

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 29 OCTOBER 1902**

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- (2) Return to an Order, relative to Case of Police *v. McBride*—"Harbouring," made by the House, on motion of Mr. Cowap, on the 28th instant.

The following paper, laid on the table, was ordered to be printed:—Report on the Government Printing Office for 1901.

#### QUESTIONS.

##### LADY MUSGRAVE HOSPITAL, MARYBOROUGH.

Mr. NORMAN (*Maryborough*) asked the Home Secretary, without notice—

Is it the intention of the Hon. the Home Secretary to hold an inquiry into the charges made against the Lady Musgrave Hospital at Maryborough, and would he be agreeable to extend the scope of the inquiry so that it would include the general hospital also?

The HOME SECRETARY (Hon. J. F. G. FOXTON, *Carnarvon*), replied—

If my memory serves me right, the committee have communicated with me on the subject, and the matter is still under consideration.

##### CARRIAGE OF FODDER FOR STARVING STOCK.

Mr. KATES (*Cunningham*) asked the Secretary for Railways—

1. Is it the intention of the department to extend to the end of November or December the now existing rates on carriage of fodder for starving stock?

2. Is it the intention of the department to allow to the people residing east of Jondaryan the same concessions in respect to reduced fodder rates as is granted to the inhabitants west of Jondaryan?

The SECRETARY FOR RAILWAYS (Hon. J. Leahy, *Bulloo*) replied—

1. Yes; instructions were given some time ago to extend the concession until the end of November.

2. The concessions in operation were given some time ago, and were very fully considered then. There is no intention of altering them at present, owing to the fine rain now falling in that district.

##### REPORT OF BRISBANE TECHNICAL COLLEGE.

Mr. AIREY (*Flinders*) asked the Secretary for Public Instruction—

Is it his intention to have the report of the Brisbane Technical College printed and laid on the table of the House?

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. D. H. Dalrymple, *Mackay*) replied—

Yes; very shortly.

##### RESIDENCE OF POLICE MAGISTRATE AT LONGREACH.

Mr. KERR (*Barcoo*), in the absence of Mr. Lesina, asked the Home Secretary—

1. Is the police magistrate at Longreach granted an annual allowance for house rent, etc.?

2. Is the hon. gentleman aware that the police magistrate, Longreach, and his wife occupy the court-house and Lands Office as living and sleeping quarters?

3. Is he further aware that this has been going on for some months?

4. If not, will he cause inquiries to be made?

The HOME SECRETARY replied—

1. No.

2. I understand that in the absence of his family Mr. Grant has occupied a spare room in the courthouse; not an unusual practice where a room is available and house accommodation in the town is difficult to obtain.

##### CASE OF LIZZIE JOHNSTONE.

Mr. COWAP (*Fitzroy*), in the absence of Mr. Lesina, asked the Premier—

1. Did he pay for the several "collect" wires transmitted from Cooktown and elsewhere by Mr. John

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 29 OCTOBER, 1902.

The SPEAKER (Hon. Arthur Morgan, *Warwick*) took the chair at half-past 3 o'clock.

#### PAPERS.

The following papers were laid on the table:—

- (1) Return to an Order, relative to Correspondence on Permit to Philip Johnston, made by the House, on motion of Mr. J. Hamilton, on the 28th instant.

Hamilton, relating to the transfer of the half-caste gin, Lizzie Johnstone, from Bloomfield to Yarrabah Mission Station, copies of which wires are contained in the correspondence recently laid upon the table of the House?

2. If he did not pay for them, who or what department did?

The PREMIER (Hon. R. Philp, *Townsville*) replied—

Yes, and charged to the Chief Secretary's Department.

#### OVERTIME UNDER SHOPS AND FACTORIES ACT.

On the motion of Mr. CAMERON (*Brisbane North*), it was formally resolved—

That there be laid on the table of the House a return showing—

1. The number of employees who have worked overtime in each retail shop under the Shops and Factories Act within the Brisbane district, and the total number of hours worked by them, from 30th September, 1901, to 30th September, 1902.

2. The names of the employers for whom such overtime was worked, and the total number of hours so worked for each employer.

#### ADDITIONAL SITTING DAY.

The PREMIER (Hon. R. Philp, *Townsville*), in moving—

That, unless otherwise ordered, the House will meet for despatch of business at 3 o'clock p.m. on Friday in each week, in addition to the days already provided by Sessional Order: and that Government business take precedence of all other business on that day—

said: We have been sitting over three months now, and if we want to finish the session before Christmas we shall have to work a little harder, and to work longer hours. In addition to that, I propose to add Friday as an additional sitting day. Hon. members will note that the Government have taken the whole of Friday for their business, instead of devoting two and a-half hours to private business. I think that the majority of hon. members recognise that a good deal of time is wasted on private members' day, and there are a number of important measures before us, and others which have not yet been tabled, and which it will be for the benefit of the country to pass. I hope there will be no serious opposition to the Government taking Friday afternoon. I will give an opportunity, before the session closes, to take a division on any private business left on the paper, and will do all I can to assist hon. members, if there is any spare time, to get their measures through. We have not yet finished the Home Secretary's Estimates. We are further behind this year than we have ever been, and it may be necessary to take two days a week for the Estimates. In a short time we may also have to sit on Mondays: but if we sit four days a week we ought to get through a good deal of business before Christmas.

Mr. BROWNE (*Croydon*): It was with no intention of disagreeing with the hon. gentleman as to advisability of sitting on Fridays that I called "Not formal," nor am I going to fall out with him about the Government taking the whole of Friday for their business. But a good few hon. members have suggested to me that, when we are taking a fourth day, it would be well to adopt a different system, and sit in the daytime on Friday. It would be much better for members who have to come here from a long distance, and it would give the Downs members, and members along the railway line at places like Gympie, an opportunity of getting to their homes on Friday night. If we sit late on Friday night, and also sit on Monday, country members will be unable to get backwards and forwards in

the short time at their disposal. It may not suit business men to come here in the daytime, but I do not see why hon. members who have to devote the whole of their time to their parliamentary duties, whether they will or not, should suffer for the sake of men whose parliamentary duties are a secondary consideration. In the Federal Parliament the Friday sittings have always been day sittings, and, from the conversations I have had with federal members, and from what I have seen in the Press, they work remarkably well. They get through more business in the daytime than if they sat late at night. A lot of hon. members here are in favour of the system, and, believing that it would lead to better work being done, and in order to test the feeling of the House, I move the omission of the words "3 o'clock p.m.," with the view of inserting the words "11 a.m."

The PREMIER: I seriously considered sitting in the forenoon, and, personally, I would be quite willing to do so, but, after consulting hon. members, I found that they could not conveniently attend. Friday is the usual day for the English mail, and if there are a number of hon. members who have nothing else to do than attend to their parliamentary duties, I am glad to say there are a number who have other duties. I regret very much I cannot accept the amendment.

Mr. FOGARTY (*Drayton and Toowoomba*): I am sorry the Premier cannot accept the amendment, because the first intimation we had of the Friday sittings was to the effect that the hon. gentleman intended to ask leave to sit in the forenoon. Before hon. members opposite offered their services to the electors, they should have considered the responsibilities of representation in all their phases, and if it is inconvenient for them to attend to their parliamentary duties in the forenoon, they should make way for other people. If the question was submitted to the electors that the House should meet at 10 a.m., and sit till 10 p.m., I am sure that a very large majority of the electors would endorse it. I should have preferred the amendment to read that the House should sit at 10.30 a.m. The Federal Parliament has set an excellent example in this matter, and from a chat I have had with some members of that Parliament I gather that the day sitting proved an agreeable change, and facilitated the transaction of business. It is all very well for those who are engaged in a business or profession in Brisbane to come here in the afternoon. It is a sort of recreation to them, but they cannot devote as much time to their parliamentary duties as those hon. members who spend their spare time in reading up literature in connection with matters that are likely to engage the attention of the House. I was pleased to hear the Premier say that personally he was in favour of a day sitting, but evidently he is inclined to give way to the feeling of hon. members sitting behind him, and to the one or two members on this side who are opposed to a day sitting. The hon. gentleman intimated that there is very important business on the notice-paper, and that was the principal reason he gave for appointing an additional sitting day. The hon. gentleman further said that additional important business would in all probability be submitted. That being so, it is apparent that the more time there is at the disposal of the House the more likelihood there is of that important business being transacted. Certainly if important proposals are among the "innocents" slaughtered at a certain stage, the Government will be responsible for that slaughter. It is my intention to vote for the amendment.

Mr. BLAIR (*Ipswich*): At the risk of my remarks proving unpalatable to some hon. members, I rise to say that I am rather glad that the

Premier has seen fit to refuse to accept the amendment. I am speaking purely personally when I say that to sit in the daytime would involve a great sacrifice of time which I think legitimately belongs to myself. I am unaware that the question of the hours of sitting was before the electors, but I know that when I had the honour to address the electors of Ipswich the time was fixed, not for an extra day at all, but for the ordinary sitting days. For that reason, in fairness both to the electors and to those who have been elected, I think we should as far as possible keep to the understanding which then prevailed. I am sorry that an additional sitting day is necessary at all, and I shall certainly vote against the amendment.

Mr. LESINA (*Clermont*): The contention that the House should sit at an earlier period than that proposed in the motion is one that has recently occupied the attention of the House of Commons. There are various resolutions on record, showing that the hon. members of that august assembly have come to the conclusion at various stages of the political history of England that the proper work of Parliament should be done in the daytime. There is absolutely no reason why members of Parliament should meet like a band of conspirators at night time, or that they

[4 p.m.] should injure their health by keeping late hours. There is no reason in life why we should not meet at 10 o'clock in the morning. There are two or three resolutions which can be found in the history of parliamentary procedure in Great Britain showing that it is only recently, since the suburban grocer got into Parliament—only since the mercantile man has brought his massive intellect to bear on parliamentary work—that they have got away from the wholesome precedent set in former years of doing their work in the daylight. On 31st May, 1614, the House of Commons carried the following resolution:—

That this House shall sit every day at 7 o'clock in the morning, and begin to read Bills secondly at 10 o'clock.

Again, on 19th April, 1642, this further amendment was made in procedure—

That whosoever shall not be here at prayers every morning at 8 o'clock shall pay 1s. to the poor.

Again, on 31st May, 1659, it was further determined—

That Mr. Speaker do constantly every morning take the chair at 8 o'clock.

It is manifest when a man asks to have the honour of being a member of Parliament conferred upon him, for which he is to receive £300 a year, he should be prepared to perform the duties for which he is paid. In every English-speaking community, except Great Britain, members of Parliament are paid for their services, and it is not so long ago since they departed there from the principle of payment of members. If members cannot leave their pettifogging grocers' shops or their tinpot produce stores in order to do the work they are paid to do, then let them make room for the professional politician, who is able and willing to devote the whole of his time to the service of the country. Members would come here with fresh intellects and do their work more intelligently and uniformly than they do it under our present system. Why is it that most of our Acts of Parliament have such a narrow span of life? Herbert Spencer points out that the average duration of an Act of Parliament is only ten years, and that Parliament is constantly dealing with amending Acts. The whole of our time is taken up with that class of work. The work is slumped by men who come here with minds worn out in their struggle during the

daylight to gain money. They come here at 3.30 or at 7 p.m., and some stay away for a whole week at a stretch. (Loud laughter.) Yes, many members are absent for a whole week without any compulsion being brought to bear upon them. In my case, fortunately, it is only where compulsion is exercised, and when I come into conflict with the Standing Orders, that I have to take a compulsory holiday. I contend that the result of our present system is defective and perfunctory work, and I am pleased to have this opportunity of recording my vote in favour of sitting at a natural hour, instead of meeting at night like a lot of conspirators and sitting until midnight.

Mr. KENNA (*Bowen*): I am in favour of the amendment. The Premier told us that he personally was in favour of sitting at 11 o'clock in the morning, but the influence of Brisbane members seems to have been at work with the hon. gentleman. [Honourable members on the Government side: Oh, no!] We country members are here prepared to do business, and we are prepared to sit at reasonable hours and under reasonable conditions. I feel very strongly on this matter, and I hope the time is not far distant when Parliament will consist of members who will devote the whole of their time to the carrying out of their parliamentary work. I think the experience of most hon. members is that, in order to keep in touch with the legislation going on, and with the business of the House, it requires the whole of their time. I should like to see Parliament adopt the eight-hours' system, and sit for a longer period and at more regular hours. The number of mistakes discovered in Acts and the number of amending Bills which have to be introduced is largely due to the slipshod way in which business is done by members when worn out at the fag end of the day. There is too much of Parliament being regarded as a club. I hope the day will soon come when constituencies will return members who will devote the whole of their time to the service of their electorates and of the State.

Mr. ARMSTRONG (*Lockyer*): When that day arises, the matter will have to be put before our constituents, but so far there has been no question of the time of the sittings of Parliament before the country. It has been considered best that Parliament should meet at 3.30 and sit until such time as is necessary to carry on public business, and the matter is really left to the common sense of members. I say that there is a higher duty than discussing questions in this House. I represent the largest settled constituency in the State, and not a Brisbane constituency, but I have plenty of work to do in the morning in interviewing Ministers and heads of departments in connection with important matters which affect my constituency, and other hon. members are in the same position. If that time in the morning is removed, then our constituencies will suffer indirectly. I absolutely refuse to listen to the sentiments which have been expressed by the hon. member for Bowen. I admit that the hon. member for Drayton and Toowoomba takes as much trouble as any member in overcoming important questions that concern his electorate, and if the time he has at present to overcome difficulties is removed, I think he must admit that his constituency will suffer. Is it fair to the hon. gentlemen who sit on the front Treasury bench that they should be heckled here by members when they have not their Under Secretaries or their papers at hand? I do not think that any good would come from devoting a greater amount of time to private business, because that business has never been of very great benefit to the public. That question is involved

in this motion, and if the Premier requires this time for the transaction of Government business, reasonable men who sit behind him will support him.

Mr. STORY (*Balonne*): I take it for granted that every hon. member would far rather do his business during the day if it were possible; but, as all other places of business are only open during the day, it is impossible for members of Parliament to attend both to those other duties and to be present here during the daytime. The only reasonable compromise, therefore, is to do our parliamentary business at night. The present is about the only arrangement by which we need neglect neither our many other important duties nor our parliamentary duties.

Mr. NORMAN: There has been a lot of talk about day sittings in general, but this is not a question of sitting every day, but only on Friday. Friday is an extra day, and for that day metropolitan members might study the convenience of country members a little, and enable them to get home on Friday evening.

\* Mr. BELL (*Dalby*): The regrettable feature in connection with both the original motion and the amendment is that there is no provision for private business on a second day in the week. I go with the Premier to the extent of saying that a good deal of time devoted to private business is wasted, but, unquestionably, a considerable amount of good is done by private business. I am very glad to think that I have passed two private Bills that are doing some good, and other hon. members have also passed good legislation. The balance, on the whole, lies in favour of private business. It is a lamentable thing that we should depart from the practice of the last decade, and that when we proceed to sit on Fridays towards the end of the session, we are making no arrangement whatever for private business. We might effect a kind of compromise in the matter. I see no reason why we should not fall in with the amendment to the extent of meeting at 11 o'clock in the morning for private business, and at the same time fall in with the proposal of the leader of the Government, that after half-past 3 in the afternoon Government business should have priority. Those who do not feel interested in private business need not attend in the morning. I shall vote for the amendment in the hope that I shall be permitted afterwards to move the insertion of the words "for private business;" and then, if the Chamber agrees to that, I propose to add to the original motion the words "at 3.30 p.m." The effect of the motion, if amended in that manner, will be that at 11 o'clock we shall meet for private business, and then at half-past 3 Government business will automatically come on. It is a significant thing that in the last Standing Orders that have been carried in the House of Commons provision is made for

[4.30 p.m.] meeting at 12 o'clock noon and sitting till 6 p.m. on Fridays. At no period in the history of the House of Commons has there been more members in it on whom is laid the duty of earning their own living—there are fewer wealthy men in the House of Commons to-day than there have been at any time in the history of that body—and yet, despite that fact, they have agreed to sit from 12 noon till 6 p.m. on Fridays. The proposal we have now before us is not that we should meet at 11 o'clock in the morning of every day of the week, but only on one day in the week at the fag end of the session, when there are only six weeks remaining. Surely there is nothing so fearful in a proposal of that kind. I shall vote for the amendment of the leader of the Opposition, with the intention, if that is carried, of asking that

private business be taken in the morning, and that Government business be taken in the afternoon.

Mr. AIREY: The very fact that a day sitting has prevailed in the Federal Parliament, and that a similar proposal has been adopted in the House of Commons, is significant of the trend of progress in this connection. I am fully in favour of sitting on Friday, and I agree with the Premier that one afternoon in the week for private business is quite sufficient. No doubt some good work has been done on Thursday afternoons; but as a rule the time set apart for private business is devoted to academic discussions and stonewalling, with a great preponderance of stonewalling, and there is no justification for giving another day in the week for private business. We are asked now to support the Friday sitting in order to assist the Government to get on with their business; but if we adopt the suggestion of the hon. member for Dalby, and devote a portion of the sitting to private business, we shall be stultifying ourselves.

The SPEAKER: Order! The proposition foreshadowed by the hon. member for Dalby is not before the House. I permitted the hon. member for Dalby to elaborate his proposition, because it had a bearing on the question and was in a sense relevant; but until the amendment now under consideration is disposed of one way or the other, the subsequent amendment suggested by the hon. member for Dalby is not open to discussion.

Mr. AIREY: I misunderstood the matter. However, I agree with the Premier that it is not wise to give another afternoon for private business. If the Premier can only see his way to appoint a day sitting, instead of a night sitting, it will be for the benefit of hon. members, and to the advantage of the business of the country. The real objection that city members have to sitting in the daytime is that it will interfere with their private business. There is altogether too much consideration given to the city and city members, and I think that in this matter they might show some consideration for country members. I was surprised to hear the Premier say that he was glad that some members did not devote all their time to the business of the country. That implies that it is a bad thing for members to devote all their time to the business of the country, and to getting an insight into politics and practical legislation, and I cannot agree with any such proposition. When we are elected we practically say to the electors that we will give the best of our time and our energies, and not the scrag end of our abilities, to the business of the country. But some hon. members in effect now say, "We will give the fag end of the year to Parliament, the fag end of the week to Parliament, and the fag end of the day to Parliament." I shall certainly support the proposal of the leader of the Opposition.

\* Mr. MACARTNEY (*Toorwong*): I do not propose to follow the last speaker in his remarks on the subject of academic discussions and stonewalling, but I would say that sometimes a great deal more time is taken up in discussing questions of doubtful utility than in stonewalling. It is said that the amendment is proposed from consideration for the convenience of country members, so that they may be allowed to leave town on the Friday evening and get to their homes, but when one comes to reduce the arguments to actual facts, we find that the number of members who would be inconvenienced by this proposed new arrangement is very small compared with the number who would be very much inconvenienced. We have, therefore, to look elsewhere to find reasons for this amendment, and it

appears to me that there is something very much more insidious in it than at first appears. As matters stand at present, the choice of the electors is sufficiently circumscribed without limiting it more by putting on men impossible conditions, and I quite understand why some members take up that position, because it is due to the existing limitations that they are here to-day. I strongly object to this proposed change, though my voice has not previously been raised strongly against it, and the stand taken by the Government is not on my behalf in particular. I always make a point of being here at all times when the House is sitting, and if the amendment is carried I recognise that anyone who desired to do his duty must be here at 11:30 whether the business was Government or private. On the subject of convenience there is a great deal to be said for the position taken up by the Imperial Parliament, but the circumstances there are entirely different to what they are here, where the number of members to be inconvenienced by the proposed alteration is insignificant compared to the number who were inconvenienced by an alteration of the time of sitting in England. Members of the Imperial Parliament can catch trains which will carry them to their destination after 6 p.m., but in our case only the members for Gympie, Maryborough, etc., would be inconvenienced, and they would attain the same convenience if the House adjourned at 10 p.m., which is but little earlier than the usual hour. I agree with the position taken up by the hon. member for Ipswich, who said that he had been elected under certain conditions, and that it was unfair to ask him to accept a condition which he formerly knew nothing of. If this is going to be a burning question at the next election, then let it be discussed properly, but do not let us get in the thin end of the wedge in an improper manner.

Mr. WOODS (*Woothakata*): I intend to support the amendment for more reasons than one. It is no new matter to me, because when before my constituents I advocated that members of Parliament should be put on the same footing as other civil servants. We are here as servants of the State, and being paid for our services we should be ready to perform them at all hours. In reference to what has been said by the hon. member for Toowong as to the practice in the English Parliament, there is no occasion to go so far away from home. We have only to look at what they are doing in New South Wales, where the Premier has recently proposed to meet at 2:30 instead of 3:30 in order to get more time for public business. The hon. member for Lockyer says this question was not brought up at the general election, but if it had been put honestly and fairly before the electors of Lockyer, the representative would probably have been sitting on this side of the House. It appears to me that several members who have spoken have tried to lead the House astray by showing that the amendment is intended to apply to all sittings, whereas it is only intended to apply to Friday sittings. Without throwing the slightest slur on any Minister, I believe every Minister is quite prepared to do his business in a straightforward and legitimate manner, but I am confident that the whole of the work of the various departments of the State is conducted by the Under Secretaries. They have to be in their offices at 9 o'clock in the morning, and they have to stop there till 4 p.m., and I maintain that if members cannot do their business here during those hours three days a week, the electors should get someone else to represent them.

Mr. TOLMIE (*Drayton and Toowoomba*): As a country member, I am sorry I cannot support the amendment, because under it country members are not taken into consideration as they

should be. It is quite possible that three or four members on the other side may be inconvenienced by the passage of this amendment, but the majority of country members will be in the same position as they are in now. If the hon. member will move an amendment that the sittings of this House should commence at 10 o'clock a.m. and continue until such time as the head of the Government thinks there should be an adjournment, I would support him. If we met as suggested, I think there would not be much more done than there is at present, and if the question goes to a division I shall vote against the amendment.

Mr. KATES: As a country member, it would not be of much advantage to me if the House sat in the daytime. We have a lot of correspondence to look through every morning, and many things to do for our constituents, and if we met in the morning we should not be able to attend to those matters. I shall support the motion of the Premier.

Mr. RYLAND (*Gympie*): I shall certainly support the amendment, and if an amendment was moved that we should sit at 9 o'clock instead of 10 in the morning, I would support it. I remember that there was no one more anxious to see the business finished quickly at the end of last session than the Premier, and the Attorney-General said that if he had only one day more he could have put through the Workmen's Compensation Bill and—

The SPEAKER: Order!

\* Mr. RYLAND: I say that we should utilise every hour and every moment in order to get the business through before Christmas. This reminds me of the pathetic scene at the deathbed of Queen Elizabeth, who cried: "A million of money for a moment of time." The Attorney-General said that if he had had another day he could have—

The SPEAKER: Order! The hon. member's remarks are not relevant to the question before the House.

Mr. RYLAND: I wish to bring the House to a sense of its duty. Judging by experience, I think we should meet at an earlier hour than we do now.

Mr. LINDLEY (*Wide Bay*): Several hon. members on the other side, and especially the hon. member who last spoke, seem to be very anxious to get the work done; but on every opportunity they waste time. Now over an hour and a-half has gone, and nothing has been done. I protest against this, and hope that something will be done to prevent this unnecessary and incessant waste of time.

Mr. DUNSFORD (*Charters Towers*): I am inclined to think that the people of Queensland are having too much legislation

[5 p.m.] imposed upon them, and they look upon Parliament, like the drought, as something of an infliction. Hon. members have made up their minds to inflict a little more Parliament upon the people, and, recognising that we are the paid agents of the people, the question arises whether we should put our private feelings and private business before the public business. That is the question that will decide the vote we are about to take—whether it will suit members' private convenience to sit in the morning or in the afternoon? We will not consider it from the public standpoint at all. I am inclined to think that the hours during which we labour have an effect upon the class of legislation we pass. After hon. members have attended to their private business they come here tired, and the legislation passed is likely to be of a second-class nature. If hon. members came here when they were fresh in the morning—

The SPEAKER: The general question of morning or afternoon sittings is not now before

the House. The question is whether the House shall sit on Fridays at 3-30 in the afternoon or at 11 o'clock in the morning.

Mr. DUNSFORD: I think we should sit early on Fridays, because early legislation will be wise legislation. Let us see how it will work on Fridays, and then we can consider whether it is not advisable to extend the principle of early sittings to the other days in the week. The city members are too apt to put their private business before the public business, and I would ask them to make a little sacrifice, if necessary, in the interests of other members, who would be best served by sitting during the daylight hours.

Question—That the words proposed to be omitted (*Mr. Browne's amendment*) stand part of the question—put; and the House divided:—

AYES, 29.

Mr. Armstrong	Mr. J. Leahy
" Barnes	" P. J. Leahy
" Blair	" Lindley
" Bridges	" Lyons
" Cameron	" Macartney
" T. B. Cribb	" McMaster
" Dairymple	" O'Connell
" Deuham	" Paget
" Forsyth	" Philp
" Fox	Sir A. Rutledge
" Foxton	Mr. Stodart
" J. Hamilton	" Story
" Hanran	" Summerville
" Hawthorn	" Tolmie
" Kates	

Tellers: Mr. Fox and Mr. Macartney.

NOES, 26.

Mr. Airev	Mr. Kenna
" Barber	" Kerr
" Bell	" Kidston
" Browne	" Lesina
" Burrows	" Mackintosh
" Cowap	" Martin
" Dibley	" Maxwell
" Dunsford	" McDonnell
" Fogarty	" Mulcahy
" Grant	" Norman
" W. Hamilton	" Ryland
" Hardacre	" Turner
" Jackson	" Woods

Tellers: Mr. Kenna and Mr. Kerr.

PAIR.

Aye—Mr. J. C. Cribb. No—Mr. Hodge.

Resolved in the affirmative.

Original question put and passed.

#### TRUSTEES AND EXECUTORS ACT AMENDMENT BILL.

##### MESSAGE FROM COUNCIL.

The SPEAKER announced that he had received a message from the Council intimating that they agreed to the amendment made by the Assembly in this Bill.

#### QUESTION.

##### COST OF HARRIS-POUND INQUIRY.

Mr. KENNA: I should like to ask the Home Secretary, without notice,—

If he can give a rough idea of the probable cost of the Harris-Pound inquiry?

The SPEAKER: I understood that the Minister had answered that question already. It is not in order to ask a question repeatedly.

Mr. KENNA: I have reason to believe that I can get an answer by asking the question now. The HOME SECRETARY replied—

It is estimated that the cost will be from £300 to £550, all told.

#### SUPPLY.

##### RESUMPTION OF COMMITTEE.

##### STEAMER "OTTER."

The HOME SECRETARY moved that £2,889 be granted for the steamer "Otter." This was £200 less than was voted last year. Something was saved last year on the item "coals, stores,

and incidentals;" and a portion of that sum was transferred to repairs and overhaul. It was hoped that with similar economy they might be able to keep within the reduced vote this year.

Mr. LESINA found that on several occasions the "Otter" had been used by picnic parties on a Saturday afternoon when most people were enjoying their weekly half-holiday, and that no provision had been made for paying the men overtime allowance. He should like to know whether any complaint had been made to the department by any of the men engaged on the boat?

The HOME SECRETARY: There had been no complaint from the men on the boat. The Government did not provide them with any additional pay for working on a Saturday afternoon, but those persons who had had the use of the boat on the various occasions referred to by the hon. member had very properly seen that the men did not in any way suffer.

Mr. LESINA: The men might not have protested against being employed on a Saturday afternoon for the convenience of picnic parties or schnapper-fishing excursions without receiving any overtime allowance, but the reason probably was that they were frightened that if they did so they would lose their employment. The use of the "Otter" for such purposes interfered with private capitalists who had invested their money in the purchase of steamers which were sometimes employed in carrying excursionists; but he would not mind that so much if the men on the "Otter" were paid for their overtime. Every Government servant who worked overtime, should be paid for his labour. It was time the men received adequate payment for their services, instead of being dependent upon the charity of those who used the boat.

The HOME SECRETARY: If the "Otter" was not engaged on such trips as those alluded to, she would only be occupied in her official duties, at the most, three days a week, and the men did not, under such circumstances, object to putting in a half-day occasionally in connection with an excursion.

Mr. LESINA: On the 21st August the Home Secretary told him that the "Otter" had been used thirty-four times in twelve months for excursion purposes. According to the hon. gentleman, she was only used on Government business for two months of the year, so that practically she was kept as a charitable institution, and the men were paid by sending round the hat. In the present hard times it did not appear that the expenditure of over £2,000 a year was at all justified.

Mr. ARMSTRONG: The Home Secretary had shown that the boat, not being always under steam, the men were not constantly employed, and under the circumstances, if she was required for excursion purposes, it did not seem unreasonable to make a specific charge for her use.

Mr. W. HAMILTON (*Gregory*) asked if any charge was made for the coal consumed on excursion trips? No one would cavil at the expense when it was for charitable purposes, but if the steamer was used by hon. members or private persons to give their friends trips down the river, the least they could do would be to pay for the coal consumed and the men's overtime.

The HOME SECRETARY: It was quite impossible, as suggested, to make a charge for the use of the boat. That would at once be entering into open competition with the steamboat owners, and everyone who was prepared to pay the charge would be entitled to the use of the boat. He was not altogether satis-

[5-30 p.m.] fied with the method in which the "Otter" was being managed. It had been the practice to lend the boat to members of Parliament for purposes connected with

their constituencies, and the difficulty arose that she was engaged by hon. members three or four months ahead for special occasions. A new rule was then made that she should be only lent to Ministers, but Ministers found themselves pretty well in the same position as members, and he had since made a minute that she should not be lent to anybody, and he thought that was a very good rule. [Honourable members: Hear, hear!] He had had a notification from shipowners that the granting of the use of the "Otter" in the ways mentioned militated against them. It was a very difficult matter to decide whether the "Otter" should be lent to Minister or to members of Parliament.

Mr. WOODS entirely agreed with the hon. gentleman that this boat should only be used for Government purposes. No matter what position a member occupied—whether he was a Minister or only a private member—he should not be able to get the boat on any pretext whatever. There was another boat lying idle six days in the week, and if there was any special occasion, and she was not otherwise required, she should be used, and not the "Otter."

Mr. McMASTER (*Fortitude Valley*) regretted to hear the decision that the Home Secretary had come to that the "Otter" was not to be used except on Government business. A return had been prepared showing the number of times the "Otter" had been used for picnics, and he had no doubt that, included in the return, were occasions on which the "Otter" had been down the river on excursions with school committees, who, perhaps, gave a picnic to the principal contributors to the building fund of a school. It was possible that a few pounds might be obtained by the sale of refreshments; but, seeing that the buildings, when erected, were handed over to the Secretary for Public Instruction, and became State property, the use of the boat on such an occasion might be considered Government work. The "Otter" ought to be lent at any time to a school committee when she was not engaged in other work. It was not correct to say that the hat was sent round on one of those picnic trips to pay the crew. It was customary for the committee to whom the boat was lent to make a collection amongst themselves to give a gratuity to the crew, but the men were paid by the month, and it was not intended as pay. He believed the boat was not a bit wasted by being used for an afternoon in that way.

Mr. BROWNE congratulated the Home Secretary upon the decision he had come to. [Honourable members: Hear, hear!] If there was anyone who ought to be grateful to the Home Secretary, it was metropolitan members, who were being continually pestered by their constituents to obtain the use of one of the Government boats for them; and, if one member got a boat and another did not, there was a row. He had never been on the "Otter," but he had been on the "Lucinda" on one or two occasions, and in every case everyone on board had put a few shillings into the hat for the crew. As far as the "Otter" herself was concerned, she was one of the most useful boats the Government possessed, and he should feel as safe in her in dirty weather as in any boat along the coast.

Mr. CAMPBELL (*Moreton*) also desired to compliment the Minister on the common-sense decision he had arrived at with regard to lending the "Otter." The hon. member for Fortitude Valley made a point about lending the vessel to school committees as a means to raise funds for a school building, but what about the other coastal towns where there was no Government steamer to lend for such purposes? What about the inland towns? Were they not to be considered? In none of the southern cities was there anything

like the abuse of this lending of a Government steamer that there had been in Brisbane. With reference to the remuneration of the crew when employed on those special excursions, they suffered no more hardship than did the crews of privately-owned steamers when similarly engaged.

Mr. ARMSTRONG: With regard to the argument that the "Otter" should be lent to charitable institutions such as school committees so that they could raise money by making a certain charge for refreshments, he would point out that if that contention were admitted, then the residents of country districts had an equal right to expect to be granted the loan of Government trains for similar purposes, provided they paid the actual cost of coals, and perhaps the wages of the driver and conductor. He applauded the Home Secretary for his action in this matter, and hoped he would stand by his decision.

Mr. HARDACRE (*Leichhardt*) did not agree with members on his side who stated that the decision of the Home Secretary not to lend the "Otter" to anyone was a wise one. There were semi-public gatherings and conventions for which it would be perfectly proper to lend the steamer, as, for instance, the Medical Congress and the convention of the Women's Christian Temperance Union which were held in Brisbane some time ago. As to the argument that if the Government lent the "Otter" to people in Brisbane they should make a concession in regard to trains to the residents in country districts, he would remind hon. members that country people were allowed special privileges in connection with trains on certain occasions, having only to pay a certain amount. He thought the "Otter" should be allowed to be used under certain regulations, which should be known to the public, and should apply to everyone alike. The proper way out of the difficulty was not to

allow every member of Parliament

[7 p.m.] to persuade the Home Secretary to

let him have the use of the steamer for his own private benefit and entertaining his friends. Payment should be made for the coal consumed, and a nominal amount to cover the general cost of the trip. If the use of the steamer were limited in that way, the steamship companies would not offer the least objection.

The HOME SECRETARY: When he said that the "Otter" would not in future be lent to anyone he did not mean to say that under no circumstances would she be allowed to go out except on official business. One hon. member quoted a case of the use of the steamer by the Medical Congress. He thought that was merely a matter of inter-State courtesy which ought to be extended, and the good name of Queensland should be upheld for courtesies of that kind. He would also mention that it had been the practice for a good many years to permit, during the schnapper season, each department of the State to have the use of the "Otter" for one trip. A concession of that kind was not by any means thrown away, and he thought that was a justifiable use of the steamer. Various methods had been tried, and stringent regulations had been made that, neither directly nor indirectly, should any attempt to raise money be made by the use of a Government steamer. The "Otter" had been asked for on several occasions by members of Parliament on both sides for the use of schools, and it was well known that school committees asked for the loan of the boat for the purpose, indirectly, of raising money—on the understanding that everyone who had subscribed anything would be invited to go on a trip on the "Otter." If that was not using the "Otter" for the purpose, indirectly, of raising money, he did not know what was. He thought it was perfectly legitimate to allow members of Parliament the use of the "Otter" for schnapper fishing. His

object was to show that it was very difficult to lay down a hard-and-fast rule. The moment they went into the question of granting the use of this boat for the purpose of raising money for charitable institutions, the question arose: What was a charitable institution? He would endeavour to carry out the minute he had made, with the exceptions he had mentioned.

Mr. DIBLEY (*Woolloongabba*) was glad to hear the Minister's explanation. The "Otter" had been of great advantage to State school committees, which had great difficulty in raising money. He was afraid that the opposition which country members gave to the use of this boat had a bit of the dog-in-the-manger policy about it. Anything that came up relating to Brisbane was strenuously opposed by country members, who, as a matter of fact, tried to get all they could out of the Government for their constituencies. He hoped the Minister would exercise his discretion, and lend the steamer when he saw that the persons who wanted it were going to make good use of it.

Mr. MACARTNEY thought it was perfectly reasonable to grant the use of the "Otter" when she was not being used for Government purposes. If people wanted a steamer for the purpose of making money, they could obtain a private boat, but it was quite legitimate to lend the "Otter" for an excursion for State school children. It was not likely that people would go to the expense of taking a private steamer for such an object, so that the owners of private vessels were not deprived of any trade that they would otherwise get. The "Otter" might still be granted to State schools and to charities. As between the town and country, if the country State schools wanted a train for an excursion, it would be reasonable to afford them facilities in that direction.

HON. E. B. FORREST (*Brisbane North*) supposed nobody had transgressed more than he had in regard to the use of Government steamers; but that was because he represented Brisbane North, where the "Otter" was most wanted. The Government had been forced into the position they now took up, because it was difficult to refuse to lend a steamer to people who pressed as they did in this part of the world. The steamboat owners, who really had a grievance in the matter, had been very much to blame themselves, because their prices were absolutely prohibitive, the charge for a steamer for a day being then £25. What State school or charitable institution could afford to pay that sum? They had either to get a Government boat or none at all. They now recognised that their charges were excessive, and he believed a boat could now be got for an afternoon for £10. If that was so, some of the institutions to which the Government had lent a steamer could afford to pay £10; but he trusted that the Government would reconsider their decision in regard to State schools and hospitals, which could not afford to pay £10 or £15 for the use of a steamer.

Mr. DUNSFORD hoped the Minister would adhere to his determination. The State could not afford to grant the use of steamers for picnics and schnapper excursions. In any case, the privilege was confined to the people of Brisbane. When the time came for free water and land carriage to be provided, it must be made general throughout the State.

The CHAIRMAN: I shall have to rule that the discussion can only bear upon the occasions on which the "Otter" has been loaned by the Government, and that a discussion upon the general principle as to whether the Government should loan out steamers is not in order.

Mr. FORSYTH (*Carpentaria*): While the use of the "Otter" was granted free, the railways, which also belonged to the State, were not treated

in the same way. Requests by the people of Croydon and Normanton for free trains to run a few miles, especially at Christmas time, were invariably refused. Last year the people of Normanton tried to get a train to run 12 miles out for a picnic for the school children, and they were told they would have to pay £5 or £6 for the train, and when the Croydon people wanted the children brought down to—

The CHAIRMAN: I must say that the experience of the Croydon people in regard to holidays for the school children has nothing to do with the question that £2,889 be granted for the steamer "Otter."

Mr. FORSYTH was merely contrasting the one thing with the other, but as the matter was

ruled out of order he would not [7:30 p.m.] pursue it any further. While he was glad that the Minister had put a stop to the indiscriminate leading of the "Otter," he thought that charitable institutions, which were semi-Government institutions, and State school committees should be allowed the use of the steamer.

Mr. LAMONT (*Brisbane South*) hoped the Minister would consider the suggestion of the hon. member for North Brisbane and the hon. member for Carpentaria, with regard to lending the "Otter" to hospitals and State schools. He believed that a number of people went down to Dunwich by the "Otter" on her bi-weekly trips, many of whom had no friends who were inmates of Dunwich, but simply went down junketing, and he would suggest that a small charge should be made to such persons, and that the proceeds should be handed over to charitable institutions. Question put and passed.

#### MISCELLANEOUS SERVICES (SUBDIVISION).

The HOME SECRETARY moved that £55,300 be granted for "Miscellaneous Services (Subdivision)." This was a gigantic increase on last year's vote, the increase being largely accounted for by the sum of £38,200, which would now be necessary for railway fares and freights, printing, telegrams, stationery, etc. The officers of the department had gone very carefully into the matter, and had arrived at the conclusion that £38,200 was somewhere about what would be required, but this being the first year that this item appeared, that might be an over-estimate or an under-estimate. The expenses under the Elections Acts were estimated at £1,000, but it was possible that nothing like that amount would be needed. The items of £250 for societies for the prevention of cruelty and £50 for the Society for the Prevention of Consumption were omitted. Both these items appeared in the vote for "Charitable Institutions." The total increase in the vote was £31,900.

Mr. MARTIN (*Burrum*) asked for an explanation as to the method in which the grants to cemeteries were distributed. A short time back he made application for £30 for the Appletree Creek Cemetery, which was unfortunately in an insolvent estate owing to circumstances over which the trustees had no control, and the application was refused, notwithstanding that £60 was promised that cemetery some time ago.

The HOME SECRETARY did not remember the circumstances of the case referred to by the hon. member. Some cemetery trustees were inclined to pay their secretaries fairly liberally, and to put up expensive fences fronting the road. It was quite possible that the application that the hon. member referred to was refused because that particular cemetery had been liberally treated in the past. How long ago was it that the application had been made?

Mr. MARTIN: The application was made about five weeks ago. The trustees were promised £60, and they got £30. He believed the

secretary was paid £9 a year. A shortage appeared in connection with their accounts, owing to the action of one of the secretaries, and the trustees now threatened to resign unless funds were provided. What position would the cemetery be in if they did resign?

The HOME SECRETARY had some recollection of the case now. The trustees appeared to have been very lax in the supervision of their secretary, and allowed him to make away with a great deal of their money.

\* Mr. MAXWELL (*Burke*) did not see the necessity for the vote of £1,000 for election expenses. In the Flinders district the police magistrate satisfactorily discharged the duties of returning officer. In some districts the returning officer was a storekeeper, who managed to work off old scores with customers by giving them employment at election times. He did not see why the police magistrate should not do the work in every case.

The HOME SECRETARY: The £1,000 included the annual fee of £10 payable to returning officers. There might be several elections during the year, and there might be none, in which case much of the vote would be saved. In some electorates there were no police magistrates, and it was not possible to have them as returning officers. In the metropolitan district, although there were three police magistrates, yet they could not act as returning officers for all the metropolitan constituencies. The same thing applied to Townsville, where there were two important electorates.

Mr. MAXWELL objected to the present system. At one election that he knew of the man sent out by the returning officer sent in six informal votes out of every seven by neglecting to number the ballot-papers.

Mr. COWAP pointed out that there had been complaints from the newspaper proprietors of the Fitzroy electorate against Mr. Eastwood, the returning officer, who was the owner of a newspaper, and who gave a large proportion of the advertising to his own paper. [The hon. member here read portion of an extract from one of the papers in question, showing the amounts that had been paid to each paper respectively for advertising.]

The CHAIRMAN: I am not sure that the hon. member is in order in reading that extract. It is very difficult to connect it with the item before the Committee.

Mr. COWAP: The people he referred to were evidently very badly treated by the returning officer. He had every possible respect for Mr. Eastwood personally, but the persons who had complained to him wished to know whether in future the Home Secretary would see that the amount spent in advertising was distributed over all the newspapers.

The HOME SECRETARY: The matter of advertising was entirely in the hands of the returning officer. He thought things were pretty evenly balanced, because he had had a complaint from a paper, which supported the Government, that it got no advertisements.

Mr. J. HAMILTON (*Cook*) regretted that he had to make some remarks in reference to the Northern Protector of Aborigines, and he might say at the outset that he had no personal difference with that gentleman. With regard to Dr. Roth, he had a personal bias in his favour, for on one occasion that gentleman walked 14 or 15 miles to vote for him. When on his (Mr. Hamilton's) advice a large number of tomahawks and knives were to be distributed to the blacks on the coast, he had suggested that Dr. Roth should undertake the work, and the suggestion was accepted because it was considered that it would increase his influence. He was reluctant to credit the statements and complaints made by his constituents with respect to Dr. Roth's administration, but after a time

the facts were forced on him, so that he came to the conclusion that there must be something wrong. Last year there was an article in the *Torres Straits Pilot* condemning the protector's report, and since that time he had ascertained that the statements contained in the article were true. The other day he received a wire from Cooktown to the effect that the charges with regard to Wallace were absolutely groundless, and that Wallace demanded an inquiry. After receiving that, he asked for the papers in connection with the Wallace case to be put on the table, but the motion was made "Not formal." He also received a wire from the Coen to the effect that a public meeting unanimously carried a resolution in favour of changing Dr. Roth's administration, as he had not visited the district since his appointment, and the aborigines were deriving no material benefit from lavish expenditure; and recommended a return to the old system. He believed Dr. Roth did make one visit, but that was to a white woman who was ill, and not to the blacks. Then he got a wire from Charles Patching, solicitor, Cooktown, on behalf of the electors, asking him to strenuously oppose Dr. Roth's Estimates, and ventilate grievances in connection with his administration. He might say that at the time of the election he was asked to have the matter inquired into. Then he got a wire from the mayor of Cooktown to the effect that a large public meeting unanimously protested against the present administration in connection with the aboriginal blacks. He also got a telegram from the chairman of the divisional board at Maytown, much hotter than the others. Then there was a wire from Mr. Tunnie, of Port Douglas, forwarding a resolution passed there, on similar lines. He was going into this matter in conformity with the public duty he owed to his constituents, and not from any personal consideration. The *Torres Straits Pilot*, referring to Dr. Roth's report, spoke of the resentment of the men, against whom libellous and unfounded charges were made in the protector's last report.

Mr. LESINA pointed out that the Chairman had stopped the hon. member for Fitzroy when quoting from a newspaper, and asked whether the hon. member for Cook was in order?

The CHAIRMAN: There is a complete distinction in my mind between the extract the hon. member for Cook is reading and the extract read by the hon. member for Fitzroy. So far as he has gone, the hon. member for Cook is in order.

Mr. J. HAMILTON continued the quotation. [The article stated that the protector was, in the subject under consideration, ignorant of his work, or else was bent on doing injury to persons engaged in the industry, and at least deserved censure. In connection with the Mapoon Mission Station, the statements that certain individuals had supplied grog to the aborigines and had tampered with the women were untrue. In the case of a charge of supplying grog, the man was a professed total abstainer, and remarkable for never touching alcoholic liquors; in the case of the charge of tampering with women, it was a physical impossibility for one of the men to be guilty. Though it was said that the reserve at Mapoon was stocked with eighty head of mixed cattle, giving beef and milk to the mission inmates all the year round, the natives rarely got either milk or beef; and instead of looking after the cattle they would rather be away in the boats. The article also contradicted the statement that "South of Albatross Bay the natives were wild and did not understand English, and were not able to communicate with the Mapoon blacks."] If those statements were true, no reliance could

be placed on Dr. Roth's statements. Just as one straw showed how the wind [8 p.m.] blew, so when such statements were shown to be false, the whole fabric fell to the ground. It was reported by Dr. Roth that a girl named "Polly" had been outraged at Possession Island by a man, termed a fiend, who had never been brought to justice; but that statement was most unjustifiable, and it was a reflection on the inhabitants of Possession Island—who were only three—for the man referred to was never on Possession Island. Further on in the report it was stated that seven bullocks were killed for the blacks during the year, and in another portion of the report it was stated that there were 200 at Mapoon, independent of another 150 outside. If there were only 200, that would mean that each blackfellow got 24 lb. of beef in the year. Then it was stated in the report that the aboriginals south of the Albatross River could not speak English, and were wild and dangerous, but that was not correct, as recruiting had been going on there for a quarter of a century. Everyone knew that one of the chief industries up North was the *bêche-de-mer* fishing and pearl-shell fishing, and the South Sea Islanders were no good because they were afraid of sharks, but the Binghamis, or mainland aboriginals, were very good at deep diving. The result of the action of Dr. Roth was that a number of these fishermen had been ruined, and a number of their boats had been laid up and sold. These statements had been made in Dr. Roth's report, and had been published in the Press, and some of the men concerned asked him to give equal publicity to their denial of the charges made, in which they said there was not one atom of foundation, and he was certain that every hon. member who believed in British fair play would allow these men's denial to be published. A deputation had called on him at Thursday Island, in January, 1902, and these were the statements made. Dr. Roth also tried to strengthen his report by stating that certain persons, whose names he had given, had been guilty of exceedingly improper conduct with the natives on that part of the coast, but he produced no evidence to justify him in so publicly branding these men, and there was not a man on the island who would not accept the words of any of the men so charged in preference to Dr. Roth. When men of high repute in his electorate were publicly slandered by the Press—who were not to blame, because they got their information from official reports—it was his duty to make the refutation as public as the slander. He did not believe in condemning a man before he was tried, and when such grave charges were made it was the duty of the Home Secretary to inquire into them and see if the industry was being strangled by this gentleman, and if the statements he made had any justification.

The HOME SECRETARY: The hon. member, first of all, referred to the fact of his calling "Not formal" to a motion that the hon. member had put on the paper for the production of certain papers in the case of Wallace. His object in calling "Not formal" to the motion was that he might have an opportunity of explaining that he had not seen the papers himself. The papers alluded to did exist, but they were up North, in the hands of the police, for the purposes of investigation, so that it would have been ridiculous for him to have allowed a motion to go as formal when he knew that the department could not comply with it. The hon. member for Cook referred to certain reflections made by Dr. Roth upon the people at Possession Island. On the 22nd of September last, Mr. Embley wrote to him (the Home Secretary) on the subject. This letter was forwarded to Dr. Roth, who replied from Cooktown, on the 3rd

October. In the course of that reply, Dr. Roth stated that he must have made an error in mentioning the locality where the outrage referred to took place as being at Possession Island, and that nothing was further from his thoughts than to hurt Mr. Embley's feelings. Dr. Roth further stated that, so far as the context of the extract from his report went, it made no difference where the occurrence took place, whether it was 5 miles or 500 miles from the spot indicated, as it was the outrage and not the locality which he intended to emphasise. The fact that it was stated that the outrage took place in the vicinity of Possession Island was resented by Mr. Embley as a reflection on the people of that locality. With reference to the deputation to the hon. member, he had in his hand a typewritten document which purported to be a report of the proceedings of that deputation, but he did not know how that report was obtained. [Mr. HAMILTON: Burns, Philp, and Co.'s shorthand clerk took it.] That deputation waited upon the hon. member in January last—that was nine months ago—and this document, purporting to be a report of the deputation, was forwarded to the Treasurer, with a letter from the hon. member, dated 30th September, 1902. The first intimation he (the Home Secretary) had of the existence of this document was after the hon. member had tabled a notice of motion at the end of September, or at the beginning of this month, for the production of certain papers. The Treasurer then informed him that those papers contained reflections upon an officer of the Home Secretary's Department, and at his (the Home Secretary's) suggestion they were minuted over to him, so that he might send the papers to that officer, in order that he might be able to reply to anything they contained against him. At the time that motion was tabled, Dr. Roth was investigating a case of murder of aboriginals at Cape York Peninsula, and had no opportunity of replying before the papers were laid on the table of the House. However, the papers were laid on the table, and seeing that they contained such very serious charges, and had been held back until the very eve of the consideration of the Home Secretary's Estimates, he promptly wired to Dr. Roth to come down here to give an explanation in order that both sides of the question might be heard. He (the Home Secretary) would have occasion later on to refer to no less than three other matters in which the hon. member had, in like manner, kept the papers back until the very eve of the consideration of the Estimates for the Home Secretary's Department; and if prompt measures had not been taken to get Dr. Roth on the spot, that gentleman would have had no opportunity of making any reply to the attacks directed against him. The allegation made by the deputation to the hon. member was that certain men had been unable to carry on their calling in [8:30 p.m.] the *bêche-de-mer* industry in consequence of what they called "Foxton's Act" and its administration. He hoped "Foxton's Act" would long remain on the statute-book, and he intended to make it a live Act as long as he had the administration of it. [Honourable members: Hear, hear!] He intended to show the utter fallacy of that statement, but before doing so he might be permitted to remark that for generations it had been a matter of reproach to the State that their treatment of the aboriginals had not been what it ought to be. He was therefore delighted when the Aboriginals Protection Act was passed in Sir Horace Tozer's time as Home Secretary. When that Act was put into operation, certain defects were found in it which enabled its provisions to be evaded.

He therefore introduced a Bill, which subsequently became law, which at once enormously strengthened the hands of the Administration. A fishing boat or vessel became "premises" within the meaning of the Act, and if any aboriginal female was found on a vessel, the owner could be prosecuted for harbouring her. With regard to Dr. Roth, he would only say there was no man in Queensland who had a higher sense of his duty and a greater determination to carry it out. He doubted whether it would be possible to find a man better qualified to carry out the duties with which he was charged. Of course, being human, Dr. Roth was liable to make mistakes, but he ventured to think those mistakes were not very many; and it must be borne in mind that he had to deal—in connection with the illicit employment of aboriginals—with a very peculiar class of people, and that his difficulties were very great. To return to the charge that the operation of the Act, as administered by Dr. Roth, had injured the *bêche-de-mer* industry. It turned out, upon inquiry, that far from having injured the industry, it appeared to have actually fostered it. He caused telegrams to be sent on the subject, one of which was to Mr. Bennett, the sub-collector at Thursday Island, who was the officer in charge of the pearlshell and *bêche-de-mer* fisheries. Mr. Bennett, in his reply, said the *bêche-de-mer* industry had shown a marked revival this year, when compared with previous years, both as to quantity and value of fish exported. During the twelve months ended 31st December, 1901, the quantity was 30 tons 9 cwt., valued at £7,399. During the first six months of the present year the quantity was 38 tons, and the value £5,222. Now, more boats were at present employed in the *bêche-de-mer* trade than there were last year, and of the total number of 150 employed not a single boat had stopped for lack of labour. That was Mr. Bennett's statement. [Mr. J. HAMILTON: When was that written?] Since he got the hon. member's report; since 30th September. That was the result of the administration of "Foxton's Act" by Foxton and Roth! With regard to George Pim, the sub-collector and local aboriginal protector said he never knew this man to recruit from Albatross Bay, but always from the east coast; there has been no recruiting from the Archer River for seven years by anybody, and if there had been, it was kidnapping. In regard to Mitchell, the report said that "Mitchell, of Burns, Philp, and Co., knew nothing of recruiting except by hearsay; his firm employed no mainland aboriginals directly; only in vessels skippered by coloured men. Martin had not been seven years in the Straits, and has been shelling only part of the time. He has never been more than a nominal boatowner, and is altogether out of it now. Wilson had never recruited any natives since the present Customs collector came to Thursday Island, over six years ago. He was nearly murdered by a mainland native crew, and lives on shore now. There was no such person resident there as F. Somers for the past seven years. There is a John Somers, employed on pearlshelling schooner "Tarawa," but he had never recruited labour from mainland during seven years, and could not speak of what occurred twenty-eight years ago, as he was not yet forty." The report also said—

With regard to certain persons whom the Mapoon blacks charged with exceedingly improper conduct, and whose actions I reported, actions which are denied by Pim, Mitchell, Martin, Lockett, in their alleged statement forwarded by Mr. Hamilton, an inquiry was held, with the approval of the Minister, and sufficient evidence brought forward to show that the charges against two of them (Lockett and Bruce) were amply sustained. The Rev. Mr. Hey is not an unnaturalised

alien, as described by Mr. Hamilton in his election speech at Thursday Island, but a British subject naturalised.

He did not know that he had anything further to say in answer to the hon. member for Cook, but if the matter was pursued he should be prepared to give replies to any charges that might be made.

\* Mr. J. HAMILTON: The hon. gentleman said he was going to make the Act a live Act. No person objected to that, and he approved of steps being taken to prevent blacks being kidnapped. Not one of those gentlemen suggested that the Act was in any way too strict in that way, but they did suggest that the statement of Dr. Roth in reference to recruiting blacks from below Albatross Island was ridiculous. Dr. Roth said it was dangerous to do so, because they did not understand the language, and that recruiters would be murdered; but persons who had lived there for twenty-five years had given evidence that during all that time they had been recruiting from that district, and not one single individual had been murdered. As for the statement of the hon. gentleman that he had made inquiries and was satisfied that Bruce and Lockett were guilty, probably he got his information from the same source. He (Mr. Hamilton) disbelieved it, and not a soul on Thursday Island believed that they were guilty. If the statements were false in one case, was it not reasonable to suppose that they were false in other instances? The hon. gentleman had said that the *bêche-de-mer* industry was flourishing. That was a mere assertion. Would the deputation make the complaints to him that they did if that was true? Was it likely that Martin would sell his boats for a song if the industry was flourishing? Then with regard to Possession Island, Dr. Roth admitted that he saw the statement in the Thursday Island papers, but never denied it officially or otherwise because the person concerned had not the courtesy to write to him. With regard to the hon. gentleman's statement that a deputation called on him nine months ago, and he only brought the matter before the department lately, he might mention that he brought other things—just as serious charges—to the Home Secretary eight or nine months ago, and the papers showed that there had been no inquiry made into them. [THE HOME SECRETARY: No.] When he saw those papers did not indicate any inquiry had been made, he did not see the use of taking this to the department, and thought he would bring it before the House when the Estimates came on. He asked the Press to take up the matter, but the Press said they could not do so unless the papers were tabled. And what were those papers? Simply a denial of Dr. Roth's statement. What justification was there for publicly branding a man with an offence which he did not commit? With regard to the quantity of *bêche-de-mer* obtained this year, it was well known that some seasons were better than others, and during one season a greater quantity might be got with half the number of boats than could be got in another season. He considered that he had done his duty in bringing the matter before the Committee.

Mr. FORSYTH: He also had received telegrams from constituents asking him to bring up the question of Dr. Roth's administration. A wire he had received from Normanton stated that the administration of this particular department was not as it should be, but no specific complaint was made. He noticed from Inspector Galbraith's report, that the Act was working very well. When he received a telegram, which he intended to read, he thought it was a case in which Dr. Roth had made a mistake, but he thought it only fair, before

bringing the matter forward in that Chamber, to give Dr. Roth an opportunity of explaining. He therefore went to the Home Secretary, who made an appointment for him to meet Dr. Roth, and from the explanation given by that gentleman, who went into the matter in a clear, explicit way, supporting his statements by reference to his books, he was satisfied that Dr. Roth was doing his duty as he should do. He received a wire from Cooktown in connection with this *bêche-de-mer* business to the effect that Griffen, the captain of the lugger "Excelsior," while returning to port, met the "Melbidir," who had five boys aboard without a permit, and that the boys were allowed to remain on the "Excelsior," with which the "Melbidir" arrived at Cooktown on Saturday last. Griffen was subsequently allowed to sign on boys without permit. On a former occasion the same Griffen was allowed to re-sign on boys under direct instructions from Dr. Roth on expiration of agreement, without first returning to their country. He handed that wire to Dr. Roth, who explained that during three months in the year they could do *bêche-de-mer* fishing better than any other time, and the captain asked to be allowed to take the boys back and do three months' work instead of taking them to Cape Melville, where they came from. Dr. Roth had no objection, so long as the protector at Cooktown, and the police magistrate, and also the boys, had no objection, and there being no objection the boys went. One of the complaints was to the effect that the boys were not sent back to Cape Melville but were landed at Cape Bedford, which was 100 miles distant. This also looked very black on the face of it, but the thing was explained satisfactorily by Dr. Roth, who turned up his books and showed him exactly what had been done. Dr. Roth also wired to the Rev. Mr. Schwarz to find out about the boys landed at Cape Bedford, and found that it was done at the wish of the boys, who asked to be allowed to go ashore and go home overland, as they found some of their relations at Cape Bedford. Mr. Schwarz stated that the captain of the "Melbidir" landed the boys at their own wish, and provided them with rations for the trip home; also that the boys stayed some days, and went home accompanied by some of the boys from Cape Bedford. He had had a long discussion with Dr. Roth, and he believed that that gentleman

[9 p.m.] was doing his level best to administer the Act lawfully, and the reason why a number of men were complaining was because they wanted the Northern Protector to allow men to be employed unlawfully.

Mr. J. HAMILTON: He had made inquiries into the cases referred to by the hon. member for Carpentaria, but as he had found there was nothing in them, he had not touched upon them.

The HOME SECRETARY: The hon. member for Carpentaria was strictly within his right in bringing these matters forward, and in so doing he was only doing justice to the Northern Protector.

Mr. MAXWELL: They had heard a lot of complaints against Dr. Roth, but no charge had actually been made against him. The question was whether Dr. Roth was right in carrying out the legislation passed by Parliament, or whether he had gone beyond that legislation. He had a good many complaints to make with regard to the aboriginals in his and the surrounding districts, but there would be no use in his making them, because he would be going outside the Act. The better way would be to make a complaint and substantiate it by proof. As far as he was concerned, he would willingly make complaints if he would be allowed to do so.

Mr. DUNSFORD had also received correspondence containing specific charges against Dr. Roth. He had moved for the papers in connection with the man Gallachy to be placed on the table, and he hoped that some inquiry would be held into that case. He did not believe in condemning anyone unheard, and he honestly believed that both Dr. Roth and Mr. Meston, and the Home Secretary had a sincere desire to do good to the aboriginals. He was somewhat surprised that there were so many complaints against the Northern Protector while there were very few against the Southern Protector, and he was inclined to think that Dr. Roth, in pursuit of his ethnological researches, sometimes did things that were very unwise, bearing in mind his administrative capacity, and which, perhaps, brought him into conflict with the aboriginals themselves. Some years ago there were seventy or eighty aboriginals residing on Keppel Island, and the settler who lived there got a permit to employ them. In 1898 Dr. Roth visited the island, and, whether he got them himself or whether the individual who employed the aboriginals got them for him he did not know, but at all events Dr. Roth procured some blackfellows' skulls and some bones. He was given to understand that that hurt the feelings of the aboriginals, who objected to the desecration of their graves. Dr. Roth reported that this man was a fit and proper person to employ the aboriginals. He supposed the protector did not have a proper opportunity of seeing the condition of the aboriginals. In the four following years one-half of those aboriginals died through being permitted to remain under the protection of that individual. Fortunately the Southern Protector came along, and seeing the wretched condition of those people, he removed two women from the island, and Dr. Roth complained of their removal. Later on the Southern Protector removed the remainder of the aboriginals, but in the meantime six women and one man had died through a disease brought about through their civilisation. The Keppel Island case showed how necessary it was for the protectors to be careful not to jump at hasty conclusions as to the treatment meted out to aboriginals.

Mr. COWAP: On Tuesday certain papers in the case "Police v. McBride" were laid on the table, and a perusal of them convinced him that there was absolutely nothing in the matter. He had also seen numerous papers in the Chamber referring to the cases of aboriginals in Northern Queensland. The whole cause of the trouble was that in the *bêche-de-mer* trade they wanted cheap labour, and so long as they got that cheap labour they did not care where they got the aboriginals. He approved of the action of the protector more than he blamed him in this matter, for if it was not safe for a kanaka or a Japanese to dive in those waters, the protector was only doing his duty in keeping aboriginals from losing their lives in the industry. The protector had not exceeded his duty in keeping them out of the boats altogether.

\* The HOME SECRETARY: That was a case in which complaint was made by an aboriginal man that a person named Dallachy was harbouring his gin. Inquiry was made into the matter, and there was no doubt that the gin was with Dallachy, who was an unmarried man. The rule of the department was that permits to employ gins and have them about a house would not be given to single men. With regard to the remark of the hon. member for Fitzroy that it was necessary that the protector should see that aboriginals were not employed on boats without proper supervision, he might mention that it appeared from one of the papers which had been

laid on the table that one man had a boat's crew of gins, and did not want to be deprived of having female divers. While the protector intervened to see that permits were in order, and that the men had been properly recruited, he also indirectly protected the boatowner, because there had been quite recently two cases where the aboriginal crew had thrown over the owners of the boats, who in one instance were Japanese, and gone off with the boat altogether. With regard to the Keppel Island blacks, he did not know whether the complaint of the hon. member for Charters Towers was that this man had previously been granted a permit, or that the aboriginals had been improperly removed. [Mr. DUNSFORD: Oh, no! I think they were very properly removed. They would have been dead very soon if they had not been removed.] Yes, he believed they would. The hon. member for Cook asked him a question yesterday as to whether the Southern Protector of Aborigines informed him that some gins, whose photographs were sent by Dr. Roth to the Home Secretary in order to show how well they were cared for, were dead at the time the photographs were so sent, and he answered, "Yes." The explanation was that Dr. Roth visited Keppel Island in 1898, it being then within his jurisdiction. Permits had been granted. Dr. Roth and Mrs. Roth stayed on the island at that time and saw the aboriginals, and actually took a photograph of them; and from that photograph it was unquestionable that the aboriginals were very well cared for. But what occurred four years ago and what existed the other day were very different things, and the difference was to be accounted for by certain changes in the establishment of that settlement. He could not excuse the man for the state in which the aboriginals were found by Mr. Meston, for there was no doubt that they were diseased to a very great extent, for which a white man was unquestionably responsible. He had seen those blacks since they had been removed to Durundur, and he could say that for the most part they were now in a very excellent condition and very happy. Dr. Roth, in writing about what he had seen there four years previously, was simply doing his duty, because probably the man was at that time a very excellent employer. But what those who administered the Act were concerned with was the welfare of the aboriginals, and no white man had any right to employ an aboriginal if it was not for the aboriginal's good. No man had a vested right, no right of property in the flesh and blood of any blackfellow in this State. [Honourable members: Hear, hear!]

\* Mr. J. HAMILTON: All were agreed that white men had no right to traffic in the flesh and blood of blackfellows, so that [9:30 p.m.] such talk was merely beating the air. Specific charges were what they should deal with. With regard to the Keppel Island business, Mr. Meston said he was not surprised at Dr. Roth making a special effort on behalf of a man to whom he was indebted for many favours, and he also said it was untrue that he had ever asked Dr. Roth for some Keppel Island women as wives for the Fraser Island men; he also added that if Dr. Roth dealt less in photographing naked aboriginals he would be held in greater respect by them, as both men and women resented it in a decided manner. [The HOME SECRETARY: What is the object of reading that extract?] To show that the Southern Protector had directly accused the Northern Protector of making untruthful statements to the Home Secretary. With regard to Dallachy's case, Dallachy stated that when he went on to the place thirteen years ago there were blackfellows residing there and had been residing there ever since, and had been

constantly living on his selection. Dr. Roth sent word to him that a boy named Woonghi wanted a young gin from her parents, who refused to go. The sergeant was sent by Dr. Roth to see the gin, and try to get her away. She again refused to go, and Dallachy said that, under the circumstances, he would not drive her away. There were no permits then, and subsequently, when permits were authorised, Dr. Roth refused to give one to Dallachy. It would be seen that serious charges had been made against a public officer holding a high official position, and it was necessary, in the interests of justice, that they should be inquired into. If he was exonerated, it would show up those who made the charges.

The HOME SECRETARY: His minute on the Dallachy case was to the effect that Dallachy entirely misapprehended his position, that he was breaking the law in harbouring a gin without a permit, and that the granting of a permit was entirely within the discretion of the protector, who did right to refuse it if he thought it was not to the benefit of the aboriginal. He added his own opinion that it was not desirable that any single man should have a permit to employ a female aboriginal.

Mr. J. HAMILTON: Dallachy's story was that Dr. Roth fell foul of him because he would not let Whangie steal the gin, and that Dr. Roth instituted the permit system for the purpose of driving him away from his selection.

Mr. LESINA: It appeared that Dr. Roth had raised about him a host of enemies, and the man who could produce so many strenuous enemies must be a man of a particularly good character—a man who was fearless in administering the Act in the interests of the black people of the colony. The hon. member for Cook pointed out that a deputation waited upon him at Cooktown, and their grievance was chiefly that they could not obtain permits. Then they were told that an indignation meeting was held at Cooktown, which he (Mr. Lesina) was credibly informed consisted of four persons, presided over by the mayor. [The hon. member here quoted from Dr. Roth's report, explaining the method of recruiting on the northern shores of Albatross Bay, and that recruiting was prohibited south of that on account of the wild nature of the blacks and their inability to understand English. The report further referred to the fact of certain persons having supplied the blacks with liquor, and tampered with their women.] Dissatisfied recruiters, knowing that the hon. member for Cook had a "set" on Dr. Roth, applied to him for a solution of their troubles. Anyone who referred to the piles of correspondence referring to the abduction from Bloomfield to Yarrabah of a romantic blackgin named Lizzie Johnstone, would be convinced that the hon. member for Cook had a strong bias against Dr. Roth. He (Mr. Lesina) admired the sterling courage of the Home Secretary in grappling with the question, and backing up the protectors where they were carrying out the provisions of the Act honestly and sincerely. Dr. Roth's work was full of difficulties. It was no wonder that in a country like North Queensland he should make enemies, and that they should find a mouth-piece in the Government "whip," Mr. Hamilton, who had sent a telegram containing 539 words to the Premier, for which the State had to pay. Dr. Roth went on to give particulars of the young men recruited from Mapoon. Then he spoke of the deaths apparently attributable to the life on the boats, and mentioned four—all in the employ of European masters—who came back from the boats to Mapoon with serious signs of pulmonary mischief, though all the boys when they left Mapoon were apparently in sound health. He also referred to the fact that, in his

annual report for 1899, he gave particulars of eight boys who had died within eight weeks of their return from the boats; and he expressed the opinion, in which Protector Bennett concurred, that the alien employers, taking them all through, had a greater regard than the whites for the welfare of the aboriginals. [The PREMIER: That's true.] It would be a long time before the Committee backed up the hon. member for Cook in the action he was taking in this matter. It was stated in the report that Protector Meldrum, Townsville, reported that the conduct of the aboriginals in his district had been exceptionally good. Half-a-dozen cases were given in the report where persons guilty of infractions of the Act had been punished. [The hon. member here quoted several of the cases.] All this showed how stern and unbending Dr. Roth must be. This was only a brief *résumé* of some of the particulars in the administration of the Act for a year. On [10 p.m.] the one hand they had a series of charges which had been trumped up at little meetings and stated in wires, and on the other hand they had the Minister backing up Dr. Roth, and he preferred to believe that Dr. Roth was carrying out a very good work. He deprecated such a waste of time by the hon. member for Cook.

Mr. J. HAMILTON: He approved of men being punished for any infringement of the Act, and he was not blaming Dr. Roth for doing these things; but specific charges had been made by his (Mr. Hamilton's) constituents and by the constituents of other members against Dr. Roth, and they wanted those charges inquired into. He and another hon. member had been requested to make another charge against Dr. Roth—that he had been guilty of taking photographs of male and female aboriginals in the most indecent positions. He could show hon. members the photographs, and he considered that to allow an officer who did that sort of thing to remain in the service was a disgrace to his chief. He contended that, in the interests of the public, an inquiry should be held.

The HOME SECRETARY explained that Dr. Roth was a scientist, and that his work in this connection was recognised not only in Queensland, but throughout the world. The Australian aboriginals most closely resembled the neolithic and paleolithic types of man, and therefore they were unique from a scientific point of view. They had also certain rites and customs, information with regard to which was desired by scientists in all parts of the world. It was purely in the interests of science that these photographs had been taken. Anyone who desired to satisfy himself on that point had only to see Dr. Roth, who would show the correspondence, which was of the deepest interest to scientists.

Mr. J. HAMILTON: Science was at a very low ebb if an officer like Dr. Roth was allowed to coerce aboriginals in order to procure photographs of them in indecent positions. If an inquiry was refused, there would be something more heard of the matter.

Mr. BROWNE thought the debate had not been profitable, and it was not right that such a matter should be brought up on the Estimates. In common with other members, he had received wires during the last two or three weeks from the North. He had been in the North in the early part of the year, and he had not heard a single complaint against Dr. Roth, although one man said that he ought to be sacked. That was the Mr. McMaster who had already been referred to. He did not know why just at this

juncture, when that discussion was coming on, it was discovered that there were great defects in the Act, and that Dr. Roth was guilty of mal-administration. [The HOME SECRETARY: I have some information on that point which might be interesting.] [The hon. member then read telegrams he had received from the mayors of Normanton and Cooktown stating that public meetings had been held in those towns at which it was resolved to ask for amendments in the Aboriginals Protection Act, but not pointing out the directions in which they desired the Act to be amended. The hon. member also read a telegram received from the mayor of Croydon requesting the repeal of the Act on the ground that it had proved unworkable, inconvenient, and vexatious to the employers of aboriginal labour.] It was, no doubt, vexatious to some employers. There was nothing in those wires to justify the attacks which had been made upon Dr. Roth. If the Act was vexatious and was doing harm, and those people pointed out the defects, and the House thought they were right, then it would be their duty to amend the Act. If the charges were formulated, he was sure that the Home Secretary would be willing to grant an inquiry, but the officer should be given a chance to defend himself. If the charges were proved he should be dismissed, and everyone should know what he was dismissed for; but to raise a discussion like this on the Estimates was not fair to the man most directly concerned, it was not fair to the Home Secretary, and it was not fair to the Committee.

Mr. J. HAMILTON: He desired to have an inquiry. He was not aware that Dr. Roth had been attacked. All he had done was to submit evidence in rebuttal of charges which were made against the character of certain men. As a public man he considered it his duty to bring the matter forward, and he would not be deterred by anyone in the execution of his duty. The persons who asked him to demand an inquiry said they were able to prove their statements.

Mr. WOODS had received similar wires to those referred to by the leader of the Opposition. He had been a Government servant himself, and thought that an attack upon any Government officer on the floor of that Chamber was unfair. The hon. member for Cook should have asked for a public inquiry. Dr. Roth was liable to make mistakes like any other man in a similar position. A case in his district under Dr. Roth's treatment was brought up last session, and an inquiry was asked for. When the papers were handed to him he had not the slightest trouble in getting an inquiry, and he honestly believed the report would be satisfactory both to him and the gentleman who asked for the inquiry. He referred to the Dempsey case. If one of these charges could be proved against Dr. Roth, then by all means let him be dismissed, and a better man appointed; but he (Mr. Woods) did not think it was possible to get a better man for the position at the present time.

The HOME SECRETARY was very glad that the hon. member for Woothakata had raised the question of the Dempsey case. This man Dempsey wrote a long letter to Mr. Givens on the 9th November, 1900, which letter was handed to the Home Secretary. The purport of the letter was that when Dempsey was living at Evelyn Station in 1893, Mr. Portly, the officer in charge of the police at Nigger Creek, gave Mrs. Dempsey a female aboriginal about twelve or thirteen years of age named "Lucy," that she had been trained to do housework, and had remained with them until the week previous, when a blackboy in Dempsey's employ stole her; that twenty-four hours afterwards he

discovered that she was in a camp at Herberton; and that the blackboy complained to Dr. Roth about the matter, with the result that after an inquiry by Warden Haldane, the girl was taken from Dempsey's care. He (the Home Secretary) minuted that letter—

As the girl was being harboured by Dempsey without a permit, Dr. Roth was right in removing her unless he thought Dempsey's treatment of her warranted him in granting a permit. As protector he has full discretion, and I am satisfied, on his statement of the facts as they came before him, that he did right.

That minute was conveyed to Mr. Givens on the 28th of November, 1900, and there the correspondence ended, and the matter, so far as he was aware, was as dead as Julius Cæsar. But on the 26th of September, 1902, Mr. J. Hamilton, the hon. member for Cook, wrote a letter to Mr. James Dempsey, asking him if the tale he had heard "when last in Cairns"—that was, so he understood, in April last—"about the girl 'Lucy' was true." This was another of those bottled-up things, the hon. member having kept the matter to himself for six months, and revived it a year and ten months after it had been dealt with. The hon. members also wrote to Mr. Woods, the hon. member for Woothakata, enclosing a copy of that letter and of Mr. Dempsey's reply, together with a reply of Warden Haldane to an inquiry from the hon. member by telegram as to whether Dempsey was of "good character and truthful," to the effect that his acquaintance with the man was slight, and that he knew nothing to the contrary; also a wire from Mr. W. Munro, J.P., Cairns, stating that Dempsey was of good repute, and that he would accept his statements as reliable. In Mr. Dempsey's response, dated 2nd October, to the letter which the hon. member for Cook sent him, there was a tirade of abuse against Dr.

Roth—that he had suppressed the [10.30 p.m.] true facts from the Minister; he was a lying scoundrel; a man not worth noticing; whom he could prove to be a damned liar—and a little more of the same sort of thing. The gravamen of the charge was that in consequence of Dr. Roth's interference the girl had escaped from the mission station and gone utterly to the bad. He ought to have added that Dempsey, in his letter, said that Warden Haldane told Mrs. Dempsey that Dr. Roth was going to give the gin to one McKinley, a mining inspector, but got frightened "as we were going to report the matter." In Dr. Roth's first report on the case he stated that both he and Warden Haldane, after a long talk with the girl, satisfied themselves that she had been cruelly treated—having been both beaten and kicked—at Dempsey's. She said she would like to go to the mission station, and she was sent there under Dr. Roth's instructions. That was the origin of the matter. In reply to the wire sent to Mr. Haldane, whose authority was urged by the hon. member for Cook in favour of Dempsey—[Mr. J. HAMILTON: I have not brought up the subject.] The hon. member brought it up in a very effective way by enclosing that vilifying letter of Dempsey's attacking Dr. Roth in the most scurrilous way; but there was nothing more in Dr. Roth's letter than any decent man would write. Mr. Haldane, in reply, said that "Lucy" presented evidence of cruel beating, and he was sorry there was no evidence to substantiate a charge against Dempsey for cruelty. By the misleading way in which the correspondence had been initiated, unless he had probed the matter, he would have accepted Mr. Haldane's statement, as quoted by the hon. member for Cook, that Dempsey was in the right. In regard to the statement that the gin had been allowed to get away from Yarrabah, he sent a special

messenger out there to make inquiry from the Rev. Mr. Gribble. He said to Mr. Gribble, "Hamilton reports gin formerly with Dempsey at Herberton, and is now a prostitute." [Mr. J. HAMILTON: I did not report it.] He would not split straws with the hon. member. The hon. member had forwarded the correspondence, brought a charge against Dr. Roth, and had used the hon. member for Woothakata as a cat's-paw. But for the straightforward manner in which the hon. member for Woothakata had dealt with the matter, he would not have got at the facts as he had been able to. The telegram went on to say, "Did you discharge her? Wire promptly." The reply was, "Lucy formerly with Dempsey still here. Has never been from station since arrival two years ago." He went on to say that another Lucy from the Burdekin River had absconded with a girl named Amelia. Poor Lucy had been vilified in the most unwarrantable manner, and so had Dr. Roth. He thought he need not read any more. That was the sort of attack made on Dr. Roth. The evidence showed that the man was doing his duty fearlessly, and so long as he did he would get his (the Home Secretary's) support.

Mr. J. HAMILTON considered it disgraceful that the Home Secretary should say that he had made a cat's-paw of the hon. member for Woothakata. When he was in Cairns a constituent of the hon. member called upon him and asked him to bring those facts under the notice of the Home Secretary. [The HOME SECRETARY: And you did not do it for six months.] The matter had not arisen in his electorate, and he took no further action until a few weeks ago, when he received a letter from Cairns reminding him that nothing had been done. He was not in the habit of interfering with the affairs of another hon. member's electorate, but before he brought the matter under the notice of anyone he thought he would see if there was any truth in the statement. He wrote to Mr. Dempsey and said he would like to know if the statements were correct, and Dempsey said they were correct in every particular. Then he wired to Mr. Haldane, and to Mr. Munro, a magistrate in Cairns, asking whether Dempsey was a truthful man and a man of good character. Mr. Haldane gave an answer which did not mean either one thing or the other, and Mr. Munro said he was a truthful man and could be relied on. After that he wrote to Mr. Woods, the hon. member for Woothakata, relating the circumstances to him, and leaving the matter in his hands. He told him that if he did not ask for an inquiry he (Mr. Hamilton) would. Where was the harm in that?

Mr. MAXWELL knew Mr. Munro and Mr. Haldane, and would not accept a statement from them which he would quote as reliable. They found that Dr. Roth happened to be running against everyone in the North, whereas the Southern Protector was running against no one. Was it a fact that the latter gentleman seldom left his office?

The HOME SECRETARY: On the contrary, Mr. Meston ran against people pretty considerably; a good many complaints had been made about him, and inquiries had been held. Complaints had also been made against Mr. Harold Meston, who was a protector in the West, and everything had come out to his satisfaction. It must be borne in mind that Dr. Roth had a most difficult district. Though not as large as Mr. Meston's, it had more blacks in it, and they were less civilised. He should be glad to supply hon. members with Mr. Meston's itinerary, which he was sure would astonish them. He had his heart in his work, and had excellent control over the aborigines in his district.

Mr. LYONS (*Cairns*) protested against the remarks of the hon. member for Burke with regard to Mr. Munro and Mr. Haldane.

Mr. J. HAMILTON: There was a letter which was not at first included in the papers in connection with the Johnstone case, but which he put in afterwards, though it was not laid on the table. It was addressed to the Home Secretary, and he intended to read it. [The hon. member commenced to read a letter addressed by himself to the Home Secretary in reference to the Johnstone case.]

Mr. KIDSTON (*Rockhampton*) asked whether the hon. member was in order in reading a long rigmarole. He thought hon. members were sick of this squabble.

The CHAIRMAN: I am not prepared to say that the hon. member is out of order in reading extracts, but I hope he will take care that they bear closely on the question.

Mr. J. HAMILTON: This was not a squabble. It was a matter he had been requested by his constituents, during his election and at public meetings, to bring forward. [The hon. member then read the letter, and a long discussion ensued, in which the moral character of Johnstone, the paternity of the girl, her religious education, general treatment, and right of choice of a husband were dealt with. The hon. member again urged that an inquiry should be held into the charges made against Dr. Roth. The HOME SECRETARY defended the action of Dr. Roth, and contended that no further inquiry was necessary.]

Mr. TURNER (*Rockhampton North*) asked the Home Secretary if any further 1 a.m.] action had been taken with regard to the persons who were the cause of the deplorable condition in which the Keppel Island blacks were?

The HOME SECRETARY: He believed a prosecution had been intended, but he directed that the proceedings should be stopped because of the expense and trouble that would be entailed, and because there was no chance of getting a conviction.

Mr. KIDSTON was pleased to be able to congratulate the Home Secretary on his administrative ability and his excellent conduct throughout the whole of this discussion. He thought it only right for someone to say that.

The HOME SECRETARY expressed his deep appreciation of the hon. member's remarks.

Mr. WOODS asked why a polling-booth, which had been recommended, had not been appointed for Mount Garnet at the last election? His motion dealing with the matter had been called "Not formal."

The HOME SECRETARY said he had not the information at hand. He would make inquiries as to why the motion was called "Not formal."

Question put and passed.

The House resumed. The CHAIRMAN reported progress, and obtained leave to sit again at a later hour of the day.

## RAILWAYS ACTS AMENDMENT BILL.

### FURTHER MESSAGE FROM THE COUNCIL.

The SPEAKER announced the receipt of a further message from the Legislative Council intimating that they did not further insist on their amendment omitting clause 7, and that they agreed to the amendment of the Legislative Assembly in that clause.

The House adjourned at nine minutes past 1 o'clock.