREMIER: Not this session.
Question put and passed.

WATER POLICE.

The PREMIER moved that £1,415 be granted for salaries and contingencies, Water Police. The amount was the same as was voted last year.

Question put and passed.

BENEVOLENT ASYLUM, DUNWICH.

The PREMIER moved that £13,897 be granted for salaries and contingencies for the Benevolent Asylum at Dunwich. The total expenditure for last year was £13,231. The Estimate therefore showed an increase of £666, which was made up by one assistant matron, a new appointment, £40; one additional boatman, £30; a head attendant, £80; and an increase of £500 in contingencies, which included allowances to people in lieu of going to Dunwich. There was a small reduction in the wages of the ploughman. A new system had been introduced of late by which an allowance was made to aged people who had relatives who could afford to give them shelter, and it seemed to be working satisfactorily. The Government gave those people in many cases 5s. a week to prevent them going to Dunwich, and that was cheaper than allowing them to go Dunwich, while at the same time it maintained them more in their own self-respect, and enabled them to spend their declining years among their friends and relatives. He thought the system was a good one so long as each case was thoroughly investigated. Even their best conducted systems were liable to gross abuse unless they kept a very strict surveillance over the recipients of such charity. He was gratified to be able to tell hon. members that the system had during the short time it had been in operation relieved Dunwich to such an extent that whereas it was proposed to erect two new wards there, one would now be sufficient; and with continuous vigilance the system was capable of further extension. Another matter to which he wished to refer was the appointment of a head attendant. Hitherto the warders had all been inmates of the institution, and there was reason to believe now that the medical superintendent should secure the services of a warder from outside, who would be more respected and less suspected of partiality by the inmates. Hon. members had had opportunities of visiting the institution, and he believed they would admit that Dr. Smith carried out the very arduous duties which devolved upon him as medical superintendent as satisfactorily as they could be done under the

present system. Here again came in the question of removing the institution to the mainland, but on that point he had a very decided opinion. He held that it would be much better to keep the institution where it was; it was in a healthy position; the people were well fed and well looked after, and if those aged persons were removed to the mainland they would become a nuisance in the streets, and tire out the patience, perhaps, of those with whom they came in contact.

Mr. GLASSEY entirely joined issue with the hon. gentleman with respect to the continuance of the benevolent asylum at Dunwich. The only reason the hon. gentleman gave for keeping it where it was at present was that the inmates would become a nuisance in the streets and objectionable to the community, and he entirely disagreed with that statement. The site was no doubt a healthy one, but life was not altogether made up of eating, sleeping, and knocking about a beach. Life was made up largely of association with friends occasionally, and social enjoyments, and if the institution were on the mainland many persons would very likely organise little parties for the entertainment of the inmates, take them baskets of fruit, sweets, and flowers, and supplies of books, periodicals, and newspapers, from which they were now pretty well excluded. Of course they had an occasional concert at Dunwich, but that was not sufficient. He sincerely hoped that the proposed additional ward would never be erected at Dunwich, but that the institution would be removed to the mainland. What could be more cheering than for these old people to have their friends visiting them, inviting them to their homes, and seeing that they were safely escorted back again? He thought the balance of argument and the balance of opinion would be in favour of the removal of the institution. He was pleased to hear the hon. member say that he had followed in the line adopted by his predecessor in granting allowances to aged persons rather than take them away from their relatives and friends. That was a step in the right direction, and, so far as his experience had gone, it was the best method that could be adopted. There was another matter to which he wished to draw attention, and that was as to how far provision would be made to permit aged couples to live together at Dunwich. He was sure the hon. gentleman would agree with him, as his predecessor had done, that it was a mistake to divide aged married couples, and wherever they could be kept together it would be very much better that they should be, and it was very much more humane. In some parts of the world, and particularly in Great Britain, arrangements had been made whereby all aged couples were permitted to live together, and in that they had the initiation of an old age pension system, which he thought a step in the right direction. He also hoped that the Home Secretary would not ask aged couples to go away from the localities where they had lived, and where they might have friends.

The PREMIER: The cottage system which had been discussed by his predecessor had not been carried out, for the reason that the system of making weekly payments had superseded it, and it was no longer so necessary. He was not at all convinced by the hon. member that this institution should be removed to the mainland, although the hon. member had depicted in very effective language the greater comforts that might be obtained. The hon. member overlooked the fact that this institution was very largely a hospital as well as a benevolent asylum. Unfortunately, a large number of the inmates were in such a condition that they could not leave their beds, and certainly they would be

quite unable to enjoy the festivities the hon. member referred to. They would also be a severe infliction upon their relatives, if they could be found, which in many cases they could not. A great many cases were received at Dunwich which the general and provincial hospitals had got tired of attending to, and from that point of view it was better that these people should be suffered to live out the evening of their lives where they were, instead of being placed in the suburbs of their large cities. He was sure the position was healthier and freer—that they had more liberty there than they could possibly have in Brisbane. He was convinced after a calm view of the situation that they could not do better than allow this institution to remain where it was, and to allow those who had friends willing to receive them a small weekly dole to relieve their necessities. He might at once say that the whole of our charitable system would demand most serious consideration at an early date. Our method of granting relief was not being conducted upon altogether satisfactory lines; there ought to be more system in it. Since he had been in the department he had endeavoured to give relief in the most suitable form; but our charitable allowances were assuming very large proportions, and were a heavy charge upon the taxpayers. The poor were always with us, and they were increasing in proportion as the population increased.

Mr. GLASSEY: But the rich are always with us, too.

The PREMIER: This matter of charitable allowances was pressed more upon the attention of the Government here than upon that of Great Britain, because in the latter country there were large private benevolences, but in this colony all the cost fell upon the taxpayer, and he was convinced that in the near future some more satisfactory system would have to be introduced. Perhaps he was forecasting unnecessarily, and extending the discussion upon the Estimates, but it was a vast social problem which would have to be tackled at a not very distant date.

Mr. GLASSEY had not suggested the establishment of any institution where there would be entire freedom from restraint. Coming to the question of warders, they should have someone with greater authority to look after the inmates than the ordinary inmates. The system that had been adopted by the board of guardians in England, of which he had been a member, and which had worked admirably, was that the inmates were graded. The very old inmates were placed in the charge of others not so old and who were possessed of some education and intelligence, while a number of other patients who were less infirm were placed in the charge of others. Those who had the charge of the very infirm were given a small annual remuneration, and were given separate quarters and cooked their own food, and from the fact that they did not need to mix with the other inmates they wielded greater authority than they would have possessed if they had been treated exactly as ordinary inmates. At the same time he did not disapprove of the employment of one or two persons to superintend the institution and see that discipline was maintained and at the same time that kindness and benevolence were displayed. If the system he spoke of was not in vogue in Dunwich, he suggested that it might be tried, as it worked very well in England.

The PREMIER could not say that Dunwich was worked on parallel lines with the institution with which the hon. member had been connected in England, but there had virtually been an attempt at the system, inasmuch as nurses and certain inmates were appointed as wardmen. The object they had in view in appointing warders who were not inmates was that they

might have a general supervision of the whole, and see that the inmate warders performed their duties satisfactorily, and that they were supported in their authority by someone possessed of more authority than the inmates. He did not know that he could promise any reformation of the system, as Dunwich was hardly on the same lines as the institutions in England to which the hon. member had referred. It was more a hospital than a benevolent asylum. There were a variety of diseases which required medical treatment and trained nurses, and it would be practically impossible to allow the different wards to do their own cooking.

Mr. GLASSEY: The hon. gentleman had missed the point. The inmates were graded according to infirmity. The more infirm were placed under the charge of the stronger and more intelligent inmates, who exercised considerable authority in consequence of their not mixing with the ordinary inmates. The institutions of Great Britain were also in the nature of hospitals, so that they were exactly similar to Dunwich. Those who were placed in charge of the older inmates received a small allowance, were given separate quarters, and cooked their own food—but did not cook the food of those under their charge.

The PREMIER: To a certain extent the inmates of Dunwich were classified. They were not classified according to age, because they were all on the shady side of fifty, so that there was no necessity for it; but they were classified according to the condition of their health, or disease, or whatever it might be. The only difference was that the inmate warders had not a separate table, but messed along with those in their own wards. He attached some value to the suggestions of the hon. member on account of his experience, and when he had an opportunity of considering the matter with Dr. Smith he would see if anything could be done.

Mr. KERR said that yesterday a blind man had arrived in Brisbane from the Western districts seeking admission to Dunwich. When he (Mr. Kerr) was at Malvern Hills some two months ago this man was there, and the shearers made a collection for him. It appeared that one of the conditions imposed upon applicants for admission to Dunwich was that their applications had to be signed by two householders, and the man, not being aware of that requirement, had not had his application attested by two householders in the district where he was known. He called on him (Mr. Kerr) yesterday, and told him that the only person in Brisbane whom he knew was the hon. member for Cook, whom he had known many years ago in the North, but he (Mr. Kerr) had not been able to find the hon. member. He had only known the man for two months, so that he did not know whether he would be admitted. He had not much money, so that, instead of stopping at an hotel or a boarding house, he had gone to the immigration depot. He thought that in the case of a blind man, who was unable to earn a livelihood, he ought to gain admission without insisting on his papers being signed by two householders.

The PREMIER thought it was a very reasonable request to make that applicants for Dunwich should be recommended by some person who had known them. They should be able to show that they had lived in the colony and had not crossed the border yesterday, and applied for admission to Dunwich to-morrow. Instances of that sort had occurred, and Dunwich had such a good reputation that there were many persons who would go there if they could get in without any examination. The medical officer, Dr. Wray, had to exercise the strictest supervision, and it was not at all

unreasonable that the papers should be certified to by the police magistrate of the district from which the applicant had come, or by two house holders who had known him. That had been a regulation of long standing; it was a very proper one, and he saw no reason to depart from it.

Mr. KERR: The applicant in the case mentioned was a stranger to Brisbane and was not aware of the regulation. In addition to that he was blind and could not get about. He had given all the necessary information at the immigration depôt, and in such cases there ought to be some means whereby such a person could be immediately admitted to Dunwich.

The PREMIER wished that the man had applied to any other member of Parliament but the hon. member for Bararoo, because if he had he would have received such advice as would have afforded him relief at once. Any other hon. member would have told him to go straight to the department. From there he would have been taken to the depôt and kept there until all the necessary papers had been sent to the district from which he said he came; and if everything was found to be as represented he would undergo a medical examination and be passed on to Dunwich. How was the doctor to know whether the case was *bonâ fide* unless those preliminaries were gone through? The applicant in the meantime was well housed and fed and looked after, and under those humane conditions he did not think there was the slightest cause of complaint or reason for occupying the time of the Committee over such a matter.

Mr. KERR: There was no occasion for the Premier to get his hair off. As a matter of fact the applicant knew no other member than himself, and he had taken him to the depôt where he was well treated by Mr. Brennan. There ought, however, to be means by which persons could be admitted more readily to Dunwich.

The PREMIER: It is a very proper regulation, and I am not going to dispense with it.

Mr. McMASTER was rather surprised that the hon. member had not taken the man to the Under Secretary's office at once, where an order would have been given for his admission to the depôt until such time as proper inquiries had been made. He had had numbers of applicants for admission to Dunwich, and he never found any difficulty in getting them into the depôt in the first instance. He thought the regulation requiring inquiries to be made was a very wholesome one, and it should be adhered to.

Mr. TURLEY was glad to hear that the hon. gentleman was going to make some difference in regard to the warders at Dunwich, because a great deal of dissatisfaction had existed in the institution for some time past in connection with one of the inmates who had been appointed warder. Numbers of complaints had come under the notice of the superintendent, and he had invariably glossed them over as far as lay in his power. He would give one instance. The person who was head warder had a reputation for not being particularly easy with people who were old and helpless and required assistance. There was an old inmate of the institution who was very helpless and who was suffering a great deal, and the warder told this man that he would not only have to get up and do certain things, but he beat him with a stick. The patient made every effort to get away, but the fact was that soon afterwards it was recognised that he was so helpless, and suffered so much, that he had to be put in a ward in the local hospital.

The PREMIER: When did this occur?

Mr. TURLEY: Not so long ago. A son of this old person visited him not long afterwards, and was told what had occurred, and he thought the best thing the father could do was to see if

the law would not protect him. He therefore gave the father a sufficient amount to take out a summons against the wardman, but when an application was made to the local clerk of petty sessions, and the money was tendered, he absolutely refused to issue the summons until he could get the permission of the superintendent. The matter was afterwards brought before the visiting justice, but nothing came of it. Other cases had been brought under his notice, and he believed the statements made to him were facts. It seemed to him that not too much responsibility should be placed on the shoulders of inmates who might be given some little duty to perform, and he was glad the Premier was of opinion that it was necessary to have persons paid to look after the old people in the institution. He thought the hon. gentleman might go further, and see that more than one was employed to render all the assistance that could be rendered to those old people, who required as much care and attention as could be given to them.

Mr. CROSS was in a position to verify to a great extent the statements made by the hon. member for South Brisbane. He had visited Dunwich on several occasions, and he had heard a series of very serious statements made in regard to the conduct of a warder named Farrell. He remembered visiting Dunwich on one occasion when a poor emaciated specimen of humanity on the steamer was so helpless that he had to be assisted to the wharf, and he requested this Mr. Farrell to be good enough to pay attention to the poor fellow. The warder spoke in such a brutal off-handed manner as to raise his temper. The poor fellow was taken on a trolley and left at the entrance to the asylum a considerable time, and treated in a manner disgraceful to the institution. He had called the attention of the Home Secretary to the matter, but nothing had come of it. He could assure the hon. gentleman that it would pay to appoint a select committee to examine into the conduct of the whole asylum. He was not accustomed to stand up and make statements which he had not good reason to believe were true, and he could assure the Premier that if he would consent to the appointment of a select committee hon. members would be startled at the very serious charges which persons were prepared to come forward and substantiate. He gave the hon. gentleman credit for believing that the institution was conducted on the most satisfactory lines, but that was not the reputation it had in the eyes of a large number of the inmates with whom he had come in contact, and he thought that if a select committee was appointed at an early date the hon. gentleman would find great scope for his humanitarian sympathies. How far the charges might be true he did not know, but he could easily imagine that the visiting justice, the Hon. B. B. Moreton, did not readily lend his ear to every complaint made. He could also understand that in such an institution the complaints might be both frivolous and numerous, but he was prepared to produce writing over the signatures of inmates who would give evidence and bring other inmates to substantiate very serious charges.

Mr. DANIELS had also received the same story from people down at Dunwich, upon whose word he could rely. It was not once that this warder Farrell had abused the inmates, but time after time, and he had got a lot of the poor old people so cowed that they were afraid to make a complaint against him. In the event of the Premier appointing a select committee of inquiry he was certain that the charges made by the hon. member for South Brisbane, and endorsed by the hon. member for Clermont, would be proved up to the hilt.

The PREMIER: Dr. Smith had hitherto to work with such materials as were at his disposal. The warder referred to had, he believed, not acted discreetly on all occasions, but it was intended that he should be removed from that position and an independent warder appointed. Where 1,200 old people were collected together there was likely to be a great deal of grumbling, but if they were to listen to all the grumblers they would have a very lively time of it. He could employ the entire House on commissions to inquire into frivolous complaints. Let the hon. member for Clermont and others who had distinct charges to make put them into black and white, and he would have them inquired into. The position of the medical superintendent would not be worth occupying if he was to be subjected to a parliamentary commission of inquiry into the frivolous complaints of elderly people who had nothing to do but to gossip and complain, and when they saw a stranger there to pour into his ears their tale of woe. Members of Parliament were awfully sympathetic when they visited our public institutions. It was too good an opportunity to be missed: it furnished them with pabulum for their speeches here. While he did not think for a moment that there were cases that ought not to be investigated, yet to appoint a parliamentary commission to inquire into every rumour circulated would render the life of the superintendent intolerable, and would diminish his authority in conducting such a very large establishment. It was his duty, as head of the department, to support the superintendent's authority, but if charges were brought before him in a concrete form he would have them promptly inquired into. Many inquiries had been made by the visiting justice, by Dr. Wray, and by Mr. Murray, the police magistrate, and they had all ended in one conclusion—that the source of all those troubles was the discontent of many of the old people themselves, who, although well housed, well fed, and properly taken care of, considered themselves very ill-used individuals indeed.

Mr. HAMILTON: It was only natural to suppose that where there were 1,000 decrepit old men whose lives were a blank many of them should be irritable and complaining; and on that account they ought to be dealt with very tenderly. Two or three days ago he met a very old Northern miner who had just left the establishment, and who told him that during the whole of his stay there he had been treated remarkably well; and he had letters from other inmates which related a similar experience. Nevertheless, when they heard specific statements like that made by the hon. member for South Brisbane it was their duty to investigate them. He believed that particular charge had been inquired into, and it would be interesting if the Home Secretary would inform them of the investigation, or lay on the table the evidence so that they could form their own conclusions.

Mr. CROSS: The Premier's reply did more credit to his loyalty to his officers than to his common sense, and while he appreciated his loyalty, he could not give him credit for discriminate and humanitarian principles. The hon. gentleman's statement that hon. members on that side visited public institutions for the purpose of getting pabulum for their speeches did not apply to himself. He was not in the habit of making frivolous statements there which were baseless, and would repeat that if the hon. gentleman would appoint a select committee—not a Royal Commission—which would cost the country nothing, he would find those charges substantiated. He wanted no commission to inquire into the management of Dunwich. Dr. Smith was only human, and like all gentlemen who had been many years in an official position he might

have got into a humdrum, monotonous, narrow groove. It was very likely that his ear had listened to so many complaints that it had become dull and insensible to a genuine grievance, and the refusal of the Premier to appoint a committee to inquire into the matter did not reflect credit on his humanity. At any rate he resented the statement that members on his side listened to those tales of woe simply for the purpose of getting something to occupy the attention of the Committee.

Mr. DANIELS objected to the statement that members on his side got their information from old men whose brains had become weak and who would grumble. The person he got his information from was not old enough for his brain to have become weak, and as a matter of fact he believed his brain was quite as strong as that of the hon. gentleman himself.

Mr. NEWELL did not know either Dr. Smith or Mr. Farrell, but he knew two or three inmates at Dunwich, and had visited the institution and received letters from there, but no such tidings of woe had reached him as had been related by hon. members on the other side of the House. His principal business in going there was to inquire how the inmates of the institution were treated, and every one he spoke to said it was a splendid place for old people. At the same time they said there were some people there who would grumble no matter what was done for them, but that as far as they themselves were concerned they had no room to grumble. Within the last week he had received a letter from one of the inmates, who, while saying that he would rather be outside if he could obtain some light employment, stated that he found no fault with the institution.

Mr. TURLEY did not know what the Premier meant when he said that members made insinuations about things that had transpired. He (Mr. Turley) made no insinuations, and was not in the habit of doing so, but what he said he said straightforwardly. If the system under Dr. Smith was as good and was working as smoothly as the hon. gentleman said it was, and the complaints were only the grumbings of old people who had no real cause of complaint, what had induced the hon. gentleman to make a change in the appointment of the wardman? He might tell the hon. gentleman that he had not been to Dunwich for two years, but those statements were brought to him, and when he believed them to be true he would mention them on the floor of the House whether the hon. gentleman liked it or not. The hon. gentleman said it was not right that any person in charge of an institution of that sort should be in terror of a parliamentary inquiry, and that he was satisfied with a departmental inquiry. He (Mr. Turley) did not value the hon. gentleman's departmental inquiries a snap of the finger. He got a departmental inquiry in connection with that institution about two years ago, but it was worth nothing, because the persons who came up to give evidence were absolutely afraid to open their mouths. If everything in connection with a public institution was right, then the superintendent, or whoever might be in charge of it, had nothing to fear from any inquiry by a parliamentary committee or otherwise. It was only when some things existed which it was thought better not to bring to light that an inquiry was feared.

Mr. HAMILTON thought that if specific charges were made in connection with the institution, which appeared to have some truth about them, the Premier would cause an inquiry to be held. He did not know whether he was correct, but he understood the hon. gentleman to say that an inquiry had been held into the conduct of the

warder, who had been accused of hitting a man with a stick; but if no such inquiry had been held, then it ought to take place. He was sure the hon. member for South Brisbane would have no objection to specify the charge.

Mr. TURLEY: I will give him the name and everything.

Mr. HAMILTON: Then the Premier had promised that any specific charge would be inquired into. He had just been informed by an officer of the House that he had lately received private letters from Mr. Byrne, who once held a prominent position on the *Hansard* staff. And here he might say that it was a disgrace to the House that it should allow an old parliamentary officer to be in such a position. The House should adopt the rule of the House of Commons, and look after its own officers. If it did that, Mr. Byrne would not be in Dunwich. However, Mr. Byrne, upon whose word they could all rely, had written stating that Dr. Smith was kindness itself to everybody about him, and was always ready to get up at any hour in the night to attend to inmates.

Mr. TURLEY: No one said anything to the contrary.

Mr. HAMILTON: He was giving the statement of a man who was well able to form an opinion. Charges had been made against Dr. Smith by members who had not given the names of their informants; but he had given the name of a gentleman who had spoken in the highest terms of Dr. Smith. It was only fair that both sides should be stated.

The PREMIER said he had no desire to conceal anything or prevent a proper inquiry being held whenever any concrete charge was made. With regard to the charge that a man had been struck with a stick, there had been an inquiry into that already, and if hon. members would call at his office he would be quite willing to let them read the report. Although he could not gather any specific charge from what had been said, he might say that one or two matters had been investigated, but it was found that they generally originated in some grumbling on the part of the inmates. Any charges that hon. members might formulate would be inquired into, provided they did not go back too far.

Mr. TURLEY: What was the result of the inquiry into the case I have mentioned?

The PREMIER had not the papers before him, but if the hon. member would call at the office he would be glad to show them to him. He wished to satisfy hon. members as well as himself as to the soundness or otherwise of such charges.

Mr. TURLEY: Is it not in consequence of the number of complaints that the system is being altered?

The PREMIER: Distinctly not. The warder who had been referred to seemed to have exhibited a lack of judgment, and doubtless had created feelings of antagonism and animosity which a little more experience would not have aroused. He also thought the system of having a paid warder instead of appointing an inmate to the position was sounder and was capable of further extension. He did not think the hon. member for South Brisbane would impugn the honour and ability of Mr. Murray, who inquired into the case.

Mr. TURLEY: I did not attempt anything of the kind. What I said was that at one departmental inquiry the witnesses seemed to be afraid to open their mouths.

The PREMIER thought the hon. member said he did not place any value upon a departmental inquiry.

Mr. TURLEY: For that reason.

The PREMIER thought an inquiry conducted by Mr. Murray would be satisfactory.

Mr. JACKSON: Although the system of granting a small weekly allowance to aged persons might work very well near Brisbane, he did not think it would work very well in the case of those living a considerable distance from the capital. He would be very glad if the Premier would tell them whether the system had been applied to such cases or not.

The PREMIER: Yes, it has.

Mr. JACKSON: It was only with considerable difficulty that the Government could be induced to make this allowance, small as it was. What he particularly wished to say was that there should be some system of decentralisation. Dr. Smith pointed out in one of his reports that Dunwich was so overcrowded that it was scarcely healthy. Of course it would be relieved somewhat under the new system, which would render it unnecessary to build new wards; but in spite of that, the sooner they adopted a system of decentralisation the better. It was far better that people who lived in the far North and West should not be taken from the places where they had made friends, but of course he quite recognised that such a place as Dunwich would be always necessary, although 50 per cent. of the people there would be able to take advantage of a system of old age pensions, and the institution would be relieved to that extent. The other 50 per cent. required medical treatment, and would have to be maintained in an asylum, so that a pension system would not apply to them. Dr. Smith made two suggestions. One was that benevolent wards might be established in connection with the hospitals. That was a good idea, although it might be too elaborate to adopt. If that system could not be adopted, then an asylum might be established in the North or West, as Dunwich was not suitable to everyone. The sea coast did not agree with everyone, and at Dunwich they were rather unpleasantly situated in the vicinity of St. Helena and the leper and quarantine stations. If an asylum was built in the West it might be the means of prolonging the lives of many poor people.

The PREMIER: When the colony became more closely populated it would be time enough to consider the advisableness of establishing other asylums. The relief granted to the aged destitute was not confined to Brisbane, but was given throughout the colony. In fact he believed the majority of those who were liberated from the institution, and an allowance made to their friends for their support, went into the interior.

Mr. DANIELS could not see why the Premier should object to shifting the institution from Dunwich. It was a grave blunder to ever place it there. At least one-half the men at Dunwich were able to do a certain amount of work, and if they were placed on good agricultural land and given improved farming machinery they would be able to make the institution nearly, if not quite, self-supporting.

The PREMIER: Will you employ them?

Mr. DANIELS: People would not employ labourers if they happened to have grey hairs, and so they were compelled to go where they could get food. Farming was not so laborious as it used to be, as a great deal of it could be done sitting. An attempt had been made at Dunwich to drain some land to cultivate, but the place selected was below the level of the salt water, and when the tide rose the salt water ran through the sand. The men had been working for months in trying to drain that land, while the Government had plenty of good agricultural land where they might be profitably employed. If the hon. gentleman would not shift the institution the time would come when it would have

to be shifted, because it would be a continual drain on the State as long as it remained in its present position.

Mr. DUNSFORD : At present many cases of incurable consumption were sent to Dunwich, and it seemed unfortunate that those persons should be sent there to mix with the other inmates, whose lives would thus be shortened. It was intended, he understood, to build a consumptive hospital at Dalby, and he hoped those patients would be sent to other parts of the colony or be separately treated at Dunwich.

The PREMIER : There is a separate ward at Dunwich.

Mr. DUNSFORD : His information was different. The consumptives did not sleep with other patients certainly, but they ate at the same table and mixed with them. Besides, in his opinion, the damp climate was not suitable for consumptives.

The PREMIER would be very glad if the local hospitals would keep their consumptive patients, but they declined to do so, and something must be done with the unfortunates. There was a separate ward in Dunwich for consumptives, but the patients mixed with one another just as persons in Queen street did. The hospital at Dalby was not intended for incurable consumptives, but merely for those in the first stages of the disease for whom there was some hope of ultimate cure. It was not intended to load up the Dalby hospital with all the incurable consumptive patients in Queensland.

Mr. DUNSFORD : If special treatment was necessary for consumptives, and the climate in their respective districts did not suit them, was it not natural that they should find their way to Brisbane and use what influence they had to obtain admission to consumptive hospitals, where they would receive special treatment. If it was to be understood that consumptives were not to be received at the consumptive hospital but that the Premier desired them to remain in their own localities, and that if they made their way to Brisbane they would be sent to Dunwich—

The PREMIER : If destitute.

Mr. DUNSFORD : Then he thought that was a very unsatisfactory statement to make to the Committee.

Mr. FITZGERALD pointed out that a great deal of legislation had been introduced by the Government since they had been in office, but it chiefly consisted of Bills dealing with diseases in stock. There was legislation for ticks, rabbits, the extension of pastoral leases, and quite a variety of other matters—

The CHAIRMAN : The hon. member is not in order in referring to those matters. The question before the Committee is the vote for the Dunwich Benevolent Asylum.

Mr. FITZGERALD wished to point out that, while they spent a vast amount of time in legislating for animals which had no future existence, the poor unfortunate human being was neglected, and the Government paid no attention to the old pioneers of the colony. The Premier tried to push aside the arguments of the junior member for Charters Towers, but there were the circumstances all the same ; and he did not think that hon. members on the Ministerial bench really wished to assist those people at Dunwich at all.

Question put and passed.

STEAMER "OTTER."

The PREMIER moved that £3,339 be granted for the steamer "Otter." Hon. gentlemen were aware that this estimate had been divided, the steamer "Lucinda" being in the Chief Secretary's Department, and the "Otter" in the Department of the Home Secretary.

Question put and passed.

The House resumed ; the CHAIRMAN reported progress, and the Committee obtained leave to sit again to-morrow.

The House adjourned at five minutes past 11 o'clock.