

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 16 OCTOBER 1903

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The SPEAKER (Hon. A. S. Cowley, *Herbert*) took the chair at half-past 3 o'clock.

QUESTION.

CONDITION OF S.S. "YARALLA."

Mr. TURNER (*Rockhampton North*) asked the Treasurer—

1. Has his attention been called to a ship named "Yaralla" being sent to sea and returned to port in an unseaworthy condition?
2. Will he make full inquiry into the matter?

The TREASURER (Hon. W. Kidston, *Rockhampton*) replied—

1. My attention has been called to the case of the s.s. "Yaralla."
2. On the return of the vessel to Brisbane, the Port-master convened a meeting of the Marine Board to review the reports of the surveyors made before she left, and also the result of the inspection since her return. They found that the ship was quite seaworthy when she left, but having met heavy weather 60 miles east of Cape Moreton, when her pumps choked, she returned to port. She has now again proceeded on her voyage.

APPROPRIATION BILL No. 2.

ASSENT.

The SPEAKER: I have to inform the House that I this day presented to the Governor Appropriation Bill No. 2, and that His Excellency was pleased, in my presence, to subscribe his assent thereto in the name and on behalf of His Majesty.

SUPPLY.

RESUMPTION OF COMMITTEE.

LAND COURT.

The SECRETARY FOR PUBLIC LANDS moved that £1,790 be granted for the "Land Court." This vote was increased by £80, which was brought about by an increase of £150 in travelling expenses and a reduction of £70 in salaries, the result being a net increase of £80. With reference to a question asked by the hon.

member for North Brisbane the previous evening about certain runs, he might state that the figures were being prepared, and that he should be glad to give the information later on.

HON. R. PHILP said he had previously intimated to the Minister that he would ask whether the Government intended to introduce a Cattle-stealing Bill this session, and he would now ask the hon. gentlemen to be good enough to give him an answer to that question. He was sure that the hon. gentleman and every member of the House must recognise the urgent necessity for such a measure.

The SECRETARY FOR PUBLIC LANDS replied that the hon. member had intimated his intention of asking this question, but he (the Secretary for Public Lands) thought that a question of this sort would be more properly addressed to the hon. gentleman at the head of the Government or the Attorney-General. He quite agreed that some fresh legislation was needed on this subject, but whether it would be introduced this session he was afraid was rather doubtful. He did not think it was likely that any legislation would be introduced this session in addition to that which the Premier had intimated to the House.

HON. R. PHILP asked what quantity of Tarampa Estate had been sold, and when the Minister purposed offering the balance of the estate for sale?

The SECRETARY FOR PUBLIC LANDS replied that the Under Secretary had not got that information here, but that he had telephoned for information as to the exact area sold. With regard to the balance of the estate, he understood that a portion required to be drained before it was offered for sale. The matter had not come before him, and so far no decision had been come to as to when the balance of the land would be offered for sale.

HON. J. F. G. FONTON: With reference to the area which required draining in order to make it available, he understood that an expenditure of about £200 would render the whole of that area, with the exception of the centre of a big lagoon, which was known as Lake England, available for immediate selection. [The PREMIER: What is the area?] He could not say exactly, but in a wet season there must be 2,000 acres, at least, covered by water; possibly there might be more at this moment. He was not sanguine that, even when drained, the land would turn out to be good agricultural land, as there was bound to be clay immediately under the surface; but he understood that it would become excellent pasture land, admirably suited for dairying purposes, as accessory to land immediately adjacent to it, which was splendid agricultural land. Of course, it would take some time after the drainage had been effected before it could be thrown open for selection to the greatest advantage, as it would take some time for herbage and grass to grow upon it; and he would suggest that it might be desirable, when the drainage was completed, to put it under grass before throwing it open.

Mr. PAGET said he was anxious to give the Minister for Lands an opportunity of replying to a charge made by the hon. member for Burrum last night with respect to the Land Court sitting with closed doors.

The SECRETARY FOR PUBLIC LANDS: He was afraid he could not give the hon. member the information he asked for. If such a circumstance ever did occur—[Hon. R. PHILP: Did it happen at all?—if it ever did occur, it occurred before he went to the department, and probably the hon. member for Carnarvon could tell the hon. member more than he could. It was certainly an unusual thing. He had had a good deal to do with the Land Court, and he had never observed the slightest disposition on the part

of the court to sit with closed doors. He was surprised to hear it stated that they had done so. If the hon. member for Mackay was curious about the matter, he would ask him to interrogate the hon. member for Burrum on the subject.

Mr. PAGET: It was not curiosity that led him to ask the question, but a desire that the hon. gentleman should be able to clear the characters of a body of gentlemen who were officers in his department. [The SECRETARY FOR PUBLIC LANDS: They are not officers of the department; they are the servants of Parliament.] At any rate, their travelling expenses were in his Estimates. [Hon. R. PHILP: And the Minister ought to defend them.] What the Committee wanted to know was whether such a thing had happened or not.

HON. J. F. G. FOXTON: He did not know why allusion had been made to him, for he had never heard of such an occurrence until he heard the hon. member for Burrum make the statement last night. He knew nothing whatever about it, and he might tell the Minister for Lands that he simply did not believe it; and if half a dozen hon. members on the other side were to say that such a thing had occurred he would not believe it. He would say either they were misinformed or were making a deliberate attempt to mislead the House. But the charge having been made, they should get to the bottom of it, and the person responsible for the Estimates and for the general conduct of the Lands Department was the Minister in charge of that department. If a charge was made against the judges of the Supreme Court, the Committee would ask the Attorney-General to see whether it was correct or not, and be prepared with the information on the subject. Were he in the position of the hon. gentleman he should have asked the Land Court, who were a judicial tribunal—such a charge having been made—whether they had any explanation to give, or desired to give any. Seeing that they had no opportunity of speaking in the House, or writing to the Press, it was due to them, and to the position they occupied, that the Minister should tell the Committee whether this thing occurred, or deny that anything of the sort took place.

Mr. J. LEAHY: In the estimate there was an item of travelling expenses for the Land Court. If that body deliberately broke the law, as stated by the hon. member for Burrum, the Committee should give them no travelling expenses. He might say that he did not believe a word of it, but as the charge had been made, it was the duty of the Minister to investigate it, and inform the Committee as to the result. It was certainly the duty of the hon. gentleman to ascertain the facts, and it was the right of the Committee to be made acquainted with them.

The SECRETARY FOR PUBLIC LANDS did not think it could be fairly said that anything had occurred which would warrant the Committee in hesitating to grant the "travelling expenses" of the Land Court. After the hon. member for Burrum repeated last night the rumour he had heard in regard to certain conduct of the Land Court, he had interrogated the hon. member on the matter, and that hon. member said he would endeavour to get further information. When he (the Secretary for Public Lands) got that further information, he would make further inquiries into the matter. But really he did not take a very serious view of the matter, for such a proceeding was absolutely contrary to the whole line of conduct of the Land Court; but, in the meantime, he thought that, without any undue rashness, the Committee might fairly assent to this item.

HON. R. PHILP did not believe for a moment that the Land Court had ever been held with closed doors, and he had never heard the statement until made by the hon. member for Burrum. He wished to point out that the gentlemen comprising the Land Board were largely responsible for the repurchase of all the agricultural estates that had been bought except those which had been purchased through the direct authority of Parliament. He would also point out that by the last statement issued by the Department of Public Lands, leaving out Tarampa, it was shown that £700,000 had been spent in buying estates, including the Seaforth Estate, and out of those estates they had sold land to the value of £667,465; the sales of timber, etc., amounted to £12,000 odd; auction sales had realised £33,000 odd, and still there were 30,000 acres of these lands, valued at something like £83,000, left unsold. If not an acre of the land left was sold, still the country had done a splendid thing out of those purchases. The Agricultural Lands Purchase Act was one of the best Acts that had ever been passed. Under that Act they had obtained some of the best class of selectors for agricultural settlement, and a lot of traffic had been brought to the State railways. He hoped the present Government would not hesitate in buying more estates close to the railways, in order to settle people on the land. He had hoped that the Government would have announced that they had already bought the Glengallan Estate, which he believed had been reported on favourably by the Land Court and by his colleague, Mr. Foxton. The present Minister for Lands had said that a portion of that estate was kept back—that the Crown would get a portion and the remainder would be left in the hands of the owners. That was a bad policy for the State. The Government should either buy the whole of an estate or none of it. The late Government had bought a portion of an estate at £2 12s. 6d. per acre, and afterwards the owners offered the remainder at £5 an acre. The Government by buying a portion of the estate had put an increased value on the balance, and that should not be done again. [An honourable member: Do you say the Government bought the whole estate?] He thought so at the time; but he was not Minister for Lands. There was no reason why the Government should not buy the Glengallan Estate, as it had been favourably reported on, especially as it was alongside a main line of railway. It would be better for the State if farmers got such land as that at a fair price, rather than that they should pay 2s. 6d. an acre for land 30 or 40 miles from a railway. Too much could not be given for good land, and he thought that nearly the whole of this land was good. He would like to see the Government buy this estate and other estates where there was any likelihood of settlement going on close to the railways now in existence.

The CHAIRMAN: I wish to point out that it is not in order to discuss the general policy of the Lands Department with regard to the Agricultural Lands Repurchase Act. The discussion must now be confined to the Land Court. It would have been more in order to have discussed this matter on the first vote.

The SECRETARY FOR PUBLIC LANDS: He agreed with the Chairman's ruling; but he thought he might be allowed a little latitude in discussing the question of repurchased estates. With regard to Glengallan Estate, they had got till the end of the month to decide whether they would purchase it or not, and an announcement would be made with regard to that estate before that time came. With regard to the whole question of repurchased estates, the fullest credit was due to the late Administration, and

to the late Premier, for having initiated that policy. [Hon. R. PHILP: I am not fishing for compliments.] He was not saying the hon. member was, but it was only right and becoming that he (Mr. Bell) should say that. As far as the policy had been pursued, it had been most successful, for out of the extensive transactions that had taken place between selectors and the Government there was only £12,000 in arrears.

Mr. WHITE (*Musgrave*) was very glad to hear the remarks of the hon. member for Mackay with regard to the Land Court, and he thought it would facilitate matters very much if the hon. member for Burrum would make an unqualified withdrawal of the allegations he made last night. That would be very satisfactory; or if the hon. member could substantiate the charges he had made, he should bring them forward in a proper way. It was unfair to the Land Court and to this House to make such allegations, and this estimate should not be passed unless the hon. member gave some explanation or withdrew his allegations.

Mr. MARTIN (*Burrum*): He had no inclination to withdraw the statement he made last night. He had stated that it was reported that the inquiry was held as to the throwing open of certain lands in the Burnett with closed doors. He further stated that an officer had been sent up to report on the resumption of part of those leases and that he had gone on the spree. He was not going to withdraw those statements, until he found that they were absolutely incorrect.

He said last night it was a rumour, [4 p.m.] and he believed, from what he had heard and what he had seen, that there was a good deal of truth in it. [Hon. R. PHILP: When did you hear this report first?] He would prove that later on. With regard to travelling expenses, he noticed that they had been increased, and, no doubt, the duties appertaining to the court had been increased also. There was one matter that wanted altering, and that was the practice of requiring selectors who had complied with the provisions of the law to go before the court and prove that they had done so. If the ranger had anything to bring against them in connection with not fulfilling the conditions, it would be right to ask the men to travel to some convenient centre; but when a man had fulfilled all the conditions, it was not right that he should be compelled to travel 50 or 60 or 80 miles to prove his *bonâ fides*. Selectors would rather put in a month on their selections than go for five minutes before any court.

HON. D. H. DALRYMPLE: The hon. member for Burrum had made a charge, by innuendo, in repeating a report which he was not prepared to say he sanctioned himself. It was not for the hon. member to say he was not going to withdraw the charge till he found it was incorrect; it was his business to find out whether it was correct before making the charge. He supposed the hon. member would condemn a man, ruin his reputation, and then try him. He did not know what was the hon. member's idea of fair play. If the proceedings of the Committee were somewhat delayed, the blame must rest on the shoulders of the hon. member for Burrum—if, indeed, the Secretary for Lands was not also somewhat blamable. The charge was that a court was held with closed doors, which he was given to understand was an illegal proceeding. [The PREMIER: It was an inquiry, not a court.] He presumed the court held the inquiry. [The PREMIER: Not necessarily.] In any case, the matter should be cleared up, and the Secretary for Lands was the proper official to clear it up, seeing that he was the link between Parliament and the Land

Court. It was the business of the hon. gentleman to defend the officers of his department and explain any charges made against the department or anything that came on the Estimates of the department. The honour of the department was in the hands of the hon. gentleman; he was the advocate of the department; and he was not doing his duty if he did not instantly make inquiry, and give an explanation when such a charge was made. He believed the necessary information could be got from the Under Secretary, or it could be got by wire from the Land Court. [The PREMIER: The Land Court was never in question until you brought it in.] He laid it down as a general principle that the officials of the department, whose salaries appeared on the Estimates, depended upon the Minister for their exculpation if charges were made against them. Whoever made the inquiry, if the inquiry was improperly conducted, the Minister for Lands should welcome the opportunity to deal with such a charge. It was clearly his duty, and he asked the hon. gentleman to be good enough to do so. It was clearly the duty of the Secretary for Lands to have made inquiries yesterday. It was not fair to allow his supporter to fling mud at the officials of the Land Court, and he asked the hon. gentleman to say whether he had any information to give the Committee as to the truth of the statement.

The PREMIER: The hon. member's zeal for the honour of the officers of the Land Court was rather remarkable. He would point out to the hon. gentleman, to his leader, and to the late Secretary for Lands, that they had been defending officers of the Land Court who had never been traduced during the course of the debate. [Hon. J. F. G. FOXTON: What! Not last night?] He wanted to fasten the hon. gentleman down to the position he had taken up that afternoon. He had been allowing his indignation to carry him away. He and his colleagues had been defending the members of the Land Court. [Hon. D. H. DALRYMPLE: Or any other body who has been traduced.] They had been defending the integrity of the Land Court against some imaginary charge. Now, if they had taken the trouble to look into the facts of the case, they would have found that no suggestion of improper conduct was made against the Land Court by the hon. member for Burrum. [Hon. J. F. G. FOXTON: Nonsense! Downright nonsense!] It was, therefore, quite unnecessary for the hon. gentleman to get up and fulminate against the Secretary for Lands for not defending the members of the Land Court against a charge which was never made against them. All that indignation was simply "sound and fury, signifying nothing." The hon. member for Burrum referred to some rumour that was current—in his own district, he presumed—that an inquiry into the quality of certain lands in his district had been held with closed doors. [Mr. PAGET: By the Land Court—he used the words "by the Land Court."] No—an inquiry which might have been made by any officer of the Lands Department or by anybody. [Hon. J. F. G. FOXTON: He said the Land Court.] The hon. member for Burrum said he did not say so. [Hon. D. H. DALRYMPLE: Why does he not say so?] It was quite possible that an inquiry might have been made by somebody who was not an officer of the Lands Department. [Hon. D. H. DALRYMPLE: Why did the hon. member make the charge on the Lands Estimates?] Because it applied to land. Seeing that no charge has been made against the Land Court, it was unnecessary for the Secretary for Lands to get up and enter into a heroic defence of officers against whose integrity no charge had been made.

HON. J. F. G. FOXTON was not going to accuse the Premier of emitting "sound and fury" when speaking, but he did take exception to his remarks with reference to the statement of the hon. member for Burrum. He had listened very attentively to that hon. member. It was possible that the serious charge made by the hon. member against other officers of the Lands Department had, for the time being, overshadowed what was said by the hon. member in regard to the Land Court itself, but the hon. member certainly did say that an inquiry had been made—and he understood the hon. member to say by the Land Court—with closed doors. [The PREMIER: The hon. member says he did not refer to the Land Court.] He did. It might possibly have been merely a slip of the tongue, and, if the hon. member for Burrum would only say that he had not meant the Land Court, the thing was at an end so far as the Land Court was concerned. But the hon. member said he would not withdraw his statement until he had satisfied himself whether it was correct or not. There was no need to deal with that phase of the question, seeing it had been dealt with by the hon. member for Mackay, Mr. Dalrymple; but it was absurd to bring charges which were based on vague hearsay against responsible officers, and then, when challenged, to say that he would not withdraw them until he was satisfied whether his tittle-tattle was correct or not. The dignity of the Chamber demanded that hon. members should be above tittle-tattle of that kind. If the hon. member had heard the rumour a month or two ago, and thought it worth basing a charge upon when the Estimates were under consideration, he ought to have brought the matter before him (Hon. J. F. G. Foxton) as the then Secretary for Lands, or before the present Secretary for Lands, and found out whether it was correct or not before placing a charge of that kind in *Hansard*. That was what a reasonable man would do, or a man with a fairly balanced mind; but the hon. member would not do that. No one had asked the Secretary for Lands to defend the Land Court. What they had asked was whether the Minister had made inquiries, or whether he was going to do so. That was a most reasonable request. He believed that most, if not all, of the members of the Land Court were at present in town, and, if the Minister would say that he would ascertain from them whether there was any truth in the statement or not, he would be perfectly satisfied. He did not ask the hon. gentleman to defend the court, but, having regard to the fact that a charge had been made, they were entitled to ask for information.

Mr. HARDACRE: If he remembered the incident of last night correctly, a charge of rather a vague nature was made against some person without mentioning any name. The charge was of a general nature, and not with regard to the character of the transaction. [Mr. PAGET: One of the charges was that a certain person had been bought with liquor by the owner of the station.] Quite so, but without distinctly specifying the particular person who was supposed to have been drunk. It appeared that the hon. member who made the charge did not clearly understand whose duty it was to give a decision in connection with the affair, and therefore he was unable to make a charge against any particular person. Afterwards the member for Gympie made another charge, and the first time the court was introduced was by the late Secretary for Lands, who got up to defend the late Government. He asked him to instruct the member for Gympie that it was the court which was to blame, if anyone, and not the late Government. [Hon. J. F. G. FOXTON: You are barking up the wrong tree. That was a

different occasion altogether.] He understood they were referring to the resumption of Wetheron run. [Hon. J. F. G. FOXTON: No; we are not.] He understood the charge was made in connection with that. He went through the whole of the papers in connection with that matter, which had caused a great deal of public indignation in the Maryborough and Bundaberg districts. A paragraph in the report of the Under Secretary for Lands, this year, spoke very highly of the officers of the department. He was very glad to see it, because he endorsed every word of the appreciation, and yet at the same time he could quite understand that among a multitude of officers there were almost bound to be some who would fall under the indictment of the Secretary for Lands, or that of the hon. member for Burrum. [Hon. J. F. G. FOXTON: No one disputes that.] All the same, he quite agreed with the hon. member for Carnarvon that it would have been better to have said nothing about that, so far as it related to any particular person. At the same time, he did not understand the Secretary for Lands to make a sweeping charge against officers generally. However, while expressing his appreciation of the officers, he wished to say that he believed, from the inquiry he made into the transaction to which he was alluding, that there ought to be a searching inquiry into the whole of the facts. That there was a grossly unfair decision with regard to the resumption of that run, against the interests of settlement and the interests of the general public in favour of the pastoral lessee, there could be no doubt. He was speaking now of the Wetheron resumption. The members of the Land Court were the officers who judicially made that decision, and they sheltered themselves by saying that it was the recommendation of the dividing commissioner, which they accepted. Besides that, the Land Court refused to hear the evidence of interested persons in the district who were in favour of settlement. They also refused to hear a deputation from the Chamber of Commerce. [Hon. J. F. G. FOXTON: They were quite right there.] Legally he was inclined to think they were. At any rate, they justified that particular decision with regard to not hearing the deputation, on the ground that they had no right to hear anybody except the lessees and the officers of the Crown. [Hon. J. F. G. FOXTON: Unless the witnesses were called by one of the parties.] He did not agree that they were right in accepting the recommendation of the dividing commissioner, because he held that they were empowered to override any recommendation of the dividing commissioner if in their opinion it was not in the public interest. [Hon. J. F. G. FOXTON: And they often do.] In that case they did not do it, and they sheltered themselves behind the fact that the dividing commissioner had made a recommendation. He had a high respect for members of the Land Court, but he thought that particular case deserved inquiry. Whether the rumour was correct or otherwise as to the reasons for the dividing commissioner coming to the decision he arrived at, the matter was subject for inquiry in the interests of the officer himself, and of the Lands Department. He wished to emphasise his opinion that the late Secretary for Lands, Mr. O'Connell, was not in any way to blame. Mr. O'Connell went to Maryborough, and there a number of residents interviewed him. He promised that he would inquire into the case with the object, if possible, of remedying what they thought was a great grievance. When he came back to Brisbane he carried out his promise, and found that the lessees then refused to have a review of the decision, or any alteration of it, because they said that on the strength of it they had entered into certain financial transactions, and it would

be unjust to them, after undertaking those obligations, that any alteration should be made. Under the circumstances, he thought the Minister was bound to desist from further inquiry. The whole case was so suspicious of something wrong somewhere—some grossly partial decision in favour of the pastoral lessees against the interests of settlement—that the fullest inquiry was necessary and desirable. This matter had been brought up in two sessions before the present, and he hoped the Minister would give it consideration, and make some further inquiry into it.

The SECRETARY FOR PUBLIC LANDS: As the hon. member who had just spoken had said, this matter was fairly ancient history, having been discussed in the House [4.30 p.m.] as far back as the year before last.

Till within a few minutes ago he knew nothing of the matter. Since it had been mentioned, he had consulted the permanent officials of the department, and he found that when the one-quarter resumption of Wetheron was to be made under the Act of 1886 the department sent their commissioner up there to make a report. The commissioner made a recommendation, and the Land Court assuming that that recommendation was the recommendation which was approved of by the Lands Department, took it as the department's recommendation. They communicated with the lessees, and found that the lessees assented to the recommendation, and then, departing from their usual practice, they held a formal court, decided not to take any further evidence, and came to the conclusion that, as both parties were agreed as to the area of land to be resumed, they would give their consent. In doing that, they departed, as he had said, from their usual practice. He appeared before the Land Court in the very first case heard under the Act of 1886, and many times since, and he knew that they exhibited a most liberal frame of mind in regard to the matter of evidence, and were willing to hear local people on the existing or probable demands of settlement in the neighbourhood. But, apparently for some reason, probably some excellent reason for which they did not deserve to be reproached, they rather precipitately came to the conclusion that there was no reason to hear any extraneous evidence in this matter. The Lands Department, he supposed, owing to pressure brought to bear upon them, sent up Crown counsel to be present at the formal sitting which the Land Court held, he thought, at Gayndah, but there was no opportunity for counsel to be heard; and the court confirmed the resumption. The department, not content with that, sent up another official, he supposed in response to a still further outcry, to make a report on the matter. He had not seen that report, but he was told that, broadly speaking, the report of that second officer, Mr. Board—a very capable man—rather confirmed the recommendation of the original commissioner. That showed, at all events, that there was something to be said on the other side—that it was not the one-sided arrangement which had been suggested. He should like to say that, broadly speaking, in these inside districts—that was in the districts comprised in Schedule I. of the Act passed last session—they should be pretty liberal in making these quarter resumptions. They were all quarter resumptions from expiring leases, and were in a different category altogether from Western leases. Nearly every one of these men was about to die as a lessee, and he was in favour of giving them more consideration in regard to the quarter resumptions than he would give to men slightly further west. [Mr. HARDAGRE: They have priority.] They had a certain priority, and he did not begrudge it to them. [Hon. J. F. G. FOXTON: The holdings are not large.] The considerations which he had

indicated should be borne in mind when they were considering either the Wetheron resumption or other resumptions in inside districts. Of course that did not explain why the Land Court, in this particular matter, departed from their hitherto invariable practice of hearing evidence, but he should imagine that the outcry had been so great on this point that the Land Court were never likely to make such a departure again.

Mr. NORMAN thought that the late Secretary for Lands, Mr. Foxton, was responsible for this "storm in a teapot." He (Mr. Norman) made a very few remarks on the subject the previous evening, and while he was speaking the hon. member for Carnarvon hinted that he was throwing out some innuendo against some of the Lands Department officials. All that he asked on that occasion was that in sending up an expert to report on the Burnett lands the Minister should see that he was accompanied by someone who knew the district, or else send someone who was thoroughly well acquainted with the district, because in the past there had been official reports which had been made on information received second hand, instead of on personal knowledge. With regard to the Wetheron resumption, the people in that district were not satisfied with the action of the dividing commissioner. They felt that an injustice had been done in that case. It was all very well to say that the Land Court might have some reasons for not letting the public know why they did not take evidence in the matter, but, as it was a public court and had to adjudicate in the interest of the public as well as the lessees, it was quite reasonable that the public should know their reason for coming to a certain decision. With respect to the charges made by the hon. member for Burrum, most of them had failings, and he supposed the members connected with the Land Court had these failings, and these failings were noticeable when they should have been doing their duty in that district. The Secretary for Lands had stated that the report of Mr. Board practically bore out the decision arrived at by the Land Court. He (Mr. Norman) had seen that report. Mr. Board had only to answer some questions which were submitted to him, and those questions were so framed that in answering them he must answer in favour of the Lands Department. But, even then, Mr. Board's answers to the questions showed that, in the interests of close agricultural settlement, the proper land had not been resumed, and that the land which ought to have been resumed was that asked for by the people of the district. [Hon. R. PHILP: Who made the first recommendation?] Mr. Dividing Commissioner Gibson. Mr. Board, in his report, stated that the land resumed would make fairly good dairying country, but that for close agricultural settlement that nearer the line of the proposed railway would have been the best.

Mr. MACARTNEY: The hon. member who had just spoken had—probably it was only an inaccuracy of expression, like that of the hon. member for Burrum, which had led to so much misunderstanding—stated that the members of the Land Court possessed certain of the failings of humanity—

Mr. NORMAN asked to be allowed to explain that he was not aware that he had referred to the members of the Land Court. He was discussing, not the Land Court, but the men sent up by the Lands Department in order to make recommendations.

Mr. MACARTNEY: He was showing that the hon. member had fallen into the form of expression which had given rise to the misunderstanding of which they had heard that afternoon. The hon. member certainly said the Land Court, though he might not have intended.

it. It was owing to a similar inaccuracy of expression that the hon. member for Burrum had made his serious charge against the Land Court, and the whole of the debate had been based on the assumption that the hon. member for Burrum had specifically referred to the Land Court. The Minister even spoke on the same assumption. He would suggest that the hon. gentleman should ask his Under Secretary, who was in the gallery, if such a rumour was known to the department.

The SECRETARY FOR PUBLIC LANDS: The Under Secretary and the legal adviser to the Lands Department assured him that they had never heard of such a rumour before. (Hear, hear!) He did not wish to say anything injudicious, but he did not think he had seen, on the front Opposition benches, such an elaborate piece of acting in his life. (Laughter.)

Hon. J. F. G. FOXTON: If the Minister for Lands had only taken the trouble to ask his Under Secretary that question earlier in the evening, the discussion would never have arisen. He could assure the hon. gentleman that there was no acting about it. During the whole of the time he had been in Parliament he had protested against charges being made first in the House upon hearsay. The proper person to whom to make charges was the Minister in charge of the department. Then, if the member making those charges could not get satisfaction from the Minister, it was his duty to complain in the House, not against the official, but against the Minister for not having done his duty with regard to them. The Land Court was composed of a body of men who were placed by the Legislature above the Minister in many respects. The hon. member for Maryborough, Mr. Norman, had said that he (Hon. J. F. G. Foxtton) was responsible for the whole of this discussion today. [Mr. HARDACRE: A storm in a teacup.] Yes, and the hon. member alluded to some remarks that he said he (Hon. J. F. G. Foxtton) had made in his (Mr. Norman's) absence; but he (Hon. J. F. G. Foxtton) had never alluded to the hon. member for Maryborough; but that was the usual joke—pulling a new member's leg. [An honourable member: You mentioned him.] In what way? He (Hon. J. F. G. Foxtton) had his proofs for yesterday in his hand; they did not show that he had alluded to the hon. member for Maryborough, and he had no recollection of having done so.

Mr. RYLAND (*Gympie*): Hon. members opposite had brought in a side issue to fritter away time and obscure the main question. The real question was the administration of the Repurchase Act with regard to the Burnett lands, and more particularly with regard to the throwing open of the Wetheron run. Some people appeared to think that someone was suffering from a "redeeming vice" at the time of the division—whether it was the dividing commissioner, the Land Court, or someone else; and he wondered how anyone clothed in his right mind could take the action complained of. How could any Government in their right mind allow such things to be done? There was land on the Wetheron run suitable for close settlement, and there were other lands there which were not suitable for close settlement—lands which, however, were suitable for dairy farming, and the portion of that run was resumed which was not suitable for close settlement. A railway line had been surveyed from Degilbo to Gayndah, and they went through the "Steadman Block," the furthest point in which was only 6 miles from the surveyed line, while the nearest point in the "Good-night" Block was 10 miles from the surveyed line. And this was done when they had a Government who said they wanted close

settlement—members who at election times put their hands on their breasts and told the electors they wanted to see the lands of the State settled on. (Laughter.)

The CHAIRMAN: Order! I call the hon. member's attention to the fact that the discussion now should be confined to the "Land Court." I think the hon. member is making a charge against the administration of this department generally.

Mr. RYLAND: The discussion which had been raised was with regard to the Wetheron run resumptions. The "Steadman Block" had not been resumed, although this had been universally advocated by the residents of the district. The Wetheron station was owned by the Queensland National Bank, and it seemed that the interests of that institution had been looked after, while the interests of selectors there had been sacrificed on the altar. And then, when the question was brought up, hon. members opposite were simply drawing a red herring across the track, with regard to an imaginary attack against some imaginary person, or against some Minister or some other "spook." (Laughter.) Who was responsible for the "Good-night Block" being thrown open for selection instead of the "Steadman Block"?

Mr. PAGET: The hon. member for Burrum had put it clearly to the Minister for Lands a short time ago that a number of selectors had been greatly inconvenienced through having to travel to the Land Court at Bundaberg—sometimes a distance of 60 or 80 miles. The hon. member was referring at the time to the travelling expenses of the Land Court. Last year these travelling expenses amounted to £349 7s. 8d., when £600 was voted; this year the item had been increased to £750. In view of the fact that selectors and witnesses had to travel a number of miles, as alleged, to attend the Land Court, he would like to ask the Minister whether the sum on the present Estimates would be sufficient, and whether the Land Court would sit in more places than had been the custom in the past.

The SECRETARY FOR PUBLIC LANDS: The amount voted last year for the travelling expenses of the Land Board was £600, and the amount expended was £360. [Mr. PAGET: £349 7s. 8d.] The hon. member was taking the Auditor-General's figures, but the Lands Department had made up their accounts to the 30th September. The department estimated that £750 was likely to be spent for these travelling expenses—it might be a little more or much less. The Land Board was doing more travelling now than they had done in the past. [Mr. PAGET: Are they likely to visit more centres?] Of course. The Land Board were always willing to sit wherever the convenience of suitors could be best suited, and they would not be circumscribed in their movements by the exact sum voted on the Estimates. If more money was necessary, it would be spent.

Mr. P. J. LEAHY: His experience of the Land Court was considerable, and he never heard of the court sitting with closed doors. [5 p.m.] Sometimes the commissioner's court was called the Land Court, and it might be that the commissioner's court was the one that was meant in the case which the hon. member for Burrum had mentioned. If so, it was a less serious charge than it would be if directed against the Land Court—just as serious as if made against judges of the District Court. He thought there must be some misunderstanding. A good deal had been made of the fact that the commissioner stayed at stations. In a large number of cases he could not stay anywhere else, particularly in the Western country. The commissioner stayed at the most

convenient place. If there was a hotel in the place he stayed there, but if there was no other place he stayed at the station; and during his residence in the Western country he never heard a charge of favouritism brought against a land commissioner.

HON. D. H. DALRYMPLE: Charges had been made by two members of the Committee with regard to the Wetheron run, and those who were responsible for what had been done in connection with throwing open a portion of that run. It had been said that the public did not get what they ought to have got—that they got bad land at a greater distance from the railway, though there was good land nearer to the railway. He did not believe that either the department or the Land Court was to blame, but he thought the true explanation should be placed before the public, and he hoped the Minister would give the Committee the facts of the case.

THE SECRETARY FOR PUBLIC LANDS: He had made a statement on this subject already, and he did not think any hon. member who had listened to him would wish him to go over it again. As one who had administered the Lands Department, the hon. member ought to know that the department, as a department, could not be to blame in this matter in the slightest degree, as it had nothing to do with selecting the area resumed. That was a matter that rested between the recommendation made by the land commissioner and the decision come to by the Land Court. In this case the Land Court came to a decision which was unpopular, and, on the whole, probably an unwise decision; but what had added to the bitterness felt on the subject was that the Land Court, contrary to previous and subsequent practice, declined to hear any evidence on the subject. He believed the reason they declined to hear any evidence was that they were under the impression that the recommendation of the commissioner represented the views of the department, and the lessees assenting to that representation, it was unnecessary to hear any witnesses.

Question put and passed.

SURVEY OFFICE.

THE SECRETARY FOR PUBLIC LANDS moved that £51,306 be granted for the "Survey Office." There was a reduction of £510 as compared with the amount voted last year. A Chief Surveyor had been appointed at £450. There were some additions to the drafting staff, and there was a reduction in the vote for contingencies.

Dr. GARDE: He wished to make a few remarks about the appointment of the Chief Surveyor, and, in doing so, he wished it to be understood that he was not making the slightest reflection upon that officer. He was brought from Class III, at a salary of £350, and put over men who were many years his senior in the service. The length of service of the Maryborough and Townsville district surveyors amounted to eighteen years and four years respectively, and the district surveyor at Rockhampton five years, whereas the present Chief Surveyor was a district surveyor only three years. It seemed a queer thing that a man so much the junior of the officers he had mentioned should be pitchforked over their heads. The appointment had caused extreme dissatisfaction in the service, and naturally so. The senior district surveyor in Maryborough had something like thirty-two years' service, and during the absence of the Surveyor-General he came down to Brisbane and performed the duties of the office to the entire satisfaction of the Surveyor-General, so that it could not be claimed that he was not capable of doing the work. It seemed a most

extraordinary piece of conduct on the part of whoever was responsible for the appointment, and perpetrated a gross injustice on the senior officers who had been passed over without rhyme or reason. If a man in the civil service conducted himself properly and showed a fair amount of ability, his services should be recognised according to seniority, and such action as had been taken in this case was not calculated to give confidence to officers in the Lands or any other department. It was a gross piece of favouritism. [Mr. COWAP: Perhaps his ability warranted his appointment.] That was quite possible, but, as a reply to that argument, it was a curious thing that the Surveyor-General had appointed the senior district surveyor at Maryborough to take his place. There were several others passed over, but he would not be doing justice to the officer in his district if he did not refer to the matter. That officer was quite competent, otherwise why was he allowed to remain in the service for over thirty years? If those men were not capable, they would not hold their present positions.

THE SECRETARY FOR PUBLIC LANDS: Before he gave the details of the matter, he would just allude to the peculiar argument the hon. member used. He said that the fact that certain officers who had been a number of years in the department not being selected for the position of chief technical officer of the Survey Department warranted the suggestion that they were not fit for the ordinary routine duties they had been discharging for a number of years. [Dr. GARDE: No.] He should be very surprised if the hon. member told him he was wrong.

Dr. GARDE: What he said, or meant to say, was that, having served that number of years, those who were responsible for their being there should have found out long before now whether they were capable or not, and the fact that they remained in the service showed that they were competent. He also said that, when the Surveyor-General went away, he appointed the senior district surveyor—that was the officer in Maryborough—who, by virtue of his long and faithful service and everything else, should have been appointed, and not a junior man.

THE SECRETARY FOR PUBLIC LANDS: The hon. member confirmed the interpretation that he had placed upon his remarks. The hon. member suggested that, because an officer was not selected for the post of chief surveyor, a fair deduction was that the department had been acting reprehensibly in leaving him as district surveyor for so many years. But a man might be an excellent district surveyor and an extremely inferior chief surveyor. As the hon. member knew, in South Africa a man might be an extremely good commander of a small body of troops, but when he was put at the head of a larger force he sometimes proved most unsuccessful. The history of the matter was this: When alterations were made in the Lands Department last year, and the Surveyor-General retired, it necessitated a new arrangement in regard to the head of the Survey Department, and it was decided not to continue the system of making the Survey Department an independent department, but to bring it directly under the control of the Under Secretary for Lands, and to give him a chief of staff in survey matters. The chief surveyor was appointed to be a technical chief of staff to the Minister and to the Under Secretary. Now there were four senior officers, called district surveyors, and the question arose as to which of the four should be appointed as chief surveyor. They were Mr. Mackay, at Townsville, Mr. McDowall, at Rockhampton, Mr. Wood, at Maryborough, and Mr. Spowers, in Brisbane. He believed he was correct in stating that neither Mr. Mackay nor Mr. McDowall wished

to take the position, nor, for that matter, did Mr. Spowers. [Dr. GARDE: Was it offered to them?] It was not offered to them. At all events, there was good reason for thinking that neither of them wanted the position, although, if they had announced that they did want it, it would not have made the slightest difference, or altered the course that was taken. As a matter of fact, there was reason to believe that they did not want the position. Neither did Mr. Spowers want it, but Mr. Wood wanted it, and did not get it, and to that fact was to be attributed the circumstance that they had had the advantage of hearing the hon. member for Maryborough on the subject. The hon. member was holding a brief for Mr. Wood, rather than for the other two district surveyors. The question was which one of the four should be appointed. The Under Secretary had some knowledge of all of them. The man to be appointed was to be his right hand man controlling the Survey Department. It was essentially to his own interests that he should have a good man, and he recommended to the late Minister, Mr. O'Connell, the man whom he thought would make the best Chief Surveyor, and that man was Mr. Spowers. He was the junior of the four, but in a matter of that kind, as was the case in the British Army, seniority was not the only consideration, and it was now the custom in that service for the man at the head of the tree to select those officers who were best suited to his purposes. In confirmation of the recommendation which the Under Secretary made, there was also the recommendation of the late Surveyor-General to the late Mr. O'Connell, that Mr. Spowers was the best man to appoint. Little as he had seen of Mr. Spowers, all that he had seen led him to believe that he was an excellent officer, and he would say, although the hon. gentleman did not cast any reflection upon him, if he met him he would hold of that officer the same opinion that he (the Secretary for Lands) did.

Dr. GARDE: He did not in any way blame Mr. Spowers for accepting the position, and he did not wish to impute the slightest bad motives to him. He was perfectly justified in taking the position, but he contended that it was grossly unjust to bring a man out of an inferior class and put him over the heads of his seniors. No such principle was carried out in the British Army as to promote men from a low class over the heads of men in higher classes. [The SECRETARY FOR PUBLIC LANDS: He was a district surveyor.] He was in class 3—a class below the other men. If he was the best man, why was he not in class 1? [The SECRETARY FOR PUBLIC LANDS: Class is governed by seniority.] He expected the fact of the matter was that the other men belonged to Townsville, Rockhampton, and Maryborough, and, as usual, Brisbane got the best of it. It was no use saying that Mr. Wood was not fully competent, and further, if Mr. McDowall had done as the Minister said, then he had acted in a double manner, for he had seen Mr. McDowall's letter to Mr. Wood in which he spoke most highly of him. He thought the other three district surveyors had been treated extremely badly. It was no use saying that they would not have the position. They were never offered it, and they could not refuse until they were offered. He attached no blame to Mr. Spowers, but he did to the department. The matter was engineered and manipulated, and nothing would change his opinion.

HON. J. F. G. FOXTON: The Minister had correctly stated, as far as he knew, the circumstances attending Mr. Spowers's appointment. He took some interest in the matter at the time,

having previously been Secretary for Lands, and having known both Mr. Spowers and Mr. Wood for some years. He was bound to say that Mr. O'Connell did not consult him in any way, but he gathered from him pretty much what the Secretary for Lands had said. There was nothing in the shape of intrigue or unworthy influence connected with the appointment. He had known Mr. Wood for a good many years, but he had not seen sufficient of his work to enable him to say whether he would make a good administrative head of a large department such as the Survey Department. He was aware that temporarily he had occupied the position of the Surveyor-General when he was absent, but it must be borne in mind that that was a very different thing from taking charge of the department, and having cast upon him a certain amount of initiative and work which would require a considerable amount of administrative ability. Mr. Wood, there was no doubt whatever, was an excellent district surveyor, and he was not prepared to say—because he had no knowledge—that he would not make a very excellent Chief Surveyor, but apparently those with whom the Chief Surveyor would have to work thought differently. They were under the impression that Mr. Spowers had displayed greater capabilities which qualified him for that particular post than were possessed by Mr. Wood. In regard to Mr. Spowers, he could say that undoubtedly, although a young man, he possessed considerable administrative ability. Although it required a highly qualified surveyor, it required something more than that to take charge of a big department like the Survey Office. Mr. Spowers was a staff surveyor stationed in Brisbane, and necessarily had a very intimate knowledge of the work which he would have to perform as Chief Surveyor. He quite agreed with the Secretary for Lands when he said that the man under whom the Chief Surveyor had to work, and who would be largely responsible for the results of that work, was certainly the man who should have the largest influence in the choice of his assistant. Without going so far as to say that he thought unquestionably the right man was chosen, he did say that it would be very difficult to get for the work a better man than Mr. Spowers, who, he was quite sure, performed the duties and filled the office with a considerable amount of ability and administrative skill.

Question put and passed.

MISCELLANEOUS.

The SECRETARY FOR PUBLIC LANDS moved that £17,059 be granted [5.30 p.m.] for "Miscellaneous Services." With reference to an inquiry made by the leader of the Opposition earlier in the evening concerning the Tarampa Estate, he might state that the whole area of that estate was 24,160 acres. The area selected and sold amounted to 13,062 acres, the area still open to selection was 5,013 acres, and the area for roads, reserves, and undealt with was 6,092 acres. Roughly speaking, between 3,000 and 4,000 acres of that 6,092 acres lay around Lake England, and they were not by any means all swamp. [HON. R. PHILP: Do you know the value of the land sold?] The value of the land sold was £68,910; that was the amount they should receive when all the money came in; and the value of the land still open to selection was £25,335, which gave a total of £94,245. The property was purchased for £90,630. The hon. member for North Brisbane asked one or two questions the previous evening, and if the hon. member would repeat them now he would endeavour to give him the information desired.

Mr. CAMERON said he had not the report of the remarks which he made the previous evening, but one question he asked was whether the Government would carry out the promise of their predecessors to allow leases to be surrendered on twelve months' notice by the lessees, and the unconditional forfeiture of all improvements and rights under those leases. Another question was whether section 18 of the Act of 1902 would be interpreted in favour of the lessees, as to whether the resumptions were to take place at the end of the leases under the Pastoral Leases Extension Act, or at the end of the original lease. He also asked what amount of country had been forfeited within the last eighteen months, and the number of occupation licenses which had been abandoned or forfeited.

The CHAIRMAN: Order! I would draw the attention of the Committee to the fact that the discussion of this matter is out of order on the motion which is now before the Committee. The discussion should be confined to the separate items under the heading "Miscellaneous," but as I understand the Secretary for Lands had not the information yesterday when the question was asked, I have no objection to allowing that information to be given now, if no hon. member dissents.

The SECRETARY FOR PUBLIC LANDS said he was sure they all recognised the propriety of the ruling of the Chairman. He was only giving this information now because he had not got it by him when the appropriate vote was under discussion the previous evening. The number of holdings on which rent was unpaid was as follows:—On which one year's rent was due, 24; on which two years' rent was due, 19; total, 43, representing an area of 6,604 square miles. The total rent due was £4,610. He could give the districts in which the runs were situated, if that would be of any information to the hon. member. [Mr. CAMERON: I do not want them.] The number of runs declared forfeited was seven. The number of occupation licenses forfeited for failure to pay rent to the 31st December, 1903, was 389, comprising an area of 11,599 square miles, and the total rent due was £8,510. This was a very much larger number of occupation licenses than the normal number on which rent was not paid, and that was brought about by the abnormal demand for that tenure during the stress of the drought.

Mr. P. J. LEAHY: The Minister informed them the previous evening that he would endeavour to get some information as to the interpretation of section 18 of the Act of 1902, and said he would consult the Attorney-General on the subject. Personally, he had no doubt on the matter, but he should like to know if the hon. gentleman had obtained that information.

The SECRETARY FOR PUBLIC LANDS replied that he had not had time to go into the matter since last night, but he might tell the Committee what he was not aware of the previous evening, and that was that the Legal Adviser to the Lands Department had expressed the opinion that the section should be interpreted in favour of the lessees. With regard to the question as to the right of surrender, he had not been able to go into that matter, and all he could tell the Committee was, speaking off-hand—he did not wish to bind himself in the matter—that if a promise was given by the office it must be carried out; but apart from that, on the merits of the case he thought it was a reasonable promise to give.

Mr. COOPER: In the vote there was an item, "Legal Adviser, £500." As the Government had said that economy was to be the leading feature of the Administration, did not the hon. gentleman think that in the Crown Law Office there was sufficient legal talent for the whole of

the service without having a special legal adviser to the Lands Department? He was aware that the legal adviser attended the Land Court when they were adjudicating, but he could not see that such an official was necessary, because, as the hon. gentleman knew, in all cases of reappraisal that came before them the local commissioners and rangers gave evidence as to the valuation of the particular runs or selections, and then the selector or lessee gave his evidence as to value, and it was then left, or should be, entirely to the court, who were men above suspicion and fully qualified for the work, to decide between the two evidences. The fact of the department being represented by a legal adviser put selectors and lessees to a great deal of expense in obtaining counsel from Brisbane and Rockhampton, for, being laymen, they did not feel able to stand a cross-examination on the different points put to them by an expert on behalf of the Crown. Very often the selector was put into the box and cross-examined as if he had been guilty of perjury or some other heinous offence. And the £500 paid to the legal adviser was only a retaining fee, as he was allowed outside practice, and received other large fees from the Crown for special work.

Mr. HARDACRE did not wish the Minister to lose sight of the most important question which had been previously raised. Some time ago a deputation waited on the late Minister for Lands and the late Premier, on the question as to the time when it would be possible to make the first resumptions. The reply of the Minister was that the interpretation of the Act would be in favour of the lessee. If that meant that they were going to delay the first resumptions which could be made from pastoral leases, it would be a most objectionable thing, and one which should be opposed most strenuously. It was altogether contrary to the understanding on which the House passed the Bill last session, and would lead to the blocking of settlement.

The SECRETARY FOR PUBLIC LANDS: He could assure the hon. member that there was no delay proposed at all with regard to the first resumptions.

Dr. GARDE: With regard to the item of £7,000 for relief of aboriginals, he would like to bring under the notice of the Minister the fact that last year there was some little chee-paring with regard to the distribution of blankets at the Barambah reserve. He had been informed that many of the blacks there got no blankets at all, and some only half a blanket. He hoped the hon. gentleman would be as sympathetic as possible towards a race that was rapidly dying out.

Hon. J. F. G. FOXTON: The working of the Act relating to aboriginals was a matter that perhaps he knew more about than the present Minister for Lands, having had the administration of it for some years—

The SECRETARY FOR PUBLIC LANDS: Might he suggest that, before dealing with the aboriginals, they should dispose of the other questions which had been raised. [Hon. J. F. G. FOXTON: I am also of that opinion.] The hon. member for Mitchell suggested that there should be no legal adviser to the Lands Department, and, in his account of the appearance of the legal adviser at the Land Court, he rather led the Committee to believe that some injustice was done to the selectors and lessees who appeared before it. He was disposed to think that, as a matter of fact, it was the conduct of the lessees in employing commission agents and land agents to represent them before the Court—that the Lands Department was compelled in self-defence to send an officer to represent it. That, he thought, was the history of the employment of counsel in connection with the Lands

Department, and he did not think that the time had come when the department should not employ counsel. He also thought he was not incorrect when he said that the Land Board themselves would not welcome the prospect of the abolition of advocates practising before them. They held the opinion, just as the judges did, that it was much easier to get at correct decisions when men more or less skilled represented one or either side than if the business was left to earnest but unenlightened litigants. The barrister who was acting as legal adviser to the Lands Department was a man who, perhaps, at the beginning had no very great knowledge of land work; probably he was as little qualified for the work as any man at the bar, but he was distinctly an able and industrious man, and the result was that his years of practice had made him a most excellent officer, and one who certainly discharged his duties admirably. [Honourable members: Hear, hear!] In addition to his qualifications as an advocate before the Land Court, he had made a study of the Land Acts of the State, and his authoritative opinions on those Acts could not be surpassed by anybody else in the State. [Hon. J. F. G. FOXTON: He largely drafted the Land Act of 1897.] [Mr. COOPER: That is exactly what I wanted to know.] He recognised thoroughly the qualifications of this legal adviser, and he certainly considered that his services should not be dispensed with. But excellent as his services were as legal adviser, he thought that on the whole he had been uncommonly well paid for what he had done for the Lands Department. He got £500 a year salary, and travelling allowances, and he also got paid for extra advocacy work outside the routine of his ordinary duties—for instance, in drafting a Bill, and in attending consultations. The legal adviser's connection with the Lands Department was not at all unprofitable to him, but at the same time his work was very beneficial to the Lands Department. They were now at the epoch of economy, and he had it in contemplation to go into the question as to whether they could reduce to some extent the expenses of the legal adviser to the Lands Department. He did not at all suggest the abolition of the post or that they should completely cut down those expenses, but he considered that there was room in that direction for some economy, and he proposed to see what could be done in the matter. With regard to the efficiency of that officer, and the wisdom of employing that officer, he thought a better man could not be found if they searched the whole State through.

Mr. CAMERON: He had nothing to say as to the propriety of continuing the services of the legal adviser to the Lands Department or of dispensing with his services, but he did protest strongly against the Minister for Lands describing him (Mr. Cameron) and others of the class to which he belonged as unenlightened individuals. [Hon. J. F. G. FOXTON: Oh, no! He did say that.] [The SECRETARY FOR PUBLIC LANDS: I can assure you that I did not refer to you.]

Mr. MARTIN saw that there was a sum down for bonuses for the destruction of prickly pear, and he wanted to know on what basis these bonuses were paid. Was the money granted to local authorities, or was it given in connection with the destruction of this pest on roads or on Crown lands?

* The SECRETARY FOR PUBLIC LANDS: The hon. member apparently referred to the reward for the destruction of prickly pear; but no one had succeeded in destroying the pest absolutely, and no money had been expended from bonuses yet. Although they had not discovered any royal method of destroying prickly pear, so much attention had been given to the

subject lately that he was of the opinion that they would yet discover some method of eradicating the pest. There were now methods of destroying it much more easily than could have been conjectured two or three years ago.

Mr. MACARTNEY: During the discussion the hon. member for Mitchell interjected that he was anxious to know whether this legal adviser had anything to do with the preparation of the Land Acts. As this gentleman was particularly expert in that branch of the law, why should he not be called upon to take some part in the preparation of such statutes? They had a very fair instance of that in the great part the present Chief Justice of Australia had taken in the preparation of the Judiciary Act. He could not see the objection of the hon. member to this. He (Mr. Macartney) knew that this gentleman had accepted this office of legal adviser at great sacrifice, for he had a good legal practice. He was especially expert in land legislation, and he did not know where they could find a better man in Queensland. In fact, the Crown Law Department as at present constituted could not render the same assistance to the Lands Department that it got at the hands of that gentleman. The Crown Law Department, as far as experts were concerned, was limited to the Attorney-

General and the Crown Solicitor. [7 p.m.] and it was hardly reasonable to suppose that either of them should spend time going on circuit with the Land Court besides attending to what legal work had to be done in connection with the various departments in Brisbane. That being so, the hon. gentleman would have to get outside assistance. The legal adviser to the Lands Department did the work without assistance or instructions from an intermediary. If outside counsel had to be employed, it meant that he must receive his instructions from the Crown Law Department, and there must be special officers for the purpose of being the intermediary between counsel so employed and the Lands Department; and the department would have to pay a great deal more in that way than was paid to the legal adviser at present. The hon. gentleman had appointed himself in cases heard by the Land Court, and he must know something of the remuneration which counsel generally received when acting for pastoral tenants. They got twice the remuneration the legal adviser got. Even the pastoralists' agents who were employed in cases that came before the Land Court received fees amounting to as much or even twice the amount received by the legal adviser. [Mr. J. LEAHY: I have got more pay myself.] The legal adviser put in the whole of his time; he had special experience; and his special experience was the means of protecting the revenue possibly to the tune of thousands a year. He did not know whether the hon. member for Mitchell, who was a pastoralist in a sort of a way, was in favour of the Crown not being protected at all in cases of that sort. He thought members of the Committee would agree that it was a good thing for the Crown to be strongly represented where revenue was likely to be affected by an undue reduction of rents. For some time past it had been thought that members of the Ministry were unable to come to any conclusion—that they had not arrived at the result of their consideration—but it seemed that the hon. gentleman had probably considered this matter a little too quickly. He was sorry the hon. gentleman should have selected this officer of his department in trying to carry out economy. He felt sure the hon. gentleman would do that officer the justice to go into the whole matter before doing the injustice of cutting down a remuneration which barely paid for the work

done. To his own knowledge that officer had sacrificed his professional position generally to give his attention to this particular duty, and he thought it very unfair indeed for the hon. gentleman, without full consideration, to interfere with the small emolument that gentleman received.

Mr. MAXWELL: He wished to know what this officer got from the department in the shape of fees?

The SECRETARY FOR PUBLIC LANDS: In addition to salary and travelling expenses he thought the legal adviser received £56, which extended over eighteen months. It came into this vote because it was paid in this year. [Mr. MAXWELL: How much did he get for drafting the Land Bill?] The legal adviser did not draft the Land Bill. That officer gave his opinions as an expert, but he presumed that the Bill was drafted by the Parliamentary Draftsman.

Mr. COOPER asked if the legal adviser had not also the right of private practice. He knew that it was nearly as safe to attack a hive of bees as to attack a lawyer, as the closest union in the world was the legal profession.

The SECRETARY FOR PUBLIC LANDS: The legal adviser had the right of private practice. He would like to say, in reply to the hon. member for Toowong, that he did not want it to be imagined that he was saying one depreciatory word about the legal adviser, but, like every other Minister, he was charged with the endeavour to discover directions in which economies could be effected in administration; but, in making such economies, they did not cast the slightest reflection upon the capacity or efficiency of the individuals affected. He had as high an opinion as anybody of the capacity of the legal adviser, and he had had ample opportunities of judging.

Mr. MACARTNEY never thought the hon. gentleman intended to cast any reflection on the legal adviser or his ability, but he did think the hon. gentleman, after the few remarks of the hon. member for Mitchell, came to too hasty a conclusion as to the possibility of economy in that direction. He rather regretted that the hon. gentleman had expressed himself in the way he did, because he believed, had he gone into the matter fully, he would have found that there was no such room for economy as, apparently, on the spur of the moment, he thought. As to the remark of the hon. member for Mitchell about the trade unionism of the law, the hon. member would have had more reason in what he said if he (Mr. Macartney) was a barrister and Mr. Wilson a solicitor. He was perfectly disinterested in saying what he had, and he spoke, having a particular knowledge of the subject, which, perhaps, the hon. member himself would admit he did not altogether possess.

HON. J. F. G. FOXTON quite admitted that the Secretary for Lands had, to a certain extent, reason on his side when he said that he was there for the purpose of economising as far as possible. That was, so to speak, the *raison d'être* of the present Ministry. But there was such a thing as economy which was extravagance, and he ventured to think that, if the attempt was made to reduce the salary of the legal adviser of the Lands Department to any very great degree—or, at all events, below the figure which that gentleman thought in his own interests would be too little—it would result in Mr. Wilson ceasing to occupy the position that he did. He was perfectly satisfied that that would be a very great loss to the department pecuniarily, and especially at the present juncture. The hon. gentleman must know as well as he did that within a comparatively short period there would be a very large amount of work by the legal adviser in connection with

the Act passed last session. So much was that likely to be the case that, under very strong representations from the Under Secretary, he prevailed upon his colleagues to appoint Mr. Martin from the Crown Solicitor's Office, who had considerable experience in the preparation of cases under the Land Acts, to prepare cases for counsel for the department. Mr. Martin was now in the Lands Department, and he believed his time was already fully occupied, and he would be more fully occupied, if possible, when the Act of last session came more fully into operation. [The SECRETARY FOR PUBLIC LANDS: As a matter of fact, his time is not fully occupied in preparing cases. He is doing work in connection with the 1892 Act.] The department would be very fortunate if it was able to get through the work which was before it with the legal assistance it had at the present time. The salary Mr. Wilson got was certainly a fair one. He was not prepared to say it was too little, but he was certain that it was not too much. [The SECRETARY FOR PUBLIC LANDS: You made some attempt yourself towards curtailment.] Yes. Mr. Wilson had had his travelling expenses reduced, but he thought the hon. gentleman would find that was as far as he could safely go. Mr. Wilson was engaged, together with Mr. Power, in the preparation of the Land Act of 1897, and from that time until now, owing partly to his holding the appointment he did, he had devoted himself almost exclusively to the work of the Lands Department. Necessarily his private practice had fallen off very much, because of his frequent absences in distant parts of the State. He was quite convinced that if Mr. Wilson were to throw up his present appointment, his knowledge of the land laws would point him out to pastoralists as such an exceedingly desirable advocate that he would make double the salary he was now making. [The SECRETARY FOR PUBLIC LANDS: If that is the case, why does he not do it?] A permanent salary had its advantages, and was better in many respects than a larger sum which was more or less fluctuating. A further reduction of the emoluments of the legal adviser to the department would probably have the effect of bringing about the undesirable result he mentioned. He had sometimes been surprised that Mr. Wilson had not given up his appointment, because he was thoroughly convinced that his knowledge of the land laws, and of pastoral matters generally, from the forensic point of view, was such that he would undoubtedly be a very great acquisition to those who were ordinarily opposed to the Crown in matters of this sort. He commended the matter very seriously to the consideration of the Secretary for Lands. An interjection was made a short time ago as to what pickings Mr. Wilson got. The fact of the matter was that a District Court Crown Prosecutor receiving £400 a year was much better remunerated, relatively, than Mr. Wilson with a salary of £560 a year, for the reason that whereas Mr. Wilson's duties took away the opportunities of private practice, the District Court Prosecutor's duties actually brought him in the way of business at the various courts which he attended. He did not hold any brief for Mr. Wilson, but was speaking purely in the interests of the department, of which he had a fair knowledge. He believed—especially at the present juncture, when there was a very large amount of work coming on—that it would be a great mistake to do anything which would deprive the department of the services of so able an advocate.

Mr. J. LEAHY quite agreed with the hon. member for Carnarvon. He knew for a fact that he had represented very strongly to his colleagues the necessity for having additional legal assistance in the Lands Department, in

view of the great press of business resulting through the legislation passed last year. They passed an Act last year giving not only the large lessees extended tenure, but nearly all the grazing farmers the right to have their rents re-determined. He thought there was something like 800 who had taken advantage of that provision. At the end of next month there were coming on in Cunnamulla 116 of those cases, and if the whole of the 800 were to be dealt with within the next twelve months, it would necessitate three cases per day being taken, without counting any other work. The court also had a great deal of classification to do. Nearly 900 pastoral runs in the State had to be classified before the beginning of the year, and he really did not know how it was going to be done. His argument held good whether those cases came on for classification or not. If the pastoral lessees came in under the Act, there would certainly be a great deal of work to be done which would require trained legal experience of which the present legal adviser possessed as much in his particular line as any man he knew, and if they did not come in under the Act they would still remain under the Act of 1884. All the rents were standing back at present which should have been determined two years ago, and there would be numberless appeals which would go before the Supreme Court. That would mean an immense amount of legal work. There was an enormous advantage in the Lands Department having the services of a trained man like the present legal adviser. He was inclined to think that the Secretary for Lands had not had time to consider the magnitude of the department he was presiding over, or he would have come to the conclusion that it was not desirable to do anything which would impair the usefulness of the department. £600,000 of the revenue of the State was determined by the court before which Mr. Wilson was chief advocate, and the verdict arrived at frequently depended very largely upon the man representing the Crown. He had had a great deal of work before the Land Court. Probably no man in the House had had more. He had appeared before all kinds of courts—courts of first instance, appeal courts, and Supreme Court. He had had the honour of the Secretary for Lands pleading before a tribunal of which he formed a part. [The SECRETARY FOR PUBLIC LANDS: You were one of the assessors.] He was one of the tribunal. He was on the bench, and the hon. gentleman was below, and he did not think it unlikely that during the course of another year they would be in the same position again. The legal adviser of the Lands Department was a man with a very thorough knowledge of his business. He confessed freely that he would be very pleased to see some person other than Mr. Wilson conducting the cases which came before the Land Court or Supreme Court. He had had an application from a great many selectors in the West to go out to Cunnamulla to conduct their cases, and he would sooner see someone else conducting them against him than the present legal adviser. At the same time, they could not bring their personal affairs into the business of the country. Speaking as a representative of the people, he said that if he were Secretary for Lands he should consider the matter very seriously

[7:30 p.m.] before doing anything which would disturb the relations of the legal adviser with the department. That officer showed great anxiety to further the interests of the department—in fact, he was inclined sometimes to go too far in that direction. He did not think the legal adviser was overpaid for the work he did, and he held that they should not do anything

that would deprive the State in these times of the financial assistance from a man of his capacity and experience in conducting cases of this kind before the court. Of course the Government had made up their mind to retrenchment, and he had promised to assist them, and he was not certain that, if a reduction was proposed, he would not vote for it under present circumstances. The Government must take the responsibility, but that would not prevent him from saying whether he thought it was wise or not to make a reduction. [The SECRETARY FOR PUBLIC LANDS: I can assure the hon. member that his opinion of that officer is not higher than mine.] He thought the Minister would be acting in the interest of the State if he did not interfere in this matter.

Mr. MAXWELL asked whether Mr. Meston, the Southern Protector of Aborigines, was paid from the vote for the "Relief of Aborigines"? He presumed that he was, because his name did not appear in the Schedule to the Estimates among the other protectors. [The SECRETARY FOR PUBLIC LANDS: Mr. Meston is paid out of this vote.] The thing that struck him about this matter was that notwithstanding that Mr. Meston was a Protector of Aborigines, he would be found walking about Queen street. If the aboriginal stations in the Southern portion of the State were as well managed as the Church of England mission station at Cairns, they would be self-supporting. While he thought they should do all they could for the aborigines, still he was also of opinion that it was desirable to make the stations self-supporting if possible.

The SECRETARY FOR PUBLIC LANDS: Mr. Meston's salary was £300 a year. Last year, owing to the operation of the Special Retrenchment Act, he received £272 10s.; his travelling expenses were £126 12s. 4d., and postage, incidentals, and petty disbursements amounted to £13 3s. 5d.; total, £411 14s. 8d.

Mr. J. HAMILTON said they had reports from the Northern Protector of Aborigines, but he had never seen a report from the Southern protector. Did that officer not write any report?

The SECRETARY FOR PUBLIC LANDS thought that this was the first time he had heard any reflection cast upon the epistolary capacity of the Southern protector. They all knew that Mr. Meston had a remarkable genius for writing. He did not appear to have sent in any formal report of the proceedings for last year, but there were many documents relating to his work to be found in the archives of the department.

Mr. J. HAMILTON: He had seen some of Mr. Meston's reports, which were very interesting and instructive, and he thought members suffered a loss in not having an opportunity of reading them. He should like to know how the money voted for mission stations was applied. He believed the mission stations were supported by organisations, and that the money voted by the Committee was a subsidiary grant. Was that money applied directly to the supplying of the blacks with rations, or was it also used in assisting to keep the whites who were looking after those institutions?

Hon. J. F. G. FOXTON: Perhaps he might give that information. The money voted by Parliament to the various mission stations was scrupulously applied to the providing of rations for the aborigines, and also to paying the salary of the school teacher. The missionaries themselves were supported and paid from other funds. He was not quite certain whether this was absolutely correct with regard to Fraser's Island, but he thought that it was. At any rate, it was so in

regard to the other stations. Deebing Creek might also be considered rather an exception, because that station had by judicious management fairly well paid its own way—in fact, they would have been actually paying their way at this time had it not been for the drought and the consequent losses of stock, and they would not have been asking for any further assistance from the Government. That was the hope of the Rev. Mr. Robertson, who was the chairman of the committee managing the institution, and it was believed now that, in the course of a year or two, they would be in the position which they had hoped to be in at the present time. He might mention as an interesting fact that these aborigines had by their labour in ring-barking, fencing, and scrub-clearing managed to acquire for themselves out of their earnings a scrub farm near Peak Mountain, which they had cleared of scrub, and were cultivating with very great success. They had now undertaken a contract, he was informed by Mr. Robertson, to clear another scrub farm, and as remuneration for that they would receive from the owner 100 acres of scrub land, which they would also then proceed to clear and cultivate. When those farms were in full swing, and they had recuperated their stock of cattle, there was little doubt that the station would pay its own way.

Mr. STORY said the "sweet reasonableness" of the debate must commend itself to the country. On nearly every question that had been asked the information had been given by ex-Ministers sitting on the Opposition side of the House. Of course, the present occupants of the Treasury bench had not yet had time to see into matters thoroughly, and any information necessary about any department was supplied by their predecessors. When, by and by, the charge was made that the Estimates had been unduly prolonged, he hoped those who made the complaint would try and recollect that the information that was not obtainable from the front Treasury bench—and naturally so—was supplied by the ex-Ministers. Under those circumstances it would not be fair afterwards to say that the Estimates had been unduly prolonged by opposition from that side.

The SECRETARY FOR PUBLIC LANDS: The remarks of the hon. member for Balonne were about as far away from truth as any he had ever heard in the House. [Opposition members: Oh, oh!] [Government members: Hear, hear!] He only took office in September, and he challenged any hon. member to say whether he had not answered every question put to him with regard to the Lands Department as far as any new-comer Minister could. [Government members: Hear, hear!] He feared he had mistaken the disposition of the hon. member for Balonne. He had hitherto regarded him as a generous, high-minded man above that kind of twopenny-half-penny party polemics, and yet the hon. member now made assertions as unjustifiable as any he had ever heard come from members who did not profess to be educated men. [Government members: Hear, hear!] The hon. member talked like that in the House; he sang another tune when he came to him at the Lands Department, as he had done more than once or twice since he had assumed office.

Mr. STORY said the hon. gentleman's attack upon him was unwarranted. [Opposition members: Hear, hear!] He had spoken with absolute truth and honesty after listening to the explanations of the hon. member for Carnarvon with regard to matters with which he was intimately acquainted, and which the Minister for Lands had not had time to master yet. He had not the slightest idea in his mind of saying anything ungenerous or annoying to the hon. gentleman, who had lost his temper, and said things

he would not otherwise have said. He might at least give him credit for having the same gentlemanly instincts as himself.

The CHAIRMAN: Order! It is not right to allow this discussion, which is a purely personal matter, to go any further, and I must ask hon. members to confine themselves to the vote.

Mr. STORY: He was not going any further, but he would ask to be allowed to say that when he went to the Minister for Lands at his office, he went there expecting he would do justice, which he did. He asked him for no favour. As to his attitude being different there from what it was at the Lands Office, it was nothing of the kind. He had not attacked him, and never intended in any way to attack him.

The CHAIRMAN: Order! I must rule the hon. member out of order, and ask him to confine himself to the vote. I have allowed the hon. member a fair amount of liberty to reply to the remarks of the Minister for Lands, and he must now confine his remarks to the question before the Committee.

Mr. STORY: If the Chairman designated what the Minister said as "remarks," he begged to differ from him. They were only a string of ungentlemanly insults to himself.

HON. R. PHILIP: He had never heard a more unwarranted attack on any hon. member. [Opposition members: Hear, hear!] Everybody who knew Mr. Story, the member for Balonne—

The CHAIRMAN: Order! I must again ask hon. members to confine themselves to the vote before them. This is purely a personal matter, and has nothing to do with the question.

HON. R. PHILIP: Only that afternoon the Minister told the hon. member for Mackay, who had asked a civil question, to get his information from the hon. member for Burrum. That was a most impertinent remark to make when he (Hon. R. Philip) was speaking about the repurchased lands.

The CHAIRMAN: Order! I am sure the leader of the Opposition must see that this has no connection with the vote before the Committee. It is my duty to see that hon. members confine themselves to the question.

HON. R. PHILIP: They had been most indulgent to the Minister the last two days. He had only spoken once before to-day. [The SECRETARY FOR PUBLIC LANDS: I do not know how you come into this matter. I have not reproached you.] He was leader of the Opposition, and it was his business to take care that they were not insulted. He considered the hon. member for Mackay had been grossly insulted this afternoon. [The SECRETARY FOR PUBLIC LANDS: I do not suppose the hon. member thinks so.] [Mr. PAGET: I do.] If the Minister had not taken the part of one of his supporters as he had last night, he would have got his Estimates finished long ago; but, instead of reproving the hon. member for Burrum, as the late Minister for Lands would have done—no matter what side of the House he sat on—he tried to cover his remarks. When the hon. gentleman had been a little longer a Minister he (Hon. R. Philip) thought that he would be rather ashamed of his conduct this afternoon. [Opposition members: Hear, hear!]

HON. J. F. G. FONTON: It was new to him that when an hon. member attacked another hon. member in connection with any remarks made by an hon. member, which had a distinct reference to the Estimates under consideration, that the hon. member attacked should not be permitted to reply. [An honourable member: He has replied.] It was entirely new—

The CHAIRMAN: Order! [Government members: Chair, chair!]

HON. J. F. G. FOXTON: It was entirely new—[Mr. KERR: You remember you used to sing out "Chair!" when you were on the Government benches.]

The CHAIRMAN: Order!

HON. J. F. G. FOXTON: It was quite competent for hon. members to sing out "Chair!" [Mr. JENKINSON: Or sofa, if they like.]

The CHAIRMAN: Order!

HON. J. F. G. FOXTON: He would have liked to have said a great deal about what he considered a most unwarrantable attack that the Minister for Lands had made—

The CHAIRMAN: Order!

HON. J. F. G. FOXTON: Upon the hon. member for Balonne, but seeing that the debate was going to be curtailed in this fashion, he had no choice, and it was necessary for him to leave to the Minister for Lands as much satisfaction as he might be able to get out of the fact that he has unquestionably displayed an amount of heat which was very unusual for a Minister in charge of an estimate to display. He ventured to say that when he was in charge of an estimate he had never displayed such heat. [Government members: Oh, oh!] He hoped hon. members would hear him out. He could say he had never used such language as had been chosen by the Minister for Lands towards the hon. member for Balonne, when he was in charge of his Estimates. Really he was in a difficulty, and he must appeal to the Chairman to get him out of it. If he was not at liberty to refer to the remarks which had passed between two members which were directly connected with the vote under discussion, he wanted to know to what extent he was justified in referring to anything at all on these Estimates? He would like to know whether the Minister for Lands had taken into consideration the present position of the Durundur reserve, and what he proposed to do in connection with it?

The SECRETARY FOR PUBLIC LANDS: He thought that had been a subject of some perturbation to the hon. member—that he had been cogitating about it, and it would be much more interesting to hear the result of his deliberations. He (the Secretary for Public Lands) had not thought very much over the matter.

HON. J. F. G. FOXTON: He was under the impression that the hon. member was taking the responsibility of the Estimates, and that he would have formed some views with regard to what he proposed to do with regard to matters which had been all but completed before he (Hon. J. F. G. Foxtton) left office. Apparently the Minister for Lands took precious little interest in the aboriginals of Queensland. [The SECRETARY FOR PUBLIC LANDS: I take just as much interest in them as you do, with less advertising of the fact.] The hon. gentleman, by his attitude and by his supercilious reply to his (Hon. J. F. G. Foxtton's) question, and his attitude with regard to this particular reserve, rather indicated that he did not take the same amount of interest in the aboriginals of Queensland as he (Hon. J. F. G. Foxtton) did. [The SECRETARY FOR PUBLIC LANDS: I never cast any reproach on your reputation in this connection, and I am scarcely less keen about the matter than you are.] The hon. gentleman made a very supercilious reply to an ordinary question of his (Hon. J. F. G. Foxtton's), which was only prompted by the interest he took in the matter. [The SECRETARY FOR PUBLIC LANDS: You can get the information any day you like. You know that perfectly well.] Well, he would like the information now, and he would like the public to know what that information was. That was not the way for the hon. gentleman to conduct business—to say that he (Hon. J. F. G. Foxtton) could get the information any day he liked. Suppose he was trying to get these Estimates through, and the hon. member

for Clermont, or others associated with his party, had asked him in a similar polite and moderate way for information, and he (Hon. J. F. G. Foxtton) had replied in the same supercilious manner— [The SECRETARY FOR PUBLIC LANDS: Your question was not prompted by pure interest, but by curiosity.] The hon. gentleman in saying that did him (Hon. J. F. G. Foxtton) an injustice. The hon. gentleman's advent to the Treasury bench seemed to have spoilt his temper; he could not understand him at all. He begged to assure the hon. gentleman, as amply and fully as it was possible for one man to assure another, that he had no intention whatever of poking fun at him. It was purely out of interest in the subject that he had asked the question. Perhaps the Minister for Lands did not know that the Durundur reserve comprised 1,800 to 2,000 acres. The throwing open of the Durundur Estate had caused a lot of settlement in its immediate vicinity, and the aboriginals there were confined to a very large extent within narrow limits, and sometimes it was difficult to manage them. But a finer set of fellows you could not wish to see. The discipline and the *morale* there were admirable. There were about 300 blacks there, but it was clear that that reserve could not be

made a permanent reserve, and the [S p.u.] sooner the aboriginals were removed the better. There was no school for the children, and it was impossible to put up buildings in a place that might be abandoned shortly. He would like to know whether the hon. gentleman had formed any opinion on the matter he mentioned to the hon. gentleman privately some months ago with regard to another location for the aboriginals.

The SECRETARY FOR PUBLIC LANDS: He thought that there was a great deal in the views of the hon. gentleman with regard to transferring the aboriginals to another place. It was a delicate question, however, and a good deal of inquiry would have to be made. Geographically, and from the point of view of natural history, he did not suppose that there could be a better location than the one which the hon. member had suggested to him privately.

Mr. GRANT: Last Monday he took the opportunity of going over the Durundur reserve, where there were about 290 aboriginals. There was nothing for them to do—no hunting, no fishing, and no school for the children. The place was well managed as far as he could see, but he believed it could be made self-supporting. There was an area of 1,000 acres. On the reserve there were 150 head of cattle, thirty belonging to the Government, and the rest to the Commissioner of Police and some of the inspectors. He understood there were some polo ponies, which required a man to take them up and down. He did not know that the public reserves ought to be used by public officers for private purposes in that way. The price paid for meat was 3½d. per lb., and the quantity used was 500 lb. per week. It would be quite easy for the Government to stock the reserve with some cattle, and then the cost of meat might be reduced to 1d. per lb. It was country that would repay cultivation. There was permanent water, and he saw places where the blacks had formed little gardens to grow vegetables. He asked the blacks how they liked being there. Some of the older blacks seemed to like it in a general way, but they said it was monotonous because they had nothing to do. He thought they would be rather glad than otherwise to have some work to do. There were some young girls on the place who had tasted the bitter sweets of city life, and did not care to be there, but he thought it far better that they should be there than knocking about the streets of a big town. There were some who would be

better if employed with white people—half-caste girls who had not been brought up among the blacks, who were well educated; and some of them considered it a degradation to live in a black's camp. He thought that compelling them to live there would bring them down instead of raising them. There were two little quadroon girls six or seven years old, and if one saw them with two or three hundred white girls he would not be able to notice the difference. There was not a sign of black blood in them. He thought it was rather a shame to let little girls like that live in a black's camp. He thought the manager was a good man, but did not think the place was well managed. He thought it should be made self-supporting. He was told some people in the neighbourhood objected to the blacks being there. On account of there being no animals on the reserve for the blacks to hunt, they were in the habit of going into the neighbouring paddocks. They might probably meet with white children going to school, and it could easily be understood that the people in the neighbourhood would not relish the blacks being there. He thought, if it was desirable to keep the blacks at that place, there should be some attempt to bring the ground under cultivation. Unless something of that kind were done, it would be better to shift the camp to a more isolated position, where there would be hunting, fishing, and land for cultivation and grazing purposes. The manager, so far as he could see, was a very good man for the position, and his wife was very kind-hearted and very good to the blacks. He did not think the Government treated them very well, however. They had two children, and there were only two rooms in the house—one a bedroom and the other a sitting-room. The cooking was done in a place outside. He thought the little money spent on the aboriginals was money well spent. The land had been taken from the blacks, and he took it that the few remaining would not be allowed to perish about the towns, where they could get drink and opium.

HON. J. F. G. FOXTON: At the risk of being told by the Secretary for Lands that he was advertising himself in this matter, he would like to say a few words of compliment to the hon. member for Rockhampton upon the interest he took in the question.

THE SECRETARY FOR PUBLIC LANDS desired to withdraw the statement he had made, and to apologise. He was very sorry he made it. [Honourable members: Hear, hear!]

HON. J. F. G. FOXTON was exceedingly obliged to the hon. gentleman for having done so. [THE SECRETARY FOR PUBLIC LANDS: I said it with some heat, which was quite unjustifiable.] He was obliged to the hon. gentleman. He congratulated the hon. member for Rockhampton. He was always very glad to find any accession to the ranks of those who took a deep interest in the aboriginals, especially if they happened to be members of that House. The hon. member really emphasised what he had previously said in regard to the place, but he did not quite agree with the hon. member about the adequacy of the area. It was probable that a considerable additional number would have to go to Durundur, or that another reserve would have to be found. During the last two years Mr. Meston, at various times, had been travelling over the country with the view of ascertaining whether it would be possible to find a resting place for these people, seeing that they must move from where they were owing to the increase in the surrounding population. Mr. Meston had been up the coast as far as Rockhampton in search of a suitable spot, but, so far as his information went, with one exception they were altogether unsuitable. [MR. GRANT: What about Fraser Island?]

Fraser Island was distinctly an object lesson to the community. The blacks had been placed on the island because it was a mild kind of St. Helena for a certain class of them—it was difficult for them to get away. A considerable amount of money was spent there, and it would cost a great deal to remove the station, while to make it self-supporting was hopeless. The fishing was very precarious, and very little cultivation was possible. With that before him, he was of opinion that it was no use putting aboriginals down on barren spots. He had been to Mapoon, and the same objection applied there. At enormous expense, seaweed had been carried up into the garden, and a somewhat small garden was now cultivated with the aid of irrigation. The hon. member for Burke referred to Yarrabah. That was an admirable reserve, and was almost self-supporting. It had natural advantages which were not possessed by any other reserve, and if such a place could be got in the South—and he hoped to see one—he believed the blacks at Durundur might very advantageously be removed to it, where there would be ample room for hunting and cultivation. [MR. GRANT: Where is that?] He thought it was not advisable to say until it was definitely fixed, but there was such a spot. The Secretary for Lands knew the place he alluded to. He was surprised to learn from the hon. member for Rockhampton that there were any quadroons at Durundur. He must say, in justice to the management there, that it was sometimes very difficult to deal with cases. He did not know anything about the case, but it was quite possible that the mother was an intractable woman, and it would be almost inhuman to separate the children from her. It might also be the fact that she had been tried in service and proved a failure, and those cases were difficult to deal with. He did not think it would be possible to get anyone to manage the place better than Mr. and Mrs. Tronson, and they were much underpaid, too. But it must be obvious that it was not advisable to expend much money on a temporary abode, and it was his desire to see the children at school, and to see the people settled down in their own little homes, and with their own gardens and their communal cultivation, such as they had at Yarrabah, that made him hope the Secretary for Lands would not delay further consideration of the matter.

MR. J. HAMILTON: The establishment of a suitable reserve for the aboriginals was a problem which it was their duty to try and solve satisfactorily. He had been at Durundur, and was very much pleased with what he saw there. He noticed that Mr. Meston was regarded with great affection and confidence by the aboriginals. They were thoroughly subservient to discipline. Mr. Meston treated them just like he would treat white men, and they appreciated it. He had a lot of experience of blacks, and he noticed that they were remarkably sensitive in that way, and the man who treated them like human beings they always respected. Mr. Tronson, also, got on very well. At the same time, Durundur had its disadvantages. It was too near to white people, for one thing. He would sooner see the blacks taken away from the haunts of white men, and, although they might think it would be better to teach them to till the ground, they could not change the habits of a race in one generation, and he did not think it was desirable to attempt to do so. They were brought up as hunters; they preferred that kind of life, and it was impossible to make them change their mode of living. He should have thought that some island like Fraser's Island would have been a suitable place to settle them on. It was said that they could not support themselves there, but savage tribes had been

settled there for generations before the white man occupied the country at all, and he did not see why they could not live there now. It had been said that fish were not plentiful there. He had lived for a couple of months on one end of Fraser's Island, and he got any number of fish. Again, even if such a settlement did not pay they should not begrudge a little expenditure. When they considered the immense and valuable area they had taken away from the aboriginals, they ought to make the few who remained as comfortable as possible, and allow them to pursue their own line of life. Look at the way in which the natives of New Zealand were treated! They could get hundreds of thousands of pounds for the land they owned, simply because they did not allow the white man to bully them out of it. On the other hand, in Australia they had bullied the land out of the aboriginals, and the least they could do now was to make some slight restitution, and so provide for them that they could carry on their occupation of hunting and fishing by subsidising them as liberally as possible.

Mr. HARDACRE: It was right in connection with that item to express what he thought was the universal feeling outside—that the administration of that vote reflected very high praise on the late Home Secretary, Mr. Foxton. Whatever differences there might have been between them politically, he had always appreciated the hon. gentleman's action in connection with the aboriginal vote. No action that the hon. gentleman had ever taken would redound more to his credit than the action he had taken in connection with the aboriginals of the State. His name would always be associated with the first real attempt that had been made by any Minister in Queensland to decidedly and emphatically place the condition of the aboriginals on a better footing, and the hon. gentleman's action would not only reflect credit on himself, but through him on the State generally. Little less than that could be said with regard to the protector, who had always been a friend to the aboriginals of Queensland. He was very pleased to hear the Secretary for Lands say that his interest in the matter was scarcely less than that of the late Home Secretary. There was one little matter which he hardly liked in connection with the protector's administration. It might be unavoidable, but in any case it seemed to him to be susceptible of improvement. In gathering in the aboriginals for the purpose of bringing them to the reserves, there was a method adopted which he thought was not calculated to impress upon them that the desire of the Government was to assist them. The practice of the Southern protector seemed to be to suddenly spring into a district almost unannounced, and make a wild raid on some township, grabbing hold of as many aboriginals as he could catch in the few days he was there, and taking them away altogether, irrespective of the associations he was taking them from, or their relations or employment. The effect was that, in some cases, wives had been taken from husbands, and children from their parents. [Hon. J. F. G. FOXTON: That is avoided if possible.] He was quite sure it was, but the effect was to drive those who learnt that the protector was in the neighbourhood away from the townships, where they were kept in fear and trembling lest they should be taken to some unknown place for an unknown purpose. They were driven into an almost starved condition, avoided all white men, and often, in order to satisfy their hunger, were obliged to steal food and rob persons. That was not a desirable state of things, and it seemed to him that a better method could be adopted in order to induce those people to go peacefully away to the reserves.

He thought, for instance, that an educated aboriginal might accompany the protector, and, by mixing with the people, give them a knowledge of what it was the desire of the Government to do for them, and what the effect of going away would be. He hoped the Minister would give some consideration to that feature of the subject.

* Mr. FORSYTH: There seemed to be an impression amongst some people that station-owners and others had not treated the aboriginals as they ought to have done. He noticed in the protector's report that he said that station-owners were in the habit of giving the aboriginals money, and sometimes they took too much drink, thus abusing the generosity of those who had been kind to them. As far as he knew, he had always found the station-owners treat their aboriginal boys remarkably well. As a matter of fact, it was to their interest to do so. At page 16 of his report, Dr. Roth said—

Protector Galbraith is "glad to report that no complaints have been made (nor in any way brought under my notice) of offences against the person or stock by aboriginals."

That was scarcely correct, for he mentioned one case last year in connection with [8'30 p.m.] some black boys who interfered with cattle on a station. The matter was brought under the notice of the protector, and he at once took action, with the result that the ringleader was removed from that part of the country. One serious complaint made by leaseholders in remote parts of the country was that if aboriginals speared or interfered with cattle they had no power to take those boys up, but had to report the matter to the nearest police station, which might be 100 miles away. He thought that matter might be remedied by allowing them to take the offenders before the nearest police magistrate to be dealt with. At page 23 of his report, Dr. Roth said—

The time has in my opinion, now arrived when it is imperative that various areas in the extreme Western and Gulf districts be dedicated wholly and solely to the natives. A reserve half full of occupation licenses (i.e. annual leases held by private occupiers) will not answer the purpose. The whole question resolves itself into one of either sacrificing many human lives, or losing a few pounds derived from rents. So long as the land can be taken up at a few shillings per square mile, and no provision made for the dependent blacks who can and are being hurried off it, there certainly will be trouble.

He understood that land had been set apart for aboriginal reserves lately, but in any case he thought it was scarcely the correct thing for Dr. Roth to discuss the policy of the land laws in his report. There were thousands of square miles of land lying idle in the Gulf country which was not utilised, and these lands might be used as reserves for aboriginals. He was very glad that a reserve had been proclaimed between Normanton and Cooktown. Protector Galbraith, Normanton, reported concerning his district that—

Though the Act is working well, yet it still requires assistance in the matter of reserves, quarantine stations, education, and suitable employment.

There were about 125 blacks at Normanton within the town boundary, and he did not know what was the best thing to do with them. They were most miserable wrecks of humanity, and they were living on the generosity of the people of the town. He thought that some means should be devised by which the Government could secure control over these blacks, and provide for their welfare, instead of leaving them dependent on what they could get from hotels and private houses. He trusted the Minister would take this matter into consideration. Personally, he was very glad to hear that the Act was working so well. He had heard a good

deal in a casual way against the Act, but had no distinct facts placed at his disposal. The only distinct charge against Dr. Roth was the case that he had instanced and he was very glad to say that that matter was righted. Any reports he had received were simply to the effect that the persons complaining did not want the department, did not want Dr. Roth, and did not want the Act, and he refused to act upon general complaints of that nature, but stated that if a specific charge was formulated he would bring the matter before the Government. So far no specific charge had been submitted to him. Therefore, he presumed that the Act was working better than some people thought. But certainly in places like Burketown and Normanton, where there was a congregation of blacks within a mile of the town, who could be seen within half an hour or an hour, the inspector, when he visited the place, should go among them and make himself familiar with their condition. He suggested this because there was not the slightest doubt that many of the blacks in the North were in a very bad way.

Mr. J. HAMILTON said that Mr. Galbraith was a very capable man, and it was his recommendation that was referred to on page 22 of the report of Dr. Roth, to the effect that a grant of land for an aboriginal reserve should be made on the coast between the Mitchell and the Nassau rivers. Great weight was to be attached to Mr. Galbraith's opinion, because he knew the country very well, and he quite agreed with that officer that some of those lands should be dedicated wholly and solely to the natives. With regard to the money voted for the relief of aboriginals, he found that of the £9,293 voted last year, one-third was spent among the whites. In South Queensland, out of £4,508 voted, only £885 was spent among whites, whereas in North Queensland, out of £4,785 voted, £2,177, or nearly half, was given to the whites for the administration of 2,600 men. He also noticed that Dr. Roth's salary and allowances last year amounted to £690, whereas Mr. Meston, for the same thing, received only £411. There was an item—removal expenses, Cooktown to Brisbane, £14 5s. 9d.—did that mean that the Northern protector was coming to live down here?

The SECRETARY FOR PUBLIC LANDS: That was an item that came from the Home Department, and he had no information concerning it. Dr. Roth informed him that he paid his own removal expenses from Cooktown to Brisbane.

Mr. J. HAMILTON: Did that mean that Dr. Roth's home would henceforth be in Brisbane?

HON. J. F. G. FOXTON: He might be permitted to answer that question. During the wet season in the North it was impossible for Dr. Roth to do justice to his duties, and it was his practice to remain at Cooktown during that period preparing his reports and doing scientific work, and also carrying on his very voluminous correspondence with the sub-inspectors, who were the police, in various parts of that very extensive district. It was found that it was inconvenient for the a Minister and the Under Secretary to be at such long distance from Dr. Roth, who could be doing that work with equal effect in Brisbane, and be also in touch with the heads of the department for a certain period of the year. It was therefore arranged that during the wet season in the North Dr. Roth should come to Brisbane. And very often a great deal of information was wanted during the session by hon. members, which could only be supplied by him in the event of his being here when the Estimates were going through. For the rest of the year, of course, Dr. Roth would be travelling in the North. So far that had worked very well indeed, and the depart-

ment was able to get much closer into touch with what was going on in the far distant North than when they had to depend entirely on correspondence.

Mr. J. HAMILTON: The wet season in the North lasted three months—January, February, and March—so that Dr. Roth would only be in Brisbane during those months when Parliament did not happen to be in session. He was well acquainted with the North, and never knew a wet season prevent a man from getting about at any time. He understood that a valuable collection of curiosities had been made. Had any portion of that collection been disposed of? And where was it?

HON. J. F. G. FOXTON: An arrangement was made between the Government and Dr. Roth that a certain collection made by him of aboriginal curios and weapons were the property of the Government. A certain portion of that collection remained in Dr. Roth's hands, because it was necessary for him to be constantly referring to it in the course of his scientific work. [Mr. J. HAMILTON: And none of them have been disposed of?] Not to his knowledge. They were kept in a separate department at the museum.

The SECRETARY FOR PUBLIC LANDS: Dr. Roth informed him that it was thoroughly understood departmentally that his collection of curios was the property of the Government, and also that he had never sold a single curio in his life.

Mr. J. HAMILTON: It had been pointed out to him that one reason why Dr. Roth received a larger salary than Mr. Meston was because he attended medically to policemen as well as to aboriginals, and he would like to know from the Minister how many policemen had been attended by Dr. Roth during this year?

The SECRETARY FOR PUBLIC LANDS was informed by Dr. Roth that he was always pleased to give medical advice to constables and their families without any charge, but he had kept no record of the number of cases that he had attended to.

Mr. J. HAMILTON asked whether Dr. Roth had been to Ebagoolah? There were many hundreds of blacks there.

The SECRETARY FOR PUBLIC LANDS: Dr. Roth informed him that he had not been to Ebagoolah.

Mr. J. HAMILTON: He had received numbers of letters emphasising the necessity of some medical man going there. When he was at Ebagoolah he saw about 300 blackfellows there.

The SECRETARY FOR PUBLIC LANDS: He understood that Sub-Inspector Garraway, who was a protector of aboriginals, had been up there, and the police had been instructed to report when it was necessary for a doctor to be sent there.

Mr. J. HAMILTON: Sub-Inspector Garraway must only have gone up there lately. For a long time there had been a necessity for some medical man to go there. He received a letter some months ago requesting that he should try and establish a hospital there, and the hospital committee were prepared to give a medical man £300 a year with right of private practice. On account of the number of blackfellows near the town, it was thought—for a reason which he could not explain there—that a doctor would make a very large income outside the hospital.

Mr. HARDACRE (*Leichhardt*): Last session he called attention to a quantity of rabbit-proof netting which was lying in the railway yard at Alpha. If the board there did not want it, he thought it might be sold, as some selectors had asked for it. Something should be done with it.

The SECRETARY FOR PUBLIC LANDS: The netting referred to belonged to the Mitchell and Leichhardt Boards, and it had been the intention of the Leichhardt Board to use it in fencing the railway line; but that intention was not carried out. This wire was under the control of these boards.

Mr. HARDACRE: If a portion of this wire belonged to the Leichhardt Board, and they intended to fence part of the Central Railway line with it, he thought that some negotiations should be entered into, so that this wire-netting could be utilised.

Mr. CAMPBELL (*Moreton*) regretted his absence from the Chamber when reference had been made to the Durundur aboriginal reserve. He had been for some time agitating that the blacks there should be removed to some other neighbourhood. This reserve was close to Woodford, and the people there at one time were greatly exercised about the number of blacks who were pouring into the place. Many of the settlers there were away from their homes for a whole week earning a living, and their wives and families were left absolutely unprotected. When the blacks were brought there, he had very grave doubts about the wisdom of that step, and he had frequent conferences with the then Home Secretary over the matter; but he was bound to say, in justice to that hon. gentleman, that his assurances had been borne out by results. No trouble with the blacks had arisen during the whole time they were there; but still the people there were anxious to have them removed. [The SECRETARY FOR PUBLIC LANDS: I am very pleased to hear what you say.] He understood that the Minister had given an assurance that they would be removed at an early date. [The SECRETARY FOR PUBLIC LANDS: I did not quite say that. I said that, no doubt, it was desirable to remove them; but I did not mention any period.] He could give the Minister the information that for the last two years he had received no complaints about these blacks nor any request for their removal. Bringing the blacks from so many different

parts made it an absolutely safe thing, and so far the position had been satisfactory. Mr. Tronson, who was in charge, devoted himself to the best interests of the blacks. Every time he was at Woodford he made it a point to go to the reserve, and he found them very happy and contented. He thought the late Home Secretary deserved every credit for the way in which he had handled this question, and he hoped the present Minister would be able to show as good a record at the end of his term of office.

Mr. J. HAMILTON: In his report, on page 24, Dr. Roth said that August was spent in the neighbourhood of Cooktown, Cape Bedford, Laura, Maytown, and the Palmer. Which part of the Palmer did Dr. Roth visit in August.

The SECRETARY FOR PUBLIC LANDS: Dr. Roth took it that Maytown was in the Palmer district.

* Mr. J. HAMILTON: Palmerville was on the Palmer; Maytown was also; but the report conveyed the impression that Dr. Roth was down the Palmer during August, whereas he only went to Maytown in a coach one day and back again the next. He (Mr. Hamilton) received several letters complaining about it. He noticed on page 7 the following:—

"John McMaster" (Cooktown, 10-9-02), a bêche-de-mer man, indebted to Burns, Philp, and Co., was proceeded against by Protector Moran for harbouring ten aboriginals without permit on his boat at Bathurst Head. He was convicted and fined 1s., but no costs were allowed the plaintiff.

What was McMaster's offence? Was it that he went without a permit?

The SECRETARY FOR PUBLIC LANDS: The offence was that he had aboriginals on the boat without the necessary permit.

* Mr. J. HAMILTON: There was an alteration in the law. What he had quoted from the report was a reflection on McMaster, indicating that because he was indebted to Messrs. Burns, Philp, and Co., that was why he was only fined 1s. He left Cooktown on the 9th April. The case came on, and it turned out that this alteration of the law had taken place in May—during the time he had left—and in consequence—he copied this from the Cooktown paper—"It was found that the defendant had broken the law, but not knowingly or intentionally, and was fined 1s." There was a reflection on Mr. McMaster in the way it was put in the report, and, therefore, he thought it necessary to explain.

The SECRETARY FOR PUBLIC LANDS: This was a matter in which the hon. member for Carpentaria took some interest, and Dr. Roth had been called upon for a report. He was prepared to read the report if hon. members wished. [Honourable members: Lay it on the table. Take it as read.]

* Mr. J. HAMILTON: Seeing that Dr. Roth's report cast a slur on a respectable firm and on the police magistrate, he read the police magistrate's reason for giving his decision. [The SECRETARY FOR PUBLIC LANDS: There is an adequate explanation given here.] The bêche-de-mer industry was one which affected the welfare of a very large portion of his constituency. He explained the other night that at Cooktown there used to be thirty boats, and they had a fine livelihood, and most of the men had families. Now they had cleared away, and the same held good at Thursday Island. The last time he visited his constituency he had three or four deputations from Thursday Island and Cooktown to see if what they called cruel regulations could not be altered. In one letter that he received from a bêche-de-mer man, he said—

We want better provision for the working of the Aboriginal Native Labour Act, and the power placed under an aboriginal board, and a local experienced man appointed to regulate it.

We want the whole coastline in the Gulf thrown open for recruiting labour, whether the aboriginals can speak English or not, as long as they can understand the nature of their agreement through interpreters.

All aboriginals employed on mission stations to be placed under the same regulations as others.

Licenses for sandbanks to be abolished.

That freeholds be granted to *bonâ fide* shellers on all the islands that they have made their homes.

He sincerely hoped the Minister would carry out the wishes of the writer, because the industry was being killed in order to suit the ends of one or two individuals who had really no experience among blacks. Month after month he received letters complaining about the way they were treated. He did not want to appear to attack Dr. Roth, but seeing that the police really did all the work, the blackfellows would be just as well treated if the money given to Dr. Roth was simply swept away and the police allowed to do the work. The places where the largest numbers of blacks were, were the places which Dr. Roth never visited. He noticed that it was proposed that Cooktown should be closed as a place for the distribution of blankets, and that all the aboriginals should go to Cape Bedford. He did not think it was right that blackfellows should be forced to go to the mission stations to get their blankets. At the same time, he did not think that a better man could be found than Dr. Schwarz, who really wrote the grammar contained in one of the bulletins which Dr. Roth got the credit for. [Hon. J. F. G. FOXTON: Dr. Roth simply edited it, and that is what the bulletin says. Dr. Schwarz gets the credit of

it.] The Government refused to let the "Albatross" go to Thursday Island because she would cost £2,000 per annum. Well, the "Melbidir" cost £500, and if she were disposed of and the "Albatross" was sent up, she could do all the police work along the coast and also the work at Thursday Island, at an additional cost of only £1,500. [Mr. KERR: And she could do the electioneering work as well.] That reminded him that it was stated that he had used the "Melbidir" for electioneering purposes. On the occasion referred to, he was going from a southern tin mine to Bloomfield, and, when he got to Bloomfield, he was invited by the captain of the "Melbidir" to go for a sail to Cooktown—about 30 miles away. He paid a man £1 to take his horses into Cooktown, and he sailed in the "Melbidir."

The SECRETARY FOR PUBLIC LANDS: It would be interesting to the Committee to know that the vote for blankets was decreasing, and the Northern protector was not rebuked for any additional expense, but rather for curtailing the supplies, and he suggested that part of the expenditure in blankets might more properly be devoted to the purchase of material, such as fishing nets. The hon. member for Cook made rather an interesting reference to the bêche-de-mer industry, and he seemed to desire to convey to the Committee the idea that, owing to the action of the Northern protector in connection with the supply of aboriginal labour, the industry was decaying. He had been supplied with some figures by the Northern protector which came from the office of the Government Statistician, and, according to those figures, the export of bêche-de-mer in the year 1899 was 35 tons 12 cwt., of a value of some £3,000 odd; in 1900 the export fell to 25 tons 11 cwt., valued at £2,000 odd; in 1901 the export was 40 tons 1 cwt., valued at £9,000 odd; and in 1902 the export was 101 tons, of a value of £12,000. [Government members: Hear, hear!]

Mr. J. HAMILTON: Knowing the devious ways of some gentlemen—he was not referring to the Minister—he thought that would probably be brought up, and he would expose the disingenuousness of the statement, although he acquitted the Minister of making it. One would imagine from it that a great many more individuals and boats were employed in the industry now. [The SECRETARY FOR PUBLIC LANDS: No; these figures really show that the industry is not declining.] He had explained that the industry was going down because a sufficient number of natives could not be obtained. The increase in the yield of bêche-de-mer was due to the fact that more bêche-de-mer was coming on to the banks. In 1899 there were thirteen boats, and only 14 tons of bêche-de-mer were obtained. [The SECRETARY FOR PUBLIC LANDS: No; 35 tons.] All right, have it so. (Laughter.) In 1900 there were eleven boats and 13 tons. [The SECRETARY FOR PUBLIC LANDS: 25 tons.] In 1901 there were 52 tons and only nine boats. [The SECRETARY FOR PUBLIC LANDS: My figures are 40 tons.] He was quite sure the hon. gentleman was wrong, because he had obtained the figures from the Collector of Customs. [The SECRETARY FOR PUBLIC LANDS: What are the figures for 1902?] 70 tons. [The SECRETARY FOR PUBLIC LANDS: No; 101 tons.] The hon. gentleman was quite wrong. He was out a year every time. (Government laughter.) At any rate, three times the amount of bêche-de-mer had been obtained by a lesser number of boats. The hon. gentleman's statement was intended to convey the impression that the industry was not being ruined by a lack of labour because of the greater amount of bêche-de-mer being

obtained, and that that indicated there was plenty of labour. But he had shown that that was not the case; although three times the amount of bêche-de-mer was being exported there was a smaller number of boats. [The SECRETARY FOR PUBLIC LANDS: Your important statement was that owing to the action of the Northern Protector the industry was dying out.] They all knew that he was doing his best to kill it, but on account of the abnormal catches he had not succeeded. [The SECRETARY FOR PUBLIC LANDS: As a matter of fact the protector is ready enough with his permits to recruit labour.] The regulations were looked on as farcical all along the coast, and there was no man engaged in the industry who was not disgusted with them. The only persons who approved of the regulations were the missionaries at Mapoon.

Hon. J. F. G. FOXTON: The regulations had been framed in the interests of the aboriginals, and he was safe in saying that they were effective so far as protecting the aboriginals was concerned. It was a well recognised fact that the abuses which used to occur on the boats were a disgrace to civilisation, and it was time something was done to protect the aboriginals on the boats, even if the production of bêche-de-mer was largely decreased. Before he left office he saw figures that satisfied him that notwithstanding the additional protection afforded the aboriginals, more bêche-de-mer than ever was being got. The matter was one to which he gave a good deal of attention some months ago, and a very intelligent resident of Thursday Island furnished him with a scheme for the more effectual recruiting of aboriginals down on the Gulf coast. No recruiting was allowed south of Mapoon, or down about the Archer. That was closed ground, but the scheme was that, in order to prevent the abuses which apparently were inseparable from the system of recruiting on those lonely shores, the Government should undertake the whole of the recruiting, and establish a station in the vicinity of Goode Island. The whole thing was very well worked out, and would cost something like £1,200 a year. On going into details and getting reports from Mr. Bennett, the sub-collector at Thursday Island, the Hon. John Douglas, and the Northern protector, he satisfied himself that the scheme was not practicable. The great objection to it would be that the bêche-de-mer boatowners would look to the Government to provide them with labour, and it might be inconvenient to do so, and then they would make complaints against the Government for having misled them. The expense also was one that could scarcely be justified. Under these circumstances, after consulting the then Premier, they arrived at the conclusion that it would be desirable to stop all recruiting after a given date. He was not sure whether official instructions were given to that effect, but, if not, it was intended that they should be given. He was not sure about the date, but whatever was decided was on record, and he recommended the Secretary for Lands to follow out that suggestion. That decision was arrived at after a great deal of consideration of very voluminous reports, and also after a visit of the hon. member for Townsville, accompanied by the Northern protector. They arrived unhesitatingly at the conclusion that, whatever might be the effect on the bêche-de-mer industry, it was desirable that there should be no more recruiting after a certain date.

Mr. J. HAMILTON: It was begging the question to say that, because there was a larger amount of bêche-de-mer in the following year, his statement was incorrect—namely, that on account of the regulations the bêche-de-mer boat-owners could not get labour. The fact that there was a

lesser number of boats showed that what he said was true. The reason a larger amount of béche-de-mer was obtained was that there was some phenomenal catches—four times as much by a smaller number of boats. The report stated—

During the year ended 31st December, 1902, I issued 131 permits for 999 aboriginals, but they succeeded in obtaining only 340, or 10 per cent.

Those men would not have deputationised him and complained that they were being ruined unless they had some reason for their complaints. He knew there were abuses some years ago, and he had been one of those who assisted in rectifying them. It was absurd to say that people below a certain point should not be recruited because they could not understand the language, in view of the fact that recruiting had been carried on there for twenty years and there had never been an accident. The permits only lasted a month, and it took more than that time to reach the recruiting ground, so that if the month had expired while the recruits were being obtained, the boat-owner was liable to be fined. It was recommended by those engaged in the industry that the blacks should be allowed to sign-on before the lighthouse-keepers along the coast. The captains were generally reliable men, and he could see no objection to such a course. It would save the pearlshellers weeks of time.

Mr. LESINA: There was no doubt that the employment of native labourers in connection with the béche-de-mer and [9.30 p.m.] pearlshelling industry was surrounded with abuses. The protector said—

In view of the abuses which are known to exist, but which cannot legally be proved, in connection with the recruiting of native labour for the work of the pearl-shell and béche-de-mer fisheries, Protector Bennett again suggests whether it might not only be advisable, but practicable, to make provision (by regulations) for controlling the trade in the same manner as the Pacific Island labour trade is controlled by law. The main feature of any such enactment should be that the native labourers are recruited by licensed (or permitted) vessels sailing under Government supervision, and returned to their homes under the same conditions. Mr. Bennett, to whose remarks on this very question I drew attention in my last annual report, is prepared to go into working details of a scheme whereby he believes he can remedy a very undesirable state of things.

The late Secretary for Lands stated that he brought this matter before the late Premier, and that they were contemplating such a scheme. If that was so, it was a pity they did not remain long enough in office to carry out their ideas, but he hoped that the present Ministry would take up the project where they left it, and carry it to completion. If the scheme appeared good in their eyes, especially in the eyes of a man like the late Home Secretary, who had sympathetically administered the Aboriginals Protection Act for a number of years, there was no reason why the present Government should not take the matter up and adopt the regulations. He trusted that the Secretary for Lands would call upon Mr. Bennett to work out the details of the scheme, and adopt it as early as possible, so as to prevent those abuses which were known to exist, but could not be legally proved. The hon. member for Cook read a quotation from the 2nd paragraph of the report on page 6 in connection with recruiting of aboriginals for béche-de-mer fishing, but the hon. member stopped short, and for an obvious reason. He should like to continue that quotation. But before doing so he should remark that the hon. member was allowed to read a statement prepared outside, which contained a malevolent attack on the Northern Protector of Aboriginals, and spoke of him as

having established a despotism which was bearing very heavily on the shoulders of shopkeepers and persons employing native labour in the Northern Queensland. The hon. members said the result was that the béche-de-mer industry was practically ruined. The statement made by the Secretary for Lands settled that matter, as he quoted from official statistics facts which proved conclusively that the béche-de-mer industry, instead of being ruined, was in a flourishing condition. The portion of the paragraph which the hon. member for Cook omitted to quote read as follows:—

Consequent on the revival of the béche-de-mer fishing and the temporary stimulus given to swimming-diving by the high prices ruling for pearlshell, the demand for aboriginal labour has been very keen, and the inducements to recruit held out to aboriginals in the way of bonuses of flour, tobacco, trade, etc., has had rather a demoralising effect on them. They have taken to accepting the bonuses, and afterwards clearing out. The would-be employers complained to me, but I pointed out that the remedy lay in their own hands. If the bonus (or advance) system, which is generally a bribe to the elders of the tribe for their services in inducing the younger men to recruit, is discontinued, the desertions will probably cease, and the aboriginals will come in to sign on and fulfil their engagements.

That, to some extent, would explain the difficulty that some persons had in getting labour. There was no desire on the part of the boys to evade service, and there was no evidence that they had been ill-treated in any way. Reference was made in the report to the supply of intoxicating liquor to aboriginals and coloured persons generally at Thursday Island. This offence seemed to have been greatly on the increase, but they hardly ever got a conviction against persons guilty of selling intoxicants to the coloured inhabitants. There ought to be some method adopted whereby persons guilty of selling liquor to aboriginals should be punished. It seemed a strange thing that while they secured 500 or 600 convictions annually against persons for drunkenness, they never convicted a person who sold the liquor. It was impossible to put down abuses in connection with native labour in North Queensland while the magistrates entrusted with the punishment of persons guilty of offences against the Act were prone to deal lightly with offenders, and only fine them 1s. with costs, as was done in the case of John McMaster, the béche-de-mer man. Nothing but the severest fine possible would prevent these people from harbouring eight, nine, or ten aboriginals, male and female, on their boats against the provisions of the Act. While speaking on this subject he would like to express his thanks to the Northern protector for the very carefully completed, comprehensive, and informative report he presented to the House annually. It was a pity the report did not get a wider circulation than it received in this Chamber. He noticed from the report that one person referred to in a previous discussion in the House was now doing very well at the Yarraba Mission Station. He alluded to Lizzie Johnson, who was now a Sunday school teacher at Yarraba. He was very pleased to see that that unfortunate half-caste girl was making such progress in that very excellent institution, and regretted exceedingly that the scoundrelly person from whom she was rescued was still a justice of the peace. However, he now directed the attention of the Home Secretary to the fact, so that, if possible, now that a new Government, with purer ideals, had taken possession of the Treasury benches, this man should be removed from the commission of the peace. It was a disgrace to Queensland that a man consorting and living with blackwomen should be a justice of the peace. The girl had been rescued, to her moral and material benefit. He wished, in conclusion, to express his regret that the hon. member for

Cook had again, under the cover of privilege, made an unwarranted attack on the Northern protector, who was doing his very best to carry out the intentions of the Legislature with regard to an Act which, if honestly administered, must be the means of materially ameliorating the lot of the aboriginals living in the Northern part of our territory.

* Mr. J. HAMILTON denied that he had ever made use of his position as a member of Parliament to unjustly attack anybody, which was more than the hon. member could say. If he had erred in the case of Lizzie Johnstone, he had erred in good company, such as the Bishop of North Queensland, Bishop Murray, Father O'Beirne, and the clergyman at Cairns; and he would rather be wrong in their company than right in the company of the hon. member for Clermont.

Mr. J. LEAHY asked how long had Dr. Roth been in North Queensland during the present year?

The SECRETARY FOR PUBLIC LANDS : Dr. Roth informed him that he had been in the North for twenty-five months when he received a telegram from the department to come down to Brisbane.

Mr. J. LEAHY : A question was asked last night as to whether the land commissioner at Cairns, Mr. White, had sent in his resignation. The Minister replied that it had not been received. He wished to know whether it had been received since?

The SECRETARY FOR PUBLIC LANDS : Mr. White's resignation was received last night, after the Under Secretary had left the building. He had no cognisance of the fact at the time the question was asked.

Question put and passed.

The House resumed. The CHAIRMAN reported progress; and leave was given to the Committee to sit again on Tuesday.

The House adjourned at ten minutes to 10 o'clock.