

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**FRIDAY, 20 JULY 1866**

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## LEGISLATIVE ASSEMBLY.

*Friday, 20 July, 1866.*

Ministerial Arrangements.—Change of Ministry.—Suspension of Standing Orders.—Issue of Treasury Bills.—Explanations.

## MINISTERIAL ARRANGEMENTS.

Mr. RAFF : Mr. Speaker, I desire to make a short statement to the House. It appears that, although my honorable friend the member for West Moreton made an explanation to the House yesterday, some misapprehension still exists, both in the House and out of doors, as to the plain meaning of the statement made by that honorable member. It may, therefore, be as well that I should state more fully the circumstances which have brought about the position we now occupy. Upon being consulted by His Excellency the Governor, the honorable member for West Moreton and I, looking to the present peculiar circumstances of the colony, and being of opinion that any further delay in bringing the monetary affairs of this colony into a more sound and satisfactory condition must be fraught with results to the country disastrous in the extreme, considered it our duty, when His Excellency informed us of his desire to form a new Ministry, to recommend His Excellency to postpone for a few days the filling up of those offices, in order that this House should be enabled to take action by passing such measures as are absolutely necessary to place the affairs of the colony in a more satisfactory position. I should say, sir, at the outset, that the honorable member for West Moreton and I informed His Excellency that neither of us would consent to take part in, or hold office under, the new Government; that the formation of a new Government must be made from other members of this House. At the same time, we expressed our willingness to take upon ourselves whatever trouble might be necessary for a few days, in order that the present difficulties might be overcome, and that no inconvenience to the country might result from delay in taking action. Honorable members must be aware that before a new Government can be formed, and the members of that Government can take their seats in this House, and enter upon their duties, some little delay must take place. I am quite sure that I may speak for the honorable member for West Moreton, as well as for myself, when I say that as far as our private feelings are concerned, it is a matter of perfect indifference to us who are to be the

members of the new Ministry, so long as the affairs of the colony are conducted properly and successfully. His Excellency is most desirous, at once, or at the earliest moment, to fill the vacant offices, but he has been advised that the present Government should retain office until they are filled; and it will rest with this House whether the delay which must occur will be a delay of a day or two, or a longer period. If this House will consent to pass the measures which are necessary to extricate the Government from the present difficulty, there can then be no objection to adjourn the House for a week, or a month, until a new Ministry, or the present Ministry, as it may be, take office. That is a matter with which neither I nor the honorable member for West Moreton intend to interfere with at all. As I said before, we are not prepared to take any part in the new Government. But we could not, under the circumstances, refuse our assistance in the present emergency. We hope to have the support of this House to pass the necessary measures, and to make the requisite arrangements to prevent the very serious consequences which must result from an immediate stoppage of the public works. I now move, sir, that you do leave the chair, and resume it again at half-past two o'clock, in order that a little longer time may be afforded to bring forward those measures in this House which, it is considered, are absolutely necessary at the present crisis.

The question was put and passed, and the Speaker announced his intention of resuming the chair at half-past two o'clock.

The House having met again,

Mr. MACALISTER rose and said: Sir, with the permission of the House, I would desire to ask, without notice, the honorable member for West Moreton, whether he has any objection to state, in a few words, the nature of the Bills he proposes to pass through this House this afternoon?

Mr. HERBERT: The only Bill which it is proposed to bring forward for the consideration of the House to-day, is a Bill to authorise the Government of the day, whoever they may be, to issue Treasury bills, bearing interest, and redeemable at the end of twenty-four months. That Bill will be in the hands of honorable members very shortly, and I trust it will be of such a nature that, when the exigencies of the case are explained, it will be passed without any serious opposition. I take the opportunity, in answering the question put by the honorable member for Ipswich, Mr. Macalister, of saying that, owing to the generally expressed desire that no longer time than can possibly be helped should intervene before the constitution of a fresh administration, efforts have been made to accomplish that result, and I am now in a position to inform the House that certain gentlemen have been sworn in to the Executive Council of His Excellency. The arrange-

ments are not yet completed for filling the several administrative offices, but I may say that, in connection with myself as Vice-President of the Executive Council, the following gentlemen have been appointed:—Mr. Raff, as a member of the Executive Council, without office, and Messrs. McLean, Dalrymple, and Pring, also as members of the Executive Council, without salary. These three gentlemen have consented to accept office; and, although I am not in a position to state the final arrangements at this time, I am authorised to say that the honorable member for the Kennedy will fill the office of Colonial Secretary, the honorable member for Eastern Downs that of Colonial Treasurer, and the honorable member for Ipswich, Mr. Pring, that of Attorney-General. The remaining offices are not yet definitely provided for, and what is now proposed by the advisers of His Excellency in Council, in consequence of the present great emergency, and the necessity of meeting immediate requirements, such as the payment of persons now in the Government employ, and other urgent demands, is that, while nothing unconstitutional is desired, a slight deviation from the usual practice should be permitted by this House for a very brief period. It is proposed that a Bill, the only one for which there is an immediate necessity, shall at once be proceeded with; and as soon as the House, by their action, shall enable the Government to tide over the present crisis, and to place the finances of the colony upon a thoroughly sound basis—then, at the earliest moment, without a single hour's delay more than is absolutely necessary, the gentlemen who have consented to take office shall invite the opinion of their constituents upon their action. I cannot doubt that those honorable members who have been disappointed at not being asked to introduce measures to rescue the colony from its present state of embarrassment, will admit at least the necessity that some prompt and decided measures should be taken. The gentlemen who have undertaken the task are confident they can relieve the colony from its difficulties, provided they are allowed to do so in the manner I have indicated. The only other measures which this House will be asked to consider, before the honorable members who propose to accept office invite the opinions of their constituents, will be one or two Bills for imposing additional taxation. They are not yet ready, but will be distributed among members before the next sitting of the House, and can then be considered. I trust I have made a clear explanation of what is in contemplation, and I believe, it is unnecessary, at all events, that I should invite a fair consideration of the measures which the Government have to propose, and that the Government under the peculiar circumstances—

An HONORABLE MEMBER: There is no Government.

Mr. HERBERT: I may safely call it a Government. I am perfectly correct in saying that it is a thoroughly responsible Government. When His Excellency has his responsible advisers in the Council they are responsible to him and to the country. (No! no!) I maintain that they are, and the test is very simple—if they are in a minority they must resign their commissions, and I shall be very happy to be followed by any honorable member who holds a different opinion. I should be very cautious in taking such a step, except upon good grounds; but I am convinced that I am right, and I shall be happy to hear, although I do not invite, any arguments to the contrary. I can only say that whatever may be the views of honorable members upon that point, if they oppose the measures which will be submitted to the House to relieve the country from its present critical position, they must take the onus upon themselves, if disastrous consequences should ensue. I do not say who has brought the colony into that position. I admit that I had something to do with it, but other honorable members have also contributed to that result, and the honorable member for the Burnett cannot say that he has had nothing to do with it, because it is very evident that since I left office the expenses have greatly increased; indents have been sent home—

Mr. MACALISTER: No indents have been sent to England since you left office.

Mr. HERBERT: Indents for the rails for the Warwick railway have been sent home, and I deny that they were sent by me.

Mr. MACALISTER: No, no.

Mr. HERBERT: Then some things must have been done while I was in office of which I was not cognizant.

Mr. MACALISTER: The honorable member must be aware that £100,000 was authorised to be taken from the vote for the Dalby line for that purpose, and that the indents were sent home immediately after the Warwick line was authorised.

Mr. HERBERT: I was not aware of it. I was aware that the line had been authorised, but not that the rails had been ordered, which makes a great difference. Many things appear to have been wanted, which were not authorised to be ordered. I am quite ready to take my share of the blame, but I deny that the late Government have not done their share in bringing about the present difficulty. We have all helped to bring the colony into a mess, and we must all take our share of blame; and, if any honorable members, by a factious or unjust opposition, attempt to continue a crisis, which is fraught with so much danger to this community, the country will judge them for doing so. We must do the best we can to provide for the present exigency. If those honorable members could not carry out the schemes they proposed, at all events they ought not to refuse to try another scheme,

which this Government now asks them to consider.

An HONORABLE MEMBER: What Government?

Mr. HERBERT: The Government of which I appear in this House as Premier. I have only to add that I trust the measures which will be submitted to the House will be freely considered.

Mr. WALSH: Sir—I wish to put a question to the Premier of the colony. Are we to understand, that as soon as the present monetary embarrassments are provided for by the members of this House, the members of the Government who have accepted office will go to their constituents for re-election?

Mr. HERBERT: Immediately.

Mr. MACKENZIE: I rise to move the adjournment of the House; and, in doing so, I reiterate the statement made by my late colleague, Mr. Macalister, that so soon as a constitutional Government is formed, and the Government act in a constitutional manner, we shall offer no opposition to the passing of such measures as may be necessary and for the benefit of the country. But I have yet to learn that a Government can bring in measures before they are gazetted to office, and before their commissions are filled up. The constitutional practice is perfectly plain and clear, that when a Government resign, and their resignations are accepted, they retain office and carry on departmental duties until their successors are appointed, but they cannot bring forward any measures in the House. Should an honorable member be sent for to form a Government, he rises in his place in the House, and announces that he has been sent for; and moves the adjournment of the House until a certain day. On that day he informs the House whether he has been able to form a Ministry or not; and if a Ministry has been formed, he announces the fact, but the members of it cannot appear in the House again until they have been re-elected; although, departmentally, they may continue in office until their successors are appointed. But I would ask any sensible man, whether the course proposed to be adopted by the honorable member for West Moreton is not illegal and unconstitutional? I say it is; and that if this Bill be passed the Treasury bonds will not be worth the paper they are printed on. I have no desire to prevent proper action being taken in the difficulty. The crisis demands urgent measures, and no honorable member would prevent them from being carried out, if they were carried out in a lawful and constitutional manner. But the Government have been prevented from taking the course which they conceived best for the relief of the country; they should have been left to their own judgment, and if they had done wrong they would have suffered for it. But a committee was appointed, and a report was brought up which the Government would

have acted upon, when we were told the measure it recommended would not be assented to. I say that the Government have been thwarted in every way. The honorable member for West Moreton—I cannot call him the Premier, for I do not recognise a Government at all—told us last night that there was no particular urgency, and that everything was going on right, and some other honorable member said the same thing. But this morning both the honorable member for West Moreton and the honorable member for North Brisbane, Mr. Raff, say that the case is one of great emergency. If so, why has so much time been lost, and why have so many difficulties been thrown in the way? I have nothing further to add, except that, as far as I am concerned—and I believe I may speak for my colleagues, and for a large number of members in this House—we shall resist all unconstitutional attempts of this nature. If the members of the new Government be re-elected, and be prepared to bring forward measures in a legal and constitutional manner, we shall be prepared to assist them, but not otherwise.

MR. MACALISTER: Sir—I am loth to address the House on the present occasion. I did not do so this morning because I was desirous of consulting with several honorable members as to how far we could assist in carrying out the measures which the Government intended to submit to the House this afternoon. It was with a view to that consideration, that I asked the honorable member who sits at the head of the Treasury benches the nature of the Bills he proposes to introduce. It would appear that the Bill he intends to propose is a Bill for the issue of Treasury bonds. Of course, these bonds are to be floated immediately by additional taxation, but to what extent that taxation is to be imposed, we have no information. But it would appear that the honorable gentleman proposes that, before either he or any of the honorable gentlemen who act with them go to their constituents, this additional taxation shall be imposed upon the colony. Now, as far as the introduction of a Bill for the issue of Treasury bonds is concerned, we can have no objection to such a Bill, and I shall have much pleasure in assisting the honorable member in the consideration of such a measure, subject to a condition which I shall immediately name. The honorable member who addressed the House this morning—the honorable member for North Brisbane, Mr. Raff—said that the members of the late Government should remain in office until their successors were appointed. I admit that is the rule, sir, because, until the new Government is absolutely appointed, and returned by their constituents, no business can be done. But, when we find that two honorable members of this House have been engaged in the most extraordinary process of giving irresponsible advice to the represen-

tative of the Sovereign; that these two gentlemen have proposed to introduce into this House money Bills—Bills which belong, by right, to the members of the Government, and should only be brought down by the members of the Government—when, sir, I hear such statements, I am bound to declare that the members of the late Government cannot hold, and cannot be expected to hold, office under circumstances which would entail such degradation upon them, and while the business of the country is being carried on by irresponsible members. In point of fact, the commission, as it must be termed, composed of these two gentlemen, propose to make arrangements to supersede the acts of a legally constituted Ministry. The papers on the table of this House, which were referred to a day or two ago, stated that there was no great necessity for any extraordinary measure. The honorable member for West Moreton, Mr. Herbert, himself, stated last night that the financial affairs of the colony were not in any particular danger, and could be easily arranged. Yet the honorable member for North Brisbane, Mr. Raff, comes forward this morning and informs the House that the financial difficulties of the country are of such a character as to require that these two gentlemen should bring forward measures, in this House, to authorise the issue of Treasury bonds. As I have already stated, I am perfectly willing to accept the measure which the honorable member proposes to introduce, because it is precisely the measure which my honorable colleague, the Treasurer, intimated his intention of bringing forward. But, when I say that, I say it with this reservation: that the honorable member for West Moreton should ask His Excellency the Governor first to *Gazette* his new Ministers. I affirm, sir, that those gentlemen who have consented to accept office have no right, at present, to appear in this House. They now stand precisely in the same position as if the *Gazette* had been placed in your hands: of course you cannot take notice of it until that is done; but it is a well-known rule, that if a new Minister has agreed to take office, until he has been gazetted he cannot come inside the door of the House. So that from one irregularity we are getting on to another, and from one unconstitutional proceeding we are getting to others of a worse character. As these gentlemen have agreed to take office, it will not take half an hour to gazette them; and I can assure the honorable gentleman, on behalf of myself and other honorable members on this side of the House, that, if he takes that course, we shall be prepared, at any hour this afternoon, to come back and pass this Bill, even if we should have to sit all night. But we will not be party to the legalization of one unconstitutional act, for the introduction of another of

a worse character. I have made an offer to the honorable member, and I shall now retire from this House, and shall not return to it until I know that a responsible Ministry is actually in existence.

(The honorable gentleman here left the House, and was followed by Mr. Mackenzie, Mr. Lilley, Dr. Challinor, Mr. Forbes, Mr. Edmondstone, Mr. Pugh, Mr. Brookes, Mr. Stephens, and Mr. R. Cribb).

The question was then put, that this House do now adjourn.

Mr. WALSH said he must confess that he never was in a more embarrassed position than he felt himself in at that moment. He had now for some time been sedulously attending to the duties of the session, with the sole object of doing what he conceived to be his duty to the country, and assisting to carry on its affairs in such a way as would tend to the ultimate good of the community. But he must say that the tactics of the late Government, and the present Opposition, seemed to him alike discreditable to them. It seemed to have been the sole object of those honorable members to bring themselves into a state of notoriety, in defiance of all decency, and in defiance of their strict duty to the country—and, he would add, in defiance of those doctrines and teachings of which they themselves had been the exemplars. He felt perfectly aghast to think that any set of men, lately in the position of responsible Ministers, at a moment when the country was almost in a state of insolvency, when the public servants were unpaid, and the Government so involved as to be unable to keep their engagements, should persist in a course of action which could only result in plunging the colony into still further difficulties. He should have thought that, upon an important, a serious, an unprecedented occasion like this, the strongest claimant for power, the greatest hankerer after office or pay, would have sunk all such feelings for the common good, and given all the aid in his power to relieve the country from its present bankrupt state. It was to him a perfectly appalling prospect that the Government of this country should, at any future time, fall into the hands of such men. As far as he was personally concerned, he cared nothing who were the occupants of the Treasury benches, whether the gentlemen who sat there yesterday, or those who sat on the cross-benches of the House, so long as the affairs of the country were conducted in a proper manner. And now there was a number of gentlemen in whom he had no reason to place the greatest confidence, and of whom, as tacticians, or of whose ability to carry on the Government other honorable members knew nothing—but when those gentlemen, at great personal sacrifice to themselves, came forward in the present crisis of affairs, and took upon themselves the unpleasant task of unravelling the confusion that existed, it was highly discreditable for any honorable member to throw obstacles in the way; and he

was an enemy to the country who forsook the post of duty in the emergency. The members of the late Ministry and their supporters could have but one object in deserting their places, and that was still further to embarrass those gentlemen who were endeavoring to guide the State aright, and to perform their duty to the colony. The notions which those gentlemen who had left the chamber seemed to have of constitutional government were ridiculous; for they were not consonant with the commonest decencies of constitutional government. Those gentlemen had made constitutional government subservient to their own views, and to save their followers. He could see but little hope for the country, for its credit or for its progress, if the House were to commit the fearful mistake of imagining that such men only could guide its affairs. But what was the position the country was placed in at the present time? The position was one which rendered it absolutely necessary there should be a Government who could meet the pressing exigencies of the present moment. It was absolutely necessary that there should be four or five men found who were willing to come forward and attempt to rescue the country from the position in which it was placed; and to meet the present difficulties, it appeared to him that those gentlemen would be absolutely compelled to do that which he admitted was an extraordinary act. They were compelled to ask the House to assist them for a few hours to carry on the Government with their presence in the House, in order to relieve the country from the embarrassed state they were in. But those Ministers remained in the House, as he understood, under the distinct promise that, as soon as they could, with safety to the country, they would resort to their respective constituencies to ask from them an approval of their acceptance of office. That was an established constitutional course, and yet it was what those honorable members who had left the House called unconstitutional. For his part, he thought it was a more unconstitutional course for any honorable member, for party purposes, to throw the least difficulty in the way, or to do anything whatever that was calculated to obstruct the Government in the present emergency of the colony. The honorable members who had undertaken to form a Government, had been forced, by the circumstances in which they found the country placed, into the position they now occupied. It did not suit their desires or their business arrangements that they should be detained, some of them in the colony, and others in Brisbane, to carry on the Government of the country at the present time; but yet, to relieve the State from the position in which it was placed, they were willing to forego their own desires and sacrifice their business arrangements. Their desire for the country

was that they should be allowed by the House to find sufficient means to meet the overdue demands upon the Government—to meet the dishonored cheques of the late Government. They were desirous of remaining in the House so long—of retaining their seats so long as would enable them to accomplish that. But what was demanded of them? Why, that they should, in the face of the present difficulties, in the face of present necessities which must be met before twenty-four hours were over—what was required of them by their opponents, viz., that, in the face of those difficulties, they should vacate their seats in the House at once, and allow further time to elapse, and cause hundreds and thousands of people to be thrown out of employment, in order that they should act in a strictly constitutional way, according to the very letter. If those gentlemen who had consented to accept office, who, he might say, had accepted office, had done so in such a way that they could not have appeared in the House, they would have forsaken their first and obvious duty under present circumstances, which was to provide the necessary means for meeting the urgent necessities of the Government, and thereby preventing starvation from visiting many an humble dwelling, the homes of hundreds of persons who had been brought to the colony to perform Government work. Now, had those gentlemen acted in the matter in a way that would have necessitated their vacating their seats at once, it would have been impossible to have prevented the evils he had referred to. If they had not been in the House, though they would have been *de facto* the Government, it would be impossible for them, considering the temper of the Opposition, to bring in the measures necessary, and to pass them into law. It would be impossible for those gentlemen, if they had acted otherwise than they had done, to prevent the country from falling into a state of anarchy; and, therefore, he agreed with the course they had pursued. When the money was obtained, through the measures that would be passed, and when the pressing necessities of the colony were met, it would be the duty of the gentlemen forming the Government to take that step by which they would vacate their seats, and in consequence of which they would have to appear before their constituents, and obtain an approval of their conduct and a renewal of their confidence. But, before that step was taken, he trusted those gentlemen would not be pressed into doing that which he considered would be injurious to the country. What, he asked, would be the effect, if it were to go forth throughout the length and breadth of the land for the next week even, that the country did not possess a Government capable of raising the means necessary to carry on the business of the State? He had been told, and that by persons who were capable of forming an opinion, that if such were allowed

to be the case, there would be something like a revolution; and that the persons employed on the large public works up the country would march down to Brisbane in a body, and probably storm it. The argument of the late Premier, Mr. Macalister, as to the advice which should have been given to His Excellency, could not hold good for one moment, in the face of English precedents. Her Most Gracious Majesty the Queen had repeatedly, in times of difficulty, when there was no Government, to send for the best constitutional adviser she could find. She frequently had to send for those persons whom she considered the best able to give her advice; and it was well known that the late illustrious Duke of Wellington when out of office, was often sent for by Her Majesty, to give his advice in times when great difficulties beset the Sovereign; and his advice, he believed, was always taken. There was no impropriety on the part of the Sovereign in sending for the meanest person in the country to ask his advice if she desired it; and surely then it could not be improper on the part of the Governor of a colony to send for those who had been his responsible advisers at a former period to give their advice in a time of emergency. The Governor, whom he did not wish to defend for one moment, would have been wanting in his duty, had he not, in the present emergency, sent for his tried and old advisers to give him their advice. He might have been called to account by the Home Government had he acted otherwise in the emergency than he had done; and had he, considering the emergency, formed another Government, without taking the advice of the honorable member for West Moreton. How much better would it have been, had the members of the late Ministry, having slept off their ebullitions of ill-temper of the previous evening—how much better, and how much more creditable to them would it have been, if they had come down to the House to-day, and admitted the serious mistakes they had made under the infirmity of temper they displayed on the previous day. How much better would it have been if they had come down to the House, and said they were wrong, that they had been misled by their supporters, and that they were willing to admit their mistakes, and remedy them as far as possible. But what had they done? What had those gentlemen, who had individually assisted to get the country into its present difficulties done, and what were they now doing? Was it not a fact that they were throwing every obstacle in the way of the gentlemen who were doing all in their power to bring about an improved state of things? They were ready to see any amount of evil consequences flowing from the present state of affairs, rather than assist their successors. There were some honorable members of the late Government whom he highly respected, personally, and, therefore, he the more regretted to find that they could

act in such an undignified way as they were doing, and set such a wretched example to others who might come after them. He sincerely trusted the majority of honorable members would see the necessity of supporting the new Ministry, or some Ministry, whether it should be the present, or another which might be formed on the following day; and, as far as lay in their power, assist in meeting the urgent demand that existed at the present moment for providing means for carrying on the Government. For his own part, he cared not what gentlemen formed the Government, but he did care that there should be some Government, because he cared for the salvation of the country; and the salvation of the country, at the present time, depended on the conduct of the Assembly during the next week, not only on the conduct of the Government—and, therefore, those honorable members who absented themselves from the House would commit a mistake which they might never cease in all their after life to regret, and a mistake which would not, they might depend upon it, be forgotten by their constituencies. If the present were not a time when all party and political differences should be forgotten, and when all should work together for the common good of the colony at large, when, he asked, was such a time likely to occur, and what must its emergency be? He was glad to hear the present Premier, the honorable member for West Moreton, admit, in the course of his speech in the morning, his share in bringing about the troubles that overshadowed the land. That was itself a contribution towards putting things in the right way. More than once had he (Mr. Walsh) argued that before they could rectify their errors they must admit them. The admission, therefore, of the honorable member for West Moreton was so far a testimony to the propriety of the course taken by those honorable members of the House who, on every fitting occasion, had endeavored to point out the errors of the honorable member's policy while he held the office of Colonial Secretary. He only trusted that, now, that honorable gentleman, according to the share of blame which he took to himself for the present position of the affairs of the colony, would exert himself to retrieve the country from the lamentable state it was in. He did not rise at the present time as a supporter of a Government in inception; and he might not be found a cordial supporter of the new Government; but he rose for the one desire of expressing his anxiety to see a Government—his anxiety that there should be a Governmentable to deal with the urgent circumstances of the colony. If honorable members who were likely to compose the Government were to be sent before their constituencies at once, the business of the country could not be carried on in the way it should be—that was, the House could not be called on to pass those measures which must be passed in order to

avert imminent danger. It must be obvious to any honorable member that if the four or five members of the Government had to go to their respective constituencies at once, the first thing to be done would have been to move the adjournment of the House; and he asked honorable members how it would have been possible to have moved the adjournment of the House, and at the same time have provided funds for paying off the claims against the State? It was only those who were absolutely blinded by faction or ill-feeling who could urge that any other course than the one adopted should be pursued. He felt himself under some difficulty in expressing himself as fully as he would, in consequence of the absence of those members, to whom, if they were present, he would have addressed himself. He would have assured the members of the late Government, had they been present, that his opposition to them was not against them individually so much as it was against the course of policy they had pursued. He would not have been so unfeeling as to have sought to aggravate their position, which was that of a dismissed or resigned Ministry, for one moment; but he would have pointed out to them the way in which they could have brought about a reconciliation between themselves and a large majority of the House, and how they might have earned for themselves something like the respect of the people of the country. But he very much mistook the people of the colony, he very much mistook them indeed, if, when angry passions had subsided and party feelings had cooled down, and the reign of reason had again set in, they would approve of the conduct of the late Ministry during the last twenty-four hours. Ill would it be for the colony if they did. Ill would it be for the colony if the people were of the same way of thinking as those honorable gentlemen who had lately had the guidance of the affairs of the country; and ill would it be if the people could not distinguish between the action of duty and the action of passion. He trusted that during the adjournment for the election of the new Ministry, the people would calmly revise the proceedings of the last month, and see to whom the credit or the discredit of the present state of things was due. Had he been the honorable member for West Moreton, not for all the world would he have taken the position that the honorable gentleman had accepted. The position that honorable member occupied as the ex-Premier of the colony, was that of a gentleman who had long, and, as was considered, successfully, guided the affairs of the colony; and if he had left the colony, as he had determined to do—if he had left it as the ex-Premier, he would have left it crowned with honor, and would have carried with him the esteem of all classes of the community. Yet, after all was said and done, he believed that the action the honorable mem-



ber had taken in the present crisis of affairs would redound more to his credit than all his previous conduct—than all those proceedings of his that had hitherto commanded such support in that House. He frankly admitted that it was an act which, in his estimation, had entitled the honorable member to the lasting gratitude of the country. As was well known, he had not been an admirer of the honorable member's policy, but he must say that he believed the honorable gentleman had that day done that which entitled him to the lasting gratitude of the country; and whether he was successful or not in relieving the colony from its present dilemma, the honorable member's conduct had implanted in him (Mr. Walsh) a feeling of respect, which he never felt before towards him. Having made those few remarks he would sit down; again humbly and urgently entreating honorable members to take into consideration the fact that every real well wisher of the colony could have but one object in view, and that was the passing of such measures as would enable the Government to stave off anything like riot, destitution, and anarchy visiting the land, or one class, and it would be a deeply suffering portion of the community; or on the part of the trading class, absolute insolvency, with its attendant train of evils.

The motion for the adjournment of the House was then put and negatived.

#### CHANGE OF MINISTRY.

Mr. HERBERT laid upon the table of the House a *Gazette Extraordinary* containing a notification of the resignation of office by the several members of the late Ministry, and the acceptance of such resignations by His Excellency; also, a notification of the appointment of Mr. Herbert as Vice-President of the Executive Council, and of Mr. Pring, Mr. Raff, Mr. McLean, and Mr. Dalrymple, as members of the Executive Council.

#### SUSPENSION OF STANDING ORDERS.

Mr. HERBERT moved that the standing orders be so far suspended as to admit of the passing of a Bill through all its stages in one day.

Agreed to.

#### ISSUE OF TREASURY BILLS.

Mr. HERBERT moved that the House resolve itself into a committee of the whole for the purpose of considering the desirableness of introducing a Bill to authorise the issue of Treasury bills. He said he might briefly state to the House that it had been deemed urgently necessary by himself and those gentlemen who were acting with him, that no time should be lost in making provision for the issue of Government paper bearing interest—paper of such a character as might be sufficient for the banks to advance money upon; and to an extent sufficient to remove the pressure on the finances of the colony at the

present time. It would not have been his wish, nor, he was sure, was it the desire of honorable members of the House, to resort to such a course, except under extreme and unforeseen circumstances; but the present circumstances of the colony were of such an extreme and unforeseen nature, that the Government and the House must make up their minds, and face the minor evils that were attendant on the introduction of a measure of this nature, in consideration of the benefits the country would derive from its operation in such a juncture as the present. He was aware it was not advisable, if it could have been avoided, that the colony should have, standing side by side in the money market, two different issues bearing different rates of interest; but he thought that, providing the issue now asked for was made small, and its redemption fixed at an early date, it was not likely the evil would be great; while, on the other hand, the immediate relief required by the colony would be granted. He was happy to state that the information he had been able to obtain as to the acceptability of those Treasury bills differed very widely from that given to the House on the subject by the honorable gentleman at the head of the late Government. That honorable gentleman stated that securities of the kind proposed, bearing a high rate of interest, would not be saleable; but he (Mr. Herbert) had been strongly assured, and that lately, that they would be very saleable, in the neighboring colonies, as well as in this colony. The issue would only be temporary, and it was not desired that the bills should be issued to an extent beyond what was necessary to meet present requirements; nor were they to be issued beyond the time when their issue could, without serious inconvenience, be stopped. It was proposed that as those Treasury bills would bear a high rate of interest, some additional taxation should be imposed to meet that interest; and, therefore, another measure would be introduced for that purpose. It was not his wish that such taxation should be one whit more excessive than the circumstances of the case demanded. He trusted the House, as forming one portion of the Legislature, would at the proper time accede to such a measure of taxation as, without pressing more heavily on the community than could be avoided, would give increased legislative value to the Bill which he now held in his hand. The provisions of the Bill which he now proposed to proceed with were the same, with one or two trifling alterations, as a Bill that was passed for a similar purpose in New South Wales. That fact, though the Bill had been drawn up with some haste, together with the fact that in the neighboring colony it had been found both effective and sufficient, would, he thought, satisfy honorable members that it was a measure they might pass with safety, and that it was one which would provide for all

the purposes for which such a measure was required.

The motion was agreed to, and the Bill was subsequently brought in and passed through all its stages, and transmitted to the Legislative Council, then specially sitting.

#### EXPLANATIONS.

Mr. PRING: Sir—I rise for the purpose of offering an explanation to the House of the position I have assumed in the present state of the colony, and also of the position assumed by those honorable gentlemen who are now acting with me. We found that the colony was left in such a position that His Excellency the Governor was without any responsible advisers, and, under the Royal Instruction, His Excellency in such a case is directed to summon to his aid any member he may think fit to deliberate with on the affairs of the colony; and I find, from a perusal of those Instructions, that the gentlemen he summons are the Government of the colony, and the laws they introduce are valid laws. I am, therefore, perfectly at a loss to understand the remarks made by the late Premier that such laws are invalid. I am of a totally contrary opinion. I am of opinion that such a course is thoroughly constitutional and legal. I should not have accepted this position, if I had not fully satisfied myself of the legality of the position in which we stand. As to the question of constitutional practice, I take it that there is no constitutional question involved in this matter. Undoubtedly, the Constitution Act, in one of its clauses, provides that any member who shall accept an office of profit under the Crown must forego his seat; but upon this occasion, during the passing of this Bill, no honorable member has accepted an office of profit under the Crown. Every honorable member present is clearly entitled to sit and vote in this House. Unquestionably, it is a practice, but only a practice, that when His Excellency summons members to advise him, those members are called to the Executive Council, and are appointed to paid offices at the time. But, sir, when we find the colony in its present position of embarrassment, rules of practice must give way to the emergency of the case; and when we find that in England the Government in a time of great panic suspended the charter of the Bank of England, and that in Ireland, during an emergency, the Habeas Corpus Act was suspended; I should like to know whether, in a crisis like the present, gentlemen who have been called and sworn in by His Excellency the Governor are not justified, and whether the House is not justified in supporting them, in deviating from what is merely a rule of practice. I do not say that this case should form a precedent, but I maintain that the course which has been pursued has been wholly unavoidable, and that if it had not been adopted, and the colony had remained in the same position as

it was in last week, the most serious consequences would have resulted. I have no doubt that this Legislative Assembly is at the present moment duly and legally constituted, and was so during the passing of the Bill, and that the Bill, when it receives the royal assent, will be valid. I repeat, that I should never have accepted the position I hold, if I had not been under the strongest impression that I am perfectly correct. So far as my acceptance of office at any future time is concerned, it is left for me to decide whether, when the country is placed in a better position, I shall take office or not. But when I do accept office my seat will become vacant, and I shall be quite prepared to meet my constituents at the proper time.

Mr. RAFF: Sir—I think honorable members after observing what has taken place to-day, will admit that there was some necessity for the advice which I informed the House yesterday I had tendered to the Governor, believing that His Excellency would be putting the colony to great hazard and inconvenience if he took such steps as would cause any honorable members to vacate their seats, and by so doing, delay the passing of the Bill which has this afternoon been passed through all its stages. I believe that the late Government understood well that there was a very urgent necessity for the adoption of measures, to prevent what would, by to-morrow, have taken place, had not the banking institutions of the colony relied upon the good sense of the majority of this House, and in the measures which they were informed it was intended to bring forward to save the credit of the colony, and make good its engagements. I believe I may state, that had it not been for this reliance upon the good sense of the House, a series of disasters would have occurred, for, to-morrow, there would have been a complete stoppage of the whole of the public works. There is no doubt of that. His Excellency, acting upon the advice we gave him to appoint members of the Executive Council immediately, has saved the colony from the evil consequences which would have resulted from delay. For every one must be aware that the credit of the colony at the present moment, and through the delays of the past week, is, to say the least, in a very sickly state, and I must say that I could see no result that could have ensued short of utter destruction, if things had been permitted to go on as they did last week. The honorable member for the Burnett, referred to certain proceedings which took place last week, and asked the reason of this delay. The honorable member should have put the question to himself, and his late colleagues. Honorable members must be perfectly aware that the delays which have arisen were occasioned entirely by the late Government and their supporters. They knew very well, that they would have had the support of honorable members present if they had proposed measures which would

have had the effect of averting the destructive results of their own mismanagement. They knew very well, that if they had given up a proposal which they made to disgrace the colony, by disgracing its money, and fallen back upon the other portion of their scheme, they would have had the support of all honorable members in this House. They knew that the proposal to issue legal tender inconvertible paper, was a scheme which could never become law, and that, had it been possible to make it law, they knew, from the evidence taken before the Finance Committee, it would have been utterly destructive to the Bill now passed. They would have been unable to raise one shilling upon the Treasury bonds now authorised, if they had attempted to obtain money upon paper which had no value except in their own eyes. They ignored altogether the fact that it was out of their power, by an act of legislation in this House, to convert sixpence or ninepence into a shilling. They might issue these bits of paper, which they think would be worth one pound, or which they would call one pound, and they might pass a law to force individuals to take them in payment for certain claims, and might have enabled one individual to rob another, for a short space of time—only for a short space of time; but the effect of such a proceeding, everyone must see, would have been to diminish at once the value of every man's money. The same laws which regulate the price of pots and pans and other articles, would regulate the price of these bits of paper. They might have compelled me to take their notes in payment of a debt, unless I had previously stipulated to be paid in sterling money—and it is a question whether all payments should not be made in sterling money—but they could not make me part with my commodities; and I might say that I sold only for gold, and should require two or three of these notes for one pound of sterling money. But the late Government ignored these facts altogether; they considered that their credit was so high that they had only to issue notes, and that those notes would fetch one pound sterling all over the colonies, or all over the world, if they could only make us believe it. They could never suppose that these notes would be a legal tender in other parts of the world; and I say they must take the blame for the delay which has occurred by their adhering to a scheme which could not pass, and refusing to act in the only manner in which they could act with any hope of success—to pass into law the Bill for the issue of Treasury bonds, which has been carried through all its stages this afternoon. It may be that they found themselves in this difficulty—that they saw there was a want of confidence in them on the part of the monetary establishments in this colony; and honorable members must see that the measure which these gentlemen attempted to force upon the House was enough to shake the confidence of all the money-holders in

the colony. I said, sir, that the course which has been pursued this afternoon was a wise course—it was wise to pass this Bill before any seats are vacated. We have had an announcement this afternoon, that if certain offices were filled, the members of the late Government would vote for this measure, because it was identical with the measure they proposed. But I do not think that, after arrangements with the banks have to a certain extent been made and entered upon by the Government, on the faith of this Bill being passed, it would be right, under the circumstances, to trust to those honorable members. The honorable and learned member for Ipswich has shewn that the arguments advanced to prove that it was unconstitutional to introduce and pass such a measure, were based upon nothing. It is perfectly clear, as that honorable gentleman explained, that the Government of the colony is now composed of His Excellency and the Executive Council, and that a Bill has been introduced and carried by honorable members in this House, whose votes no one can question. I think, sir, the House, did right in declining to accept the conditions which were attempted to be imposed upon them by the late head of the Government. Attempts were made to shew that there was a discrepancy between the statement made by the honorable member for West Moreton, and the statement I made in this House. It was said that the honorable member made light of the difficulties in which the colony is placed. I maintain that he did nothing of the kind, nor did he, as it was attempted to be shewn, inform the House that there was no immediate necessity for action to surmount those difficulties; he merely said he was hopeful, he was confident, that those difficulties could be easily overcome. I have the same confidence; but I have also a strong feeling as to the damage the colony would have sustained if there had been another day's delay; it might have been fraught with the most serious consequences to the colony. We might have found that by that delay we had ventured too far. I have no doubt whatever that the legislation of this evening will do much to restore public confidence. The Bill has been passed by a large majority of this House, without a dissentient voice, and it is well known it has been passed with the understanding that it is necessary to follow it up with taxation, which will, in two years time, cover the amount to be borrowed under the Bill. That, sir, I think, is well understood by honorable members. It will not be necessary to hurry the measure proposing additional taxation; and when the House meets on Tuesday next, I have no doubt the Government will be prepared with a scheme to lay before the House, and the House will consider whether it is necessary to pass such a Bill, or to delay it until after those honorable members who have taken office have been returned

by their constituents, and we are prepared to go on with the business of the country.

Mr. McLEAN: Mr. Speaker—I only intend to address the House for a few minutes. The honorable member at the head of the present Government announced that I had been sworn in as a member of the Executive Council, and that there was some understanding that, in the event of certain measures being adopted by this House, and provision made for carrying on the business of the country, and meeting existing engagement, I might take a further step and become a responsible Minister. I must say that, under no conditions whatever, shall I accept such a responsible office, unless provision be made for carrying on the Government by passing this measure and taking further steps for fulfilling other engagements which have been entered into. It is unnecessary for me to state the causes which have placed me in the peculiar position I now occupy. It is a position in which I never dreamt of being placed, and one which I should not have been persuaded to accept, were it not for the peculiar circumstances of the present time. But I deem it a duty which I owe to my adopted country to place myself in the gap, when I see that the credit of the colony is on the point of being damaged, as I think, very materially indeed. I have felt during the last week, and even since our troubles commenced, that the late Government have failed to shew us any way of getting out of our difficulties. They did propose certain measures, which a majority in this House deemed a disgrace and a discredit to the community at large; and when they could not get a majority of this House to pass those measures, they attempted to make capital out of certain correspondence with His Excellency the Governor. All these circumstances, I consider, will tend to lower the late Ministry in the estimation of all the intelligent and right-thinking men in this colony. They may have the newspapers and the newspaper proprietors on their side, they may get people to write for them in the papers and espouse their cause; but all these schemes and all these plans to agitate the public mind are seldom of a lasting nature. They may cause a little agitation for a short period, but the truth will manifest itself in time, and, I have no doubt that, before long the country will recognize the importance of our efforts to protect the credit of the country.

Mr. DALRYMPLE: Sir—I shall only occupy the time of the House for a short time, as I think a few words of explanation from me are necessary. In the present disastrous crisis into which the colony has been precipitated by the late Ministry and their supporters, His Excellency the Governor as my honorable friend, the member for West Moreton, has stated, was left without responsible advisers. Acting upon the advice

of that honorable gentlemen and the honorable member for North Brisbane, Mr. Raff, His Excellency also summoned to his councils the honorable gentlemen who now sit with me on the Treasury benches. I now appear for the first time as a member of the Executive Council, and I believe, that in taking that position, I do not invalidate any Act passed in this House—for this reason, that I have not yet accepted any office of emolument under the Crown. But, after the measure which has been passed this afternoon, and such other measures as may be necessary to relieve the colony from its present disastrous condition, I shall be perfectly ready to accept office under the Crown, and to present myself before my constituents, and I have no doubt they will uphold the position which I and my colleagues have taken during the crisis. I have no further remark to make at present, except that I deplore the action which has been taken by the late Ministry and their supporters, in leaving the House in the way they have done. I regret, sir, to see that those honorable members, after having brought the country into such a state of embarrassment, should have abandoned the ship during the storm and left her to drift on the rocks; they have also abandoned their positions as members of constituencies in this country, and run the risk of still further delay in affording relief which the country has a right to look for in this time of depression. But I trust that when public feeling has a little subsided, and the matter is quietly and calmly looked into, the country will distinguish between those persons who have abandoned their position and those who have fearlessly come forward and faced the difficulty, and have, I trust, succeeded in rescuing the colony from its financial embarrassments, and relieving thousands of persons from actual misery—a subject which those honorable members who left the House this afternoon have never given themselves the trouble to consider.

The House then adjourned.