

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 2 AUGUST 1864

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LEGISLATIVE ASSEMBLY.

Tuesday, 2 August, 1864.

Lockyer's Creek.—Small Debts Recovery Bill, read 2^o.—
Railway Commissioners Bill. — Immigration Bill,
read 2^o.

LOCKYER'S CREEK.

MR. GROOM moved,—“That this House will, on Wednesday, the 3rd August, resolve itself into a Committee of the Whole to consider of an address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Additional Supplementary Estimates of 1864, the sum of £3,000 to erect a bridge over Lockyer's Creek, on the Ipswich and Toowoomba road.” He said he had placed the motion on the paper principally with a view of obtaining

some further information than that given in answer to his question by the Minister for Lands and Works the other day. The present state of the accommodation at Lockyer's Creek gave general dissatisfaction. In 1860 £1,500 had been voted for a bridge in that particular locality. ("No, no.") Well it was now called Turner's Creek, but it was in fact the same creek as that referred to in the motion. At the time of that vote, which was not expended, great inconvenience existed, and did exist still, owing to the want of a bridge at the place. Instances were known of drays and travellers being delayed six and seven days, and there had also been a number of lives lost. In March last one man had been drowned there, and another had lost three horses. He would observe, that in other portions of the Drayton and Toowoomba road bridges had been and were being put up, which in a short time no one would cross, owing to the presence of the railway; in this locality, however, which the railway would not affect, the money voted had not been expended.

The SECRETARY FOR LANDS AND WORKS denied that the sum alluded to had ever been voted for a bridge over Lockyer's Creek at the locality mentioned by the honorable member. A sum, it was true, was voted in 1860 for a bridge over the creek on the road to the Upper Brisbane, but not at that particular spot. In 1862 a vote was given for a bridge at that spot, but since then it was found that there was no necessity for the bridge at all. In fact it would be necessary to place the road on either side of the creek in a better state of repair before the bridge could be of any service; and to improve the road would require a considerable sum of money. If the honorable member waited till the road on either side was repaired, he might hope to see the erection of the bridge; but not until then. It was improbable, however, that such would be the case. The bridge, in reality, was not required; if the river rose rapidly it fell equally rapid; and the delays of mails and drays referred to were not attributable to the state of that particular crossing-place, but to the state of other parts of the road. Had the Government thought a bridge at that place necessary, they would have placed the requisite sum on the Estimates, but they considered £3,000 would be wasted in such an erection. If the motion were acceded to, of course others of a similar character would be brought forward by other honorable members, and the Government would be placed in a very false position as regarded their Estimates. He trusted the House, by refusing this motion, would prevent others of a similar kind from being placed upon the paper.

Mr. BELL reminded the honorable member (Mr. Groom) that last session the general question of the roads of the Colony was referred to a select committee to be dealt with in bulk. It was, of course, for the House to decide whether that committee had done

justice to the subject, but he (Mr. Bell) was certain one result of this motion, if carried, would be that similar amounts would be asked for by other members for other localities. He thought if the spot referred to were made passable, there were other portions of the road that would have to be improved before traffic could be greatly facilitated.

Mr. TAYLOR denied that the previous speakers were right as to the exact locality for which the money for the erection of a bridge over this creek was voted in 1860. Money was voted, but not for this spot. Contracts also were called for, but people would not undertake the work at the price. He objected to lay out a single sixpence on this road, except for the purpose of making it just passable until the railway was finished. It was absurd to make a railway at an expensive cost, and then to keep up a road to compete with that railway.

Dr. CHALLINOR opposed the motion, but could not agree that the railway would render unnecessary votes of money for other subsidiary roads in the region which the railway traversed.

Mr. GROOM, by leave of the House, then withdrew the motion.

SMALL DEBTS RECOVERY BILL.

Mr. BLAKENEY moved the second reading of this Bill. He believed that both sides of the House would agree with its general principles, and any alterations on matters of detail could be considered in committee. It had struck him for some years that a great necessity existed for an improvement in the Court of Requests Act of New South Wales—the only Act at present in existence here for the recovery of small debts. He would have brought forward a measure last session, but imagined that the Government would have taken some steps to establish district courts, which he believed might have been created at half the expense incurred by the Government in appointments to the police magistracy. The Government, however, thought differently; and as he had waited some time to see if they would extend the system of county courts, and found that they had failed to do so, he brought forward the present measure. The time had arrived for a change in the present law. One great injustice of the present Act was exemplified by recent decisions of police magistrates, by which it appeared that a man who had a claim for a certain amount against a debtor could not abandon part of that claim in order to bring it within the jurisdiction of the petty debts court. For instance, under the present Act, 20 Victoria, No. 10, a case had been dismissed of the following nature: The plaintiff urged a claim of £11, but in order to bring it within the jurisdiction of the petty debts court, and to save the expenses of a Supreme Court suit, he reduced it to £10. He lost his case, because it was decided that the original cause of action in-

volved a claim proffered of over £10. The object of this Bill was to extend the jurisdiction of the petty debts courts. The first clause referred to certain towns which were to be favored with the benefits of the extended jurisdiction; and in this clause he desired to insert the words "and to such other towns as the Governor, by the advice of the Executive Council, may from time to time deem desirable." He (Mr. Blakeney) did not contend for the immediate extension of jurisdiction in the remote districts, where the magistrates might not by experience be fitted to have such large powers entrusted to them. That extension should be in the discretion of the Executive. The second clause gave the police magistrate power to adjudicate in a debt case, and to act in the capacity of two magistrates, as in a criminal case. At present the police magistrate had no power to sit on a case above £5 by himself, and without a second magistrate, unless the litigants gave their consent. The third clause related to the payment of costs. It gave the suing party opportunity to make claim for costs, if he gained his suit, as in a Supreme Court case. At present, parties who were gainers in a suit had to pay for their own professional assistance, instead of the losing party being compelled to pay. Another clause of the Bill admitted the power of appeal to a higher court in cases over £5. He thought in some cases there should be power of appeal, and he had fixed £5 as a fair minimum. He trusted the House would pass the second reading of the measure.

Mr. R. CRIBB expressed his approval of the Bill generally, but thought it scarcely went far enough. He would have it include cases up to £50, and also promissory notes. In the case of such notes, the matter had to be taken into the Supreme Court, even although undisputed. Recently he knew of a case in which a dishonored promissory note, although a day only had elapsed, involved the party to whose credit it had been placed in the service of a writ and other legal proceedings, which cost four or five guineas. Such sharp practice should be stopped.

Mr. BROOKES expressed his concurrence with the Bill in its existing shape, and argued that it would be inadvisable to extend its provisions to promissory notes of the amount referred to by the previous speaker.

Mr. TAYLOR had great pleasure in supporting the motion, but he thought the jurisdiction should be raised to £30, and the power of appeal be limited to sums over £10. He also agreed with the clause which enabled a man to reduce his debt so as to bring it within the jurisdiction of the petty debts court.

Dr. CHALLINOR expressed his concurrence with the general principles of the Bill. As regarded the clause which gave power to reduce a debt so as to bring it within the jurisdiction of the court, he thought it most desirable. He had been informed at Ipswich by tradesmen, that under the present Act

several unprincipled persons ran into debt, and when they had increased the amount of their bill to over £10 they defied their creditor. The creditor could not split the debt and sue in the petty debts court; and the Supreme Court was too expensive a process.

The ATTORNEY-GENERAL said he did not rise to oppose the Bill, as he was of opinion that, with some alterations, it might be made a good measure. He objected, however, to the increase of jurisdiction advocated by the honorable member (Mr. R. Cribb), in reference to promissory notes. The laws relating to promissory notes and bills of exchange were very intricate, and cases arising from them should certainly not be left to the summary jurisdiction of magistrates. Although it was very easy to argue in favor of increased jurisdiction being given to the magistrates, it was difficult to find men with education of a nature which fitted them to wield such powers. The honorable and learned member concluded by arguing at length, that if economy were the great object to be attained by suitors, at the expense of justice, the House might as well do away altogether with the Supreme Court. He explained that he disagreed with certain clauses of the Bill, which proposed alterations in the present law; but as, in committee, the reasons for those alterations would doubtless be given, he could then answer them or modify his present opinion. Some of the clauses, he contended, would have the obvious effect of increasing litigation and its concomitant expenses.

The motion was then put and passed, and the Bill read a second time.

RAILWAY COMMISSIONERS BILL.

Mr. DOUGLAS: Sir, in moving the second reading of a Bill, "to provide for the payment of moneys by the Government for the construction of railways," I am aware that I am entering upon rather an adventurous course. I may say that, if I had seen any chance of the principle of this Bill being embodied in any measure to be introduced by the Government, or by any person in their confidence, I should have refrained from bringing it forward. But finding that was not likely to be the case, and believing also that it was necessary the question should be fully discussed, and the important issues raised in this Bill brought fairly before the country, I have thought it my duty to bring the subject under the notice of the House. In this individual attempt at amateur legislation, though I confess I have not taken the advice of those gentlemen with whom I usually act, I am somewhat encouraged by the reflection that some very important questions, or, at any rate, some very useful measures, have been introduced and carried to a successful issue by amateur legislators. For instance, during the last session, a measure of considerable importance was introduced by a private member,

my honorable friend the member for West Moreton, for the purpose of extinguishing the Bathurst burr. (A laugh.) I trust that measure may have been found a useful one, and that its effect has been to put a stop to the ravages of this ferocious enemy. Then, again, during the present session, we have seen the honorable member for East Moreton bring in a Bill which was not looked upon with great favor, but which, with the patronage of the honorable member at the head of the Government, passed successfully through this House. It was a measure which in reality revolutionised our social ethics, but it was introduced under the sanction of the Government. If, therefore, in these cases, amateur legislation has been recognised, I may be permitted to make a further venture by bringing in a measure bearing so essentially upon the leading politics of the day. I will now, sir, briefly review the railway scheme. The first we hear of it is a proposition from the head of the Government to construct a railway at £4,000 a mile. That, I believe, was rather pooh-poohed by practical men, but it appeared that there were some honorable members who considered it possible. The next thing we heard was that this would not do; the proposition for the £4,000 per mile would not answer, and during the interval which elapsed between the dissolution and the re-assembling of Parliament, the Government had a flying survey made. It would not do to ask Parliament to sanction the construction of a railway without any survey being first instituted, and therefore this flying survey was made. On the strength of the plans, &c., in connection with this survey, the Government got the House to sanction the construction of twenty miles of railway. Then, incidental to this question, occurred the grand battle of the gauges. That question has been decided; whether rightly or not, I shall not attempt to say. I must, however, express my opinion that the Government have taken upon themselves the responsibility of deciding upon a very important matter upon very insufficient evidence, and I fear, although I certainly do not hope, that their decision will result in a serious loss to the country. But, irrespective of the questions as to the width of the gauge, whether it should be three feet or five feet, is one of much more importance, which underlies the whole subject, and it is that question which I am now about to raise. I allude to the manner in which the Government are attempting to carry out their scheme. My opinion, and I believe it is the opinion of many honorable members on this side of the House, is that not only are the arrangements of the Government defective, but that the principles upon which they propose to meet the expense of constructing the proposed line are, financially speaking, both incorrect and unsound. For instance, it is not for us to sit down in this corner of our vast territory to consider what is necessary for us only; we must take into

consideration the requirements of the whole country. And if this question is to be carried through the House *vi et armis*, it will be looked upon as a conspiracy to defraud the unsettled districts of their due. It is but natural that the occupants of those districts should look with suspicion on a Bill which appears to favor one portion of the country at the expense of another. At the time when this question was under the consideration of the House, I thought it my duty to advance what I conceived was the necessary principle by which we should be governed, and I accordingly embodied that principle in a series of resolutions, one of which was that railways should be constructed by local land trusts and corporations, the cost to be defrayed by the sale of lands in the several districts. That is the main principle of this Bill, and I will, therefore, ask the honorable Minister for Lands and Works, and the Government, if they are prepared to recognise the principle "that all railways should be formed from the proceeds of land sales in the districts through which they pass?" If they say "yes," I shall be ready to receive any amendments which they may consider necessary to its proper development. But, if not, I ask the honorable member to meet my question with a direct negative, or with the usual amendment "That the Bill be read that day six months." If the Government will join me, I shall endeavor to make this measure such a one as will be serviceable to the country. If not, they must take upon themselves to disavow a principle which, I contend, is a sound one, and will have to be adopted eventually. The preamble of this Bill sets forth that "it is expedient to make special provision for the payment of moneys borrowed under the authority of the Parliament of Queensland for the construction of railways, and of the interest of such moneys," &c. Now, I think, we have overlooked the first principle in all financial matters, viz., how we are to pay, not only the interest, but the principle of this debt. I am not aware what are the latest accounts received by the Government of financial matters at home. But it is clear that the advantageous disposal of our debentures, in future, will depend very much upon the mode we adopt to pay off the interest of the money we have borrowed and to liquidate the debt. This Bill provides for both, and I think it is desirable that we should pay off this liability promptly, as it will be a guarantee of our *bona fides*, and will enable us, if we should have occasion to contract a further loan, to do so with greater facility. The first clause provides for the appointment of three commissioners. I believe this clause is necessary to carry out the principle I advocate. The duties of the commissioners would not be at all heavy—they would be rather a deliberative body—and the chief part of the labor would devolve upon the secretary, whose office would be permanent. The commissioners might be appointed by

the Ministry, one of whom might be a commissioner himself. The third clause reads thus:—

“So soon as the plans sections and books of reference of any proposed line of railway shall have been approved by a resolution of both Houses of Parliament such approval shall be notified by the Speaker of the Legislative Assembly to the Governor in Council who shall thereupon by proclamation in the *Gazette* declare all Crown lands (save as herein mentioned) situate lying or being within ten miles on either side of such proposed line of railway to be a railway district for the purposes of this Act and thereupon and by virtue of such proclamation the Crown lands described therein shall forthwith become vested in the said corporation of the railway commissioners of Queensland (hereinafter called the commissioners) without any deed of grant or other assurance for that purpose and shall be held and dealt with by the said commissioners for the purpose of and as directed in this Act.”

Now I will call the attention of the House to the fact that ten miles upon each side of a railway, would give 12,800 acres for each mile of construction, to be vested in the railway commissioners, for the purpose of sale, to defray the cost of such construction. I contend that this is a fair scheme. Take the construction of the proposed line between Ipswich and Dalby, to which the present Bill would apply, as well as to other districts. In this extent of one hundred and twenty miles of railway, 1,536,000 acres would have to be alienated for its construction; or, allowing for townships to be reserved by the Governor in Council, 1,423,000 acres. I maintain that it would be preferable, and more just, to pay by means of the land, directly enhanced in value by the existence of the railway, than to encumber the general revenue with a loan for such a work designed to benefit one particular district. There are 17,440,000 acres in the two pastoral districts of the Darling Downs and Moreton, which would be benefited by the railway; yet all I claim out of these districts is one-twelfth of the whole. I think honorable gentlemen opposite should support me, even upon personal grounds. I only ask for a small proportion of the districts of Darling and Moreton, and of Maranoa, which I must point out would also be greatly benefited by the railway. In these districts there are 55,100 square miles, and my Bill would only demand for the construction of the railway one-fifth of the present occupied territory of the district—or one-tenth of the whole territory. In considering this matter, I think the question of territory, as well as population, should be taken into consideration. The line of railway is to be constructed, not only because it will be a paying concern, but because it will develop the resources of the territory which otherwise would be unoccupied. The fourth clause exempts certain lands contiguous to and within any township. And the fifth clause gives the Governor in Council power to resume unsold lands for public purposes not exceeding one-twentieth of the area

of such district. The sixth clause refers to the powers of survey and sale. I propose that the commissioners shall be authorised to sell the lands by auction. That, I admit, is an innovation, but it is one which I do not think it would be dangerous to adopt. I think a large number of persons might be found in England who would purchase land contiguous to a railway, not on account of its value at the time, so much as its prospective value, because it was in the rising Colony of Queensland, within a certain distance of a line of railway, and must, therefore, be a profitable speculation. And here I must again refer to the main principle of this Bill, as one which is put into practice in almost every country. It has been successfully carried out in America. I find that in Illinois, a body of capitalists have obtained from the Government a considerable grant of land on each side of the proposed railway, from the proceeds of which they are now paying for its construction. I find that the quantity of land sold in 1863 on this Illinois railway, which was constructed in 1857, was 194,000 acres. It was sold for 2,109,000 dollars, which is about ten dollars per acre, and this sum was devoted to the liquidation of the liability. The principle has been adopted also in Canada, with like success. The honorable member proceeded to explain *seriatim* the remaining clauses of the Bill, and concluded his speech by expressing a hope that it would receive fair consideration at the hands of the honorable gentlemen opposite. He would ask the Government to distinctly accept or reject the principle which it contained. He believed it embodied a principle which was sound and practical—a principle which, if carried out, would reduce those feelings of jealousy which, to a great extent, prevailed in the Colony, more especially in the northern parts. It would do something to elucidate the difficulties of the territorial question, and supply a policy which would allay those heartburnings and feelings of jealousy which might eventually—and which he thought would eventually—lead to the disunion and dismemberment of the Colony.

The SECRETARY FOR LANDS AND WORKS gave the honorable member for Port Curtis credit for having gone into the two principles which were embodied in the Bill at considerable length; and he thought if honorable members had before any difficulty in arriving at a conclusion as to what was really the object of the mover of the Bill, that difficulty must have been removed before he had finished his observations. Although the honorable gentleman did profess to treat of the Bill, from the beginning of his speech until very nearly the close of it, he (the Secretary for Lands and Works) could not observe in the course of his observations much that bore directly on the object of the Bill. The honorable member commenced by admitting that the course of action he was taking was an adventurous one; he admitted that it

was an attempt at amateur legislation, but he contended that that fact was no argument against it—that amateur legislation on other subjects had succeeded before, and, amongst other proofs of it, he quoted the Bathurst Burr Act. He had no doubt that Act would ultimately be a success, but he was not yet aware that it had fended very much towards it. Then, the honorable member had proceeded to give an account of the mode in which the railway was “resuscitated” by the Government of this Colony at £4,000 a mile.

Mr. DOUGLAS denied that he had used the word “resuscitated.”

The SECRETARY FOR LANDS AND WORKS : Whether the honorable member used it or not, he distinctly asserted that the Government had stated when they brought forward their first Railway Bill, that the railways would cost not more than £4,000 a mile, and that they had failed. The Government made no assertion then that they were not prepared to make now; it was proved by the Estimates before the House that a railway over a level country could be made for a little over £4,000 a mile. It was the peculiar features and character of the country that rendered it impossible to make all the railways at that cost. The honorable member had said that unless the House took care, parties living in distant regions of the earth might form a very unfavorable opinion of us; but he (the Secretary for Lands and Works) was not aware of anything that would justify such a caution. He also told the Government that if they were determined to have railways *vi et armis* introduced into the Colony, they were bound to lay down the principle on which they should be undertaken;—and, now, he came to the principle embodied in the Bill. The honorable member maintained that that principle was the only principle on which railways ought to be established. That was an assertion on his part of which he (the Secretary for Lands and Works) had seen no proof whatever. He thought that in introducing his Bill to the House, the honorable member was bound to prove two propositions,—first, that the system adopted by the Government, in introducing railways, was the very worst; and, second, that the principle on which he undertook that railways should be paid for in the Bill, was the very best that could be introduced. Unless the honorable member was in a position to prove these two propositions, he had no right to introduce a Bill of the kind before the House. But, in point of fact, there was really little distinction between the views of the honorable member and the views of the Government on one of the principles of the Bill. He (the Secretary for Lands and Works) had no hesitation in admitting that it was just and right that the various districts that were to benefit by railways, should bear the cost of their construction. But beyond that he could not agree with the honorable member, or his Bill. He could not for a moment recognise that,

because the Government adopted such a principle, they were bound to hand over the administration of the lands to a board of irresponsible commissioners. He found that the commissioners were not bound to sell the land at £1 an acre only, but they might reduce it to 5s. an acre.

Mr. DOUGLAS : Only when it is passed at auction.

The SECRETARY FOR LANDS AND WORKS : Very well; it did not necessarily follow, because land passed at auction, that it was of less value than it was before. He thought the honorable member had arrived at a conclusion too rapidly in that respect. He then came to the second principle of the measure, in connection with which the honorable member had referred the House to the Illinois railway, as establishing the principle he asked the House to adopt. Now, he joined issue with him on that principle, which was exactly the principle on which the tramway company had been established in this Colony. But, in order to ascertain the working of that principle, the House would recollect that when the Railway Bill was before the House, on the second reading, he referred to the state of the Illinois railway at that time, and also antecedent to the civil war in America, to show what was the value of the mortgages and the shares of that railway. Instead of its being a success, on the principle advocated by the honorable member, the mortgages were not worth £50 in £100.

Mr. DOUGLAS : They are now.

The SECRETARY FOR LANDS AND WORKS : The transaction had been a thorough and entire loss. The principle had been, also, proved to be a bad one on the railway in South Australia, between the Port and Adelaide. As to raising a loan on the land reserved, no British capitalist would lend a sixpence on that security.

Mr. DOUGLAS : I don't ask that.

The SECRETARY FOR LANDS AND WORKS : No, the distinction was apparent; the honorable member wanted the Government to stand in the position of the person who raised the money, while the land was to be transferred to and squandered away by an irresponsible commission. His Bill would, in point of fact, set up a distinct and separate Executive without any responsibility at all. That was the position to which the honorable member would bring the matter. The honorable member talked of the money obtained from the sale of lands paying the expenses of the railway. It seemed to him (the Secretary for Lands and Works) extremely problematical, at any rate, that the lands along the railway,—although ultimately they might,—would for many years be in a position to yield as much money as would pay the expenses of construction. The Government must go into the money market and borrow; and they all knew very well that the public creditor, when he lent his money, did not lend it on the land, but on the general revenue, and he

would look to that to pay himself. The Government would, no doubt, have ample security in the lands of the Colony for the purpose of meeting their wants—for all demands which the public creditor might make upon them. But if the Government were to be responsible for the establishment of railways and for borrowing money in the English money market, surely it was right that that responsibility should exist direct between the House and the Government, and not between the House and the Government and irresponsible commissioners. He was very glad to have heard the honorable member's observations on this question, and he could not arrive at the conclusion that he was serious—that he could be for one moment serious in proposing that the Bill should be read a second time. If the honorable member could show the House that the change he proposed to introduce in the system of railway construction was a good one, and that the plan he proposed was the best that could be adopted, there might be some force in the Bill; but he (the Secretary for Lands and Works) put it to the House that legislation must not take place merely for the love of change. While the honorable member was free to take up the time of the House in expressing his opinions on all the abstract questions of the day, it would be for the House to look into them before they consented to give them the effect of law. And while he (the Secretary for Lands and Works) agreed with one of the principles of the measure—that the land in each district should be liable for the expenses of the railway construction for the benefit of that district, he held that the means of railway construction were better in the hands of the Government of the Colony than under the control of irresponsible commissioners, which would be about the worst system that could be introduced—it must tend to jobbery and corruption. Therefore he was bound to move “That the Bill be read a second time this day six months.”

Mr. TAYLOR seconded the amendment.

Mr. BELL said he feared the Bill before the House would meet with a shorter fate than was anticipated by the honorable mover. It had no doubt been brought forward with good intentions, but it appeared to him to bear upon the face of it evidence of a desire to obtain popularity amongst people out of doors. It appeared to have been based on a desire to do away with the pre-emptive right. If the lands were passed by the commissioners—and he suggested that they might be influenced to pass large blocks of land at sale—the capitalist, who was so much decried, would be able to come in and buy it up at five shillings an acre, which would be much lower than the pre-emptive right. He could not support the motion.

Dr. CHALLINOR said he felt certain the Bill would not receive the support of the House. He would, however, assure the honorable member for Port Curtis that the opposition to

it was not a factious opposition. With regard to the observations of the honorable member on the sale of debentures, he (Dr. Challinor) believed that capitalists cared very little whether they were terminable or interminable—all they looked for was good interest. He could see no advantage which could possibly accrue to the country from transferring the land to the proposed commissioners, or any object in realising upon the land at £1 per acre; it would be much better to hold it until its value increased. Besides which, there would be no guarantee that the land would not be sold at much less than that price, for intending purchasers might get a quantity of land put up at an ordinary sale, with the real object of purchasing it after the sale at a reduced price. The permission to be given to the commissioners to sell land by private contract would, in his opinion, open the door to a great deal of jobbery and corruption. And it was equally certain, that if the sale of land by the commissioners did not realise sufficient for the payment of the interest on the railway loan, the Government must stand sponsors for the loan and provide the interest. No public good would be gained by the Bill, and he should vote against the second reading.

Mr. WIENHOLT said it was a waste of time to make any further observations on the Bill before the House. The honorable member for Port Curtis talked about taking ten miles on either side of the railway, which was far too large a quantity. He (Mr. Wienholt) was not personally interested in the question, as he lived beyond that distance. (A laugh.) As to taking the power at present vested in the Commissioner of Crown Lands, and placing it in the hands of irresponsible commissioners, he considered the proposition perfectly absurd. If the honorable member (Mr. Douglas) were now in his former position at Talgai, he would, perhaps, alter his opinion. He could understand the motives which actuated the honorable member. Now that he had got rid of his property, he wanted to buy up land at a low price, and with that object would like to curry favor with the commissioners he proposed to appoint. He had no hesitation in saying that was the honorable member's reason for introducing the Bill. He believed the assertions of the honorable member were quite unfounded—that no reliance whatever could be placed in his statements.

Mr. DOUGLAS rose to order. The honorable member had imputed motives to him.

Mr. LILLEY moved that the words be taken down.

The SPEAKER asked what the words were.

Mr. WIENHOLT: I said no reliance could be placed on the statements of the honorable member.

Mr. DOUGLAS said he had no desire to have the words taken down, as he had no doubt the honorable member would withdraw them.

Mr. LILLEY then withdrew his motion.

Mr. WIENHOLT wished to say, that his reason for not withdrawing the words he had

made use of was that, a few evenings since, the honorable member for Port Curtis had said, putting on a most imposing appearance, that he was not desirous of holding office, and that he would not hold office—he stated that most positively and distinctly. Well, a short time afterwards, he (Mr. Wienholt) had distinctly heard the honorable member say, in conversation with another honorable member—“Well, I would not hold office at first.” That was the reason for his remark, that he put no reliance in the honorable member’s statements. To return to the question before the House, he objected to the principle laid down by the honorable member, that the districts through which the railways passed should alone be taxed for the construction of the lines. The metropolis would derive quite as much benefit from the railways, as any place in the interior. He should oppose the motion.

Mr. DOUGLAS said he wished, before speaking to the amendment, to make a brief explanation in reference to what had fallen from the honorable member for Warwick (Mr. Wienholt.) He did not know whether it was very good taste for that honorable member to refer to anything which occurred in the “smoking room;”—he presumed he referred to something that had taken place there. That was a place to which gentlemen usually resorted—he trusted he was not infringing in mentioning the locality?—that was a place where they met in the freedom of friendly intercourse. (Hear, hear.) If the honorable member wished to refer to words he (Mr. Douglas) had used, he admitted with freedom, in the excitement of debate, as they were all liable to do, well and good. He said now that he had no wish, or intention, to join, or take part in any Government, at present which he saw could be formed. But it would be absurd to suppose, if he were permitted to sit in the House for any length of time, or if his fortunes were connected with the country for any time—both of which he hoped for—that he would neglect his plain duty, by refusing to take his part in the responsibility which his position in the House and the country might entail. The honorable member for Warwick, in making his remark, ought to have been guided by those principles which were usually received amongst gentlemen. In reference to the remark which the honorable member had made about the Talgai station, he could only say he was sorry that he did not now possess a portion of it; but he could state that he had never had any share in the purchase of land under the pre-emptive right. It had been argued that his intention, in introducing the Bill before the House, was to throw all the land into the market at once. But a careful perusal of the Bill would show that it had no such object. It merely provided that the commissioners should offer for sale each year sufficient land to realize about three times the interest due the preceding

year, and to cover a portion of the debt. He admitted that it would, as had been stated, hand over the land to irresponsible commissioners; but that was very different from handing over the responsible powers with which the Government were entrusted for making the railway. It was merely a financial matter—the Government were continually doing the same thing. For instance, in what position was the question of immigration at the present time—was not all power taken from the Government for three years? What was also the position of the Board of Education? The Bill, it would be observed, provided that the commissioners could be removed by the Governor in Council; they were simply a means to attain the end. It appeared to him that the main question had been overlooked. What guarantee was afforded to the inhabitants of the northern districts, such as Bowen, Rockingham Bay, Mackay, &c., who looked forward, at no distant date, to a similar expenditure in their favor? They would be in a position to say—“You have incurred large liabilities in your one-fifth portion of the settled districts, what provision have you made to meet that burden in the country, as your capital and credit are both failing?” And then they would go on to say—“we must have a similar expenditure for our districts.” That was the position in which the country would be placed by an extravagant Government. But, in his measure, the operations would extend over a course of years, and when a railway was required for any particular district, the Government would be able to go into the market and borrow money on the security of the land through which the railway would pass.

The COLONIAL TREASURER said he should not have addressed the House at all upon this question, after the uniform expression of opinion which had been given against the second reading of the Bill, if the honorable member for Port Curtis had not alluded, in such strong terms to the course of action which the Government ought to have taken. He did not consider that the honorable member, notwithstanding he had staked his political reputation upon this question, and had gone so far as to say he would divide the House upon it—(“No, no,” from Mr. Douglas)—was at all in the position to prove his assertions. It was well known that the honorable member had been a consistent opponent of the Government in their policy from the commencement. He had stated that the country was not ripe for railways—that the action of the Government was incomplete, and that there was a bad financial scheme. He (the Treasurer) was there to deny the principles of the honorable member and of his Bill; and he was prepared to show that the honorable member had not propounded a scheme which could be accepted by any person capable of forming an opinion on the matter. Notwithstanding his previous opposition, the honorable member now in-

consistently thought railways were desirable. The proposal to transfer the powers of the Executive to irresponsible commissioners was a very glaring error in his policy. He (the Treasurer) was of opinion that the lands of the country through which the railway would run would be found insufficient to pay for the railway. He thought he could prove this by directing attention to the land along the line already in course of construction—to Little Liverpool—which was twenty-two miles in extent. If the construction of that railway were to depend on the proceeds from the sale of land along the line, it would not be now begun. The land was totally unfit for the purpose of providing a fund, as the honorable member proposed in his Bill. It was the conclusion which had been arrived at by the directors of the tramway company. Then, he came to the Darling Downs, which was a bone of contention with the honorable member; no doubt the land there was very valuable, but it was not sufficient. Beyond Dalby; in the north, from Rockhampton to Peak Downs, and thence westward, what price could be got for it?

Mr. DOUGLAS: Five shillings.

The COLONIAL TREASURER: If the principle embodied in the Bill before the House for the construction of railways were to be adopted, the honorable member who introduced it was bound to provide the means for their construction. He did not do this, but he had provided for the failure of his measure by providing that the commissioners had the power to borrow money from the Government. The honorable member deprived the Government of the lands, but he expected the Government to find money. He objected to being made the medium of carrying out the intentions of the honorable member. As to purchasing debentures with any balance of proceeds of sales—as a financial scheme, nothing could be more prejudicial. The price that debentures were fetching in London, at the date of the latest advices, was from £110 to £115. The honorable member's scheme would cause a loss to the revenue, which could not ensue from the policy of the Government. Then again, the honorable member wished to appropriate the proceeds from the sale of land to the liquidation of the debt. That would be a direct interference with the source from which the immigration fund was derived; and if the lands were thus disposed of, what would be the use of endeavoring to induce immigrants to come out? The land order system would be entirely done away with. He would not, however, advance any further arguments against the motion, as it was clear that the House was entirely opposed to it, but would vote for the amendment.

Mr. McLEAN said he had read the Bill with great care, and with every wish to support it if he found it to contain any principle, the working of which would be likely to benefit the country, or any scheme which was an improvement upon the Government scheme

for the construction of railways. But there appeared to him to be one great defect in the measure, which he could not get over. One of the chief principles embodied in the Bill was, that every age should provide for its own expenditure. It appeared to him to be a new feature in political economy, that it was not right to borrow one single shilling for the benefit of future generations. The Bill not only started with that proposition, but it went on to insist that we should construct railways at our own cost for those who were to follow us. He objected to the Bill entirely, and contended that as long as the Colony could afford to pay interest on the money borrowed, and could meet its obligations, the construction of railways was the best work that could be undertaken. He thought the more the scheme introduced by the honorable member for Port Curtis was looked into, the more impracticable it would be found. The Colony was only in its infancy, and it would be very unsafe to enter upon such extraordinary and intricate schemes for raising funds.

Mr. TAYLOR said, in his opinion the honorable member for Port Curtis had only brought in his measure in order to have another fling at the railway and the squatters on the Darling Downs, and that he had no more expected that his proposition would have been received in a serious light by the House than the man in the moon. No doubt the honorable member was delighted to find that it had caused such excitement. He (Mr. Taylor) would be willing to accept the proposition contained in the Bill, if the honorable member would give the inhabitants of the Darling Downs districts credit for the land already sold in those districts. But such was not the proposition. The honorable member wished to only give credit for unalienated lands to be sold hereafter in the Darling Downs districts. It was well known that a great deal of the most valuable land in that district had been alienated, whereas such was not the case in the northern districts. The proceeds of those lands in the Downs district had gone to support immigration, make roads, and actually create that prosperity in the Colony on which the north now so much depended. He (Mr. Taylor) argued that the readiness with which our debentures were being taken up was a matter of great congratulation for the Colony. At first they did not sell so well as they might have done, perhaps owing to the cry of this club or association at the north, headed by the honorable member, Mr. Douglas, and one or two others. But when it was found how ineffectual this cry raised by the honorable member was, our debentures were bought up at a good price, even under most adverse circumstances in the money market. Then, again, the honorable member had argued in favor of short date debentures, at great length. What was the good of issuing such debentures? They were not more readily taken up than others; and to issue them on the arguments adduced by the honorable member,

savored much of the policy of taking up a dishonored promissory note by issuing another promissory note, and thereby maintaining that your credit was increased. He would as soon buy twenty years' debentures as five; sooner, indeed. The honorable member well knew that the debentures would be never met, and never paid, and were never intended to be met. ("Oh, oh," and laughter.) When the twenty or thirty years debentures were up, others would be issued. The argument urged by the honorable member for Port Curtis, on this head, was trifling in the extreme, and uttered, no doubt, to bamboozle that House. But they were not to be gulled. As for the threats of separation, he would ask who cared if the north did go, with Rockhampton at their head. (Laughter.) He would be delighted to see the north go, and Rockhampton with it. Our expenditure for the last four or five years upon the north, had been far greater than the revenue derived.

Mr. BROOKES said, no doubt the Bill before the House, had it emanated from the Government, would have been supported more strongly. But the tendency of the House was to accept Government legislation without enquiry. He thought Queensland, with a population of 70,000 only, had plenty of time to think about railways. However, it was decided that they should be constructed at once. In undertaking this railway, the Government had displayed ignorance of the fundamental principles of finance; while, on the other hand, they had obstructed the current of immigration, which had done more than anything else to advance the prosperity of the Colony. The proposed line was the laughter of the world. For his part, he approved highly of the principle of the Bill before the House, and thought it was the principle which the Government should have first adopted. The Darling Downs squatters were pledged to this railway experiment, and were interested in its being carried out at the expense of other parts of the Colony, but their opinions had but little weight with the general population of the Colony. He believed that every railway should be made to pay for itself. He considered the principle upon which the Moreton Bay Tramway Company was formed was sound; he made no reference to details of that scheme. He might state,—and he did not speak in triumph, as he regretted the fact,—that he had heard that the present railway was the laughing-stock of the contractors themselves. ("No, no," and "hear, hear.") The Bill before the House would enable each district to construct railways at the expense of the land of the district, without coming upon the general revenue for such works, and he believed the same principle, ultimately, would have to be resorted to by the Queensland Legislature.

The amendment, that the Bill be read this day six months, was then put and passed, without a division.

IMMIGRATION BILL.

The COLONIAL SECRETARY formally moved the second reading of this Bill. He said, after the lengthy discussion which had already taken place, any further debate would be unnecessary until the respective clauses of the Bill came before the House in committee.

The motion was put and passed, and the Bill was read a second time.
