Queensland

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Legislative Assembly

THURSDAY, 1 SEPTEMBER 1864

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LEGISLATIVE ASSEMBLY.

Thursday, 1 *September*, 1864.

Railway Bill, read 2°.—Grant of Land to Freemasons.—Illegal Collection of Gold Duty.—Brisbane Bridge.—Bank of New South Wales Bill, read 2°.—Careless use of Fire Prevention Bill, read 2°.

RAILWAY BILL.

The SECRETARY FOR LANDS AND WORKS moved the second reading of a "Bill to amend an Act passed in the last session of the Parliament, intituled an 'Act to make provision for the construction by Government of railways, and for the regulation of the same.'" He observed that the measure itself was not one involving any particular principle; it was altogether one of detail, and but for the passing by the House during the last few days of the plans and sections of the Rockhampton railway, he should not have felt it necessary to trouble them at this late period of the session with a Bill on the subject. There were some matters which, in carrying out the line of railway between Rockhampton and Westwood, it was necessary should be amended. Honorable members would remember that when the original Railway Bill was introduced, it simply contemplated a line of railway from Little Liverpool to Dalby; and when it was in committee, an amendment was made in the fourth clause which gave the Governor in Council power to appoint an Engineer-in-Chief, and to make him Commissioner of Railways. It now became necessary to alter that clause. As Mr. Fitzgibbon, the Engineer-in-Chief, now stood, not a paid officer of the Government, but with that appointment in his possession under that clause, he would be able to exercise control over the northern railway. That was not a position that Mr. Fitzgibbon was desirous to occupy, nor did the Government wish to impose it upon him. In point of fact, the Government wished to adopt another course, and to test each system by itself. They proposed, instead of having an officer holding the title of Engineer-in-Chief, to have officers as chief engineers, one for the southern and one for the northern railway; and this would not involve the country in one sixpence more expense than if no alteration were made. The Government intended to adopt the system which worked in New South Wales, where the Under Secretary of Works was Commissioner of Railways. He did not say the duties of commissioner were not as well discharged now by Mr. Fitzgibbon as if they were discharged by another officer; but it was not to be expected that an officer who was employed for reasons altogether unconnected with the purchase of land, and who was not a salaried officer of the Government, could discharge this particular duty in the way in which the Government were entitled to expect it. They proposed, therefore, in the Bill before the House, that the Under Secretary for Works should discharge the duties of Commissioner of Railways. The honorable member then went through the several clauses *seriatim*, briefly explaining their meaning.

Mr. BLAKENEY said it was distinctly understood, when the fourth clause was under discussion, that the Government were empowered to appoint an Engineer-in-Chief, and as the House had now been informed that two more engineers were to be appointed, it would be more satisfactory to have some explanation on that point. If the northern railway was to be carried on under Mr. Plews, the fact should be stated. It was desirable also to know the amount of salary he was to receive.

The SECRETARY FOR LANDS AND WORKS said that Mr. Fitzgibbon received no salary as Engineer-in-Chief, but he did receive a

salary for his engineering superintendence, and he (the Secretary for Lands and Works) begged to inform the honorable member that the engineer for the northern railways would receive the same salary for a similar service.

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

GRANT OF LAND TO FREEMASONS.

Mr. COXEN moved, pursuant to *amended* motice,—"(1.) That an address be presented to His Excellency the Governor, praying that a grant of a suitable piece of land, within the city of Brisbane, be made for the erection of such buildings as may be required for charitable and other purposes, in connection with Freemasonry; the land so granted to be vested in trustees to be approved of by the Government. (2.) That the foregoing resolution be transmitted to the Legislative Council for their concurrence, by message in the usual form." He said he had some little hesitation in bringing forward this motion, because he was aware he had to address many honorable members in the House who, not being members of the fraternity to which he had the honor to belong, did not possess the same knowledge of the advantages which had resulted from it. It was well known that the order of Freemasons was one of very ancient origin, and that its leading principle was charity to all men. In connection with this order, charitable institutions had been established in several parts of England, and in fact it was calculated to benefit any person who belonged to it. He might say that a precedent existed for the grant which he asked for in the resolution, the Legislatures of Victoria and Tasmania having made a similar concession. He trusted the House would follow the example set by those colonies, and give a suitable piece of land to the Freemasons of Queensland.

Mr. LILLEY seconded the motion.

Dr. CHALLINOR said there was one objectionable expression in the resolutions, which was "and other purposes." The House had no means of ascertaining for what other purposes the land was likely to be required; it might be for purposes of religious education. However, setting that aside, he would observe that the Freemasons of Ipswich had purchased a site themselves, and he could not see why the Freemasons of Brisbane should not do the same. If the grant now applied for were conceded, numerous applications would follow from other quarters—from the Oddfellows, the Foresters, and other fraternities. No doubt the object of the society was a charitable one, but unless the House was prepared to give grants of land to all benevolent societies, they could not, in strict justice, accede to the motion.

Mr. R. CRIBB opposed the motion, and said he scarcely thought the honorable member could be serious in urging it upon the House. What, he argued, was there in the society of Freemasons more than in any other society which entitled them to a grant of land from the state? If the request were acceded to, every society in the country would advance a similar claim. Even the Mormons would ask for a grant of land. We should have the Chinese, and a number of different sects from India coming down upon us. The Freemasons were a secret society, and as the honorable member had told the House, nobody knew what good they did. (A laugh.) He thought it highly objectionable that such a precedent should be established, and he hoped the House would not agree to the resolution.

Mr. TAYLOR expressed his surprise that such a motion should have been brought forward. He thought if the House were to go on voting away sums of money and grants of land in that way, the sooner the Speaker left the chair and Parliament were prorogued, the better it would be for the country. He should like to know how the Colony was benefited by this society—some few individuals might be, and that was the object of the resolution. The grant of land asked for would not be for the general good. He trusted that when the question was put to the vote, all the Freemasons would walk out of the House, and that none of them would be allowed to vote away the public money for such a purpose.

Mr. MCLEAN said he was not usually in favor of votes of this nature, but an institution of such a generally beneficial character as that of the Freemasons was, he thought, entitled to support from all the world. It was a well known fact that their funds were devoted to the relief of widows and orphans, and other charitable purposes. He should certainly support the motion, as he considered the grant in the same light as money votes for schools or hospitals.

Mr. LILLEY said, if the House were to be guided by example, they might follow that of Victoria and Tasmania, who had both given grants of land for a similar purpose. It was a great mistake to suppose that Freemasonry was of no benefit to society. It extended its charity beyond its own circle, and the fact that it did so secretly was the more to its credit. It was recognised and encouraged all over the world, and he hoped this Colony would not be the only exception. If the site were given, the Freemasons would, no doubt, erect a handsome building or a school upon it, and, considering the benefits which would accrue, he thought the concession asked for was a very slight one.

The COLONIAL SECRETARY said when he first heard the honorable member had brought forward his motion, it did not appear to him that he should have much to say against it, but there were considerations which should be put before the House before they came to a decision upon it. One was, that there was very little land to be appropriated for such purposes. A recent Act proposed to take the unalienated lands in the city, and a great number of them were to be sold. A site

could not be selected from those lands. (Hear, hear.) The Brisbane corporation would put in a very strong protest against any of the other reserves being granted. Under the circumstances, therefore, it appeared to him to be peculiarly difficult to give a grant of land to the Freemasons in the town of Brisbane. Though not a Mason, he concurred in all that had been said about the good done by the order. At the same time, he had respect for precedents in Victoria and Tasmania, and he thought this Colony could not be very far wrong in following what they had done. He could not, however, shut his eyes to the fact that the good done by the Freemasons was confined to their own circle. (No, no, and hear, hear.) He thought he should not be able to vote for the motion, because he did not see what land, under the peculiar circumstances of the city of Brisbane, could be available for the purposes contemplated.

Mr. DOUGLAS said it was only a short time ago that a grant of land was given to a trading company—the gas company.

Mr. TAYLOR: They have to pay for it.

Mr. DOUGLAS: And then only recently a small grant of land was given for a Servants' Home. He had no doubt but a grant would also be given for the Lying-in Hospital. He thought, therefore, a building site might well be accorded in favor of an institution which was known to be one of the greatest antiquity, and which had been connected with the greatest events in the history of the world. He thought the House would do well to admit the claim.

Mr. BROOKES opposed the motion, and contended that all Freemasons should leave the House, and not vote for it, if it went to a division. (Laughter.) He moved that the motion be considered this day six months.

The SPEAKER: The honorable member would gain his object by the simple negative to the motion.

Mr. BROOKES then withdrew his amendment.

Mr. BELL said he had failed to perceive that the Freemasons in the House would derive any advantage from the resolution, which should debar them from voting for it. It would be just as reasonable to say that members of the corporation were not entitled to vote, because, from what the honorable Colonial Secretary had stated, they were also interested in the result. He could not see that there was any direct interest in the question. He did not think it was for the House to consider at present whether there was land available for the purpose or not, but rather to affirm the principle which the question involved, whether the society of Freemasons were to be encouraged by a grant of land. It had been said that it was a secret society; but it was clear, at least, from its antiquity, from the number of persons who belonged to it, and the general estimation in which it was held, that there could be nothing wrong about it. He should support the motion.

Mr. PUGH said that before the question was put to the vote, he wished to ask what was the purpose for which the grant of land was asked? The resolution said for the erection of buildings "for charitable and other purposes." But he believed it was required as a site for a Freemasons' Hall; and if so, he should vote against it. If the land were wanted for the erection of an hospital or school, he should have no objection to support the motion.

Mr. COXEN, in reply, descanted at some length upon the advantages which accrued from the order of Freemasonry. The society, he said, did not confine its charity to its own circle. Its funds were expended for general charitable and benevolent purposes throughout the whole civilised world. Nor were the advantages it offered confined to persons of one particular religious sect or denomination; they were within the reach of any man who worshipped the Supreme Being. After the precedents which had been quoted of similar grants given for the Servants' Home, Temperance Hall, and other purposes, he trusted the House would not object to the motion. In times past, as well as in the present day, Freemasons had numbered in their ranks the highest and the noblest in the land, and had even included members of the Royal Family.

The question was put, and the House divided.

Mr. R. CRIBB asked for the ruling of the Speaker as to whether or not Freemasons could vote, being interested in the motion.

Mr. LILLEY: Perhaps the honorable member would point out a Mason. (A laugh.)

Mr. R. CRIBB said he could point out several, if he were allowed.

The SPEAKER ruled that there was nothing to prevent Freemasons voting; they could not be personally or pecuniarily interested in the motion, within the meaning of the rules and the practice of Parliament.

Messrs. R. Cribb and Brookes then left the chamber, and the division took place.

Ayes, 10.	Noes, 7.
Mr. Macalister	Mr. Herbert
,, Coxen	,, Taylor
,, Blakeney	Dr. Challinor
,, Douglas	Mr. Stephens
,, Lilley	,, Moffatt
,, Royds	,, Edmondstone }
,, Bell	,, Pugh } Tellers.
,, Wienholt	
,, Pring } Tellers.	
,, McLean }	

ILLEGAL COLLECTION OF GOLD DUTY.

Mr. LILLEY rose to move the following resolution:—"That in the opinion of this House the levy and receipt of the tax upon gold, since the 2nd June last, was illegal and unconstitutional." This motion might, he said, appear unnecessary after the statement made by the Colonial Treasurer, that the Government admitted in this matter they had been guilty of a mistake. But this statement

was a mere *viva voce* one, and not one which appeared upon the records of the House, and he (Mr. Lilley) deemed it necessary that the acknowledgment of the mistake should be placed upon record. He was prepared to admit that the action taken upon the matter might have been a mistake, but if such were the case, it was one of those mistakes which should not be passed over unnoticed by the representatives of the people. He brought this motion forward from no opposition to the Government, nor in any factious spirit, but from a pure desire to maintain in this Colony those constitutional principles which were inherited from our ancestors. He was prepared to accept the statement of the Colonial Treasurer that this was a mistake, and in order to deal with that honorable member's remarks upon previous occasions, he would begin with the resolution of a Committee of the Whole in the Legislative Assembly, passed on the 2nd of June last. That resolution was to the effect that it was desirable provision should be made for an export duty on gold. On the 28th June subsequent, an advertisement appeared in the papers, and *Government Gazette*, signed by the Collector of Customs, to the effect that under the Gold Duty Act of 1864, a duty would be collected on all gold exported from the Colony. [The honorable member here read the advertisement.] By this advertisement—which presumed that the enforcement was under a Bill passed into law—shippers of gold were prohibited from exporting without first paying duty. It was stated in the advertisement that the "above Act was now in force"—referring to this Gold Export Duty Act, alleged to be in existence. He might safely state that at the time this advertisement appeared no such Act was in existence. The authority for the collection of duties under any such Act had not passed as it ought it have passed. It had never passed a Committee of Ways and Means, and there had only been a resolution assented to by a Committee of the Whole authorising the introduction of a Bill to enforce an export duty upon gold. Yet here it was found, immediately after the passing of this resolution, that an advertisement was promulgated, signed by a Government officer, stating that an Act was in force authorising a duty of two-and-sixpence an ounce upon gold. He (Mr. Lilley) asserted, without fear of contradiction, that such notice and collection were illegal, and, if illegal, consequently unconstitutional. This was a question which one unlearned in law could understand; it was not a question of law to be dealt with by lawyers; laymen who had read any thing of constitutional history could easily understand it. He would quote a clause from the Bill of Rights: "That no man hereafter be compelled to make or yield any gift, loan, benevolent tax, or such like charge without common consent by Act of Parliament." Now, in view of this quotation, he would point out that the enforcement of the tax was unconstitutional, inasmuch as the resolution upon which it was alleged to be based neither fixed the time of levy nor the amount of duty. If the levy were justifiable, the Government would have been as well entitled to collect £200 as two shillings. They might have collected as duty the whole value of the gold. Under the section of the Bill of Rights quoted, the collection of the smaller amount would have been as legal as the collection of the larger; both were evidently illegal. He did not wish to impute anything unjust or oppressive to the Colonial Treasurer, but he wished it to be placed on the records of the House that they were at least alert in maintaining their privileges when they saw any tendency to attempt their infringement. He would give the Colonial Treasurer credit for having, at an early moment, admitted his error, but that was not enough, and this resolution would show that if there was any infringement of the privileges of the House the members of that House were on the alert, and knew and marked it. It was laid down by constitutional authorities that to levy money for the use of the Crown, under pretence of prerogative, for a longer time or in other manner than such sum was granted by Parliament, was illegal. It could not be pretended that this was a tax levied in the manner granted by Parliament. It was levied in a manner other than that sanctioned by Parliament. (The honorable member here quoted from Lord Brougham's "History of the British Constitution," to the effect that the people could not be taxed to the amount of one farthing without the consent of the whole Parliament.) He wished to show, that if the Government had made a mistake the House would not fall into the same error. He admitted that no great hardship had been done in this case—no great nor oppressive wrong had been inflicted upon the people of Queensland; but he conceived it to be the duty of the House to place upon record the fact that they knew their rights, and were able to maintain them. The honorable member proceeded to quote from "May," to the effect that if the House had sanctioned in Committee of Ways and Means a fixed amount of taxation, the Government might collect that tax; but that neither the time of levying the tax, nor the amount of the tax, was to be left in the hands of the Executive. He argued that this was not a mere question of whether 1s. 6d. or 2s. 6d. per ounce should be levied. It was a question involving a great principle, as to the constitutional mode of taxation. The Government had admitted their mistake, and he simply wished to be placed upon the records of the House their admission of that mistake. (The honorable member here proceeded to quote the various questions put by him and the answers given, in connection with this matter.) The imposition of an arbitrary taxation under a limited monarchy was unconstitutional. (The honorable member quoted from "Hallam," vol. 1, page 18:—)

"No Parliament was assembled for nearly seven years after this time. Wolsey had already resorted to more arbitrary methods of raising money by loans and benevolencies. The year before the debate in the Commons he borrowed £20,000 of the city of London; yet so insufficient did that appear for the king's exigencies, that within two months commissioners were appointed throughout the kingdom to swear every man to the value of his possessions, requiring a rateable part according to such declaration. The clergy, it is said, were required to contribute a fourth; but, I believe, that benefices above ten pounds in yearly value were taxed at one-third. Such unparalleled violations of the clearest and most important privileges that belonged to Englishmen excited a general apprehension. Fresh commissioners were appointed in 1525, with instructions to demand the sixth part of every man's substance, payable in money, plate, or jewels, according to the last valuation. This demand Wolsey made in person to the mayor and chief citizens of London. They attempted to remonstrate, but were warned to beware, lest 'it might fortune to cost some their heads.' Some were sent to prison for hasty words, to which the smart of injury excited them. The clergy, from whom, according to usage, a larger measure of contribution was demanded, stood upon their privilege to grant their money only in convocation, and denied the right of a King of England to ask any man's money without authority of Parliament. The rich and poor agreed in cursing the cardinal as the subverter of their laws and liberties; and said, 'if men should give their goods by a commission, then it would be worse than the taxes of France, and England should be bond and not free.' Nor did their discontent terminate in complaints. The commissioners met with forcible opposition in several counties, and a serious insurrection broke out in Suffolk. So menacing a spirit overawed the proud tempers of Henry and his minister, who found it necessary, not only to pardon all those concerned in these tumults, but to recede altogether, upon some frivolous pretexts, from the illegal exaction, revoking the commissions, and remitting all sums demanded under them."

He might begin with King John and Magna Charta, and then go on to the Bill of Rights, and thence to the present time, in order to show that the Ministry had been in error in this case. This was the thin end of the wedge, which the hammer might eventually drive home. The Colonial Treasurer had admitted his mistake, and he (Mr. Lilley) was sorry that the mistake had arisen, and he should not press the matter further than to have it placed upon the records of the House, that its privileges had been violated, and that the Parliament had been determined to maintain those privileges.

The COLONIAL TREASURER denied the that action taken by the Government was either illegal or unconstitutional, and said he was prepared with an array of authorities in proof of his assertion. He would, however, content himself with "May's Parliamentary Practice," wherein it was stated that,—

"It has been customary for the Government to levy the new duties instead of the duties authorised by law, immediately the resolutions for that purpose have been reported from the committee and agreed to by the House, although legal effect cannot be given to them by statute for some weeks, and may ultimately be withheld by Parliament," &c.

He must express his surprise at the pertinacity which the honorable member for Fortitude Valley had exhibited in bringing forward this motion. He (the Colonial Treasurer) met the charge with a denial, and, as the honorable member had referred especially to him, he begged to say that he was perfectly prepared to take upon himself the whole responsibility of the Ministry in the matter. He had never entertained a desire to give the honorable member any other than a true answer to his questions, and he had afforded a full explanation of the matter upon the second reading of the Bill. He had then stated that the collection of the duty was a mistake, inasmuch as the resolution had been come to in a Committee of the Whole, instead of in a Committee of Ways and Means. Under those circumstances he conceived there was no necessity to place on record the motion of the honorable member. If a mistake had been committed it had been remedied, and as the duty had been remitted, it was sufficiently clear that there had been no intention on the part of the Government to press upon the public in any shape or form. He begged to move the previous question.

The ATTORNEY-GENERAL said he thought the motion should not be assented to by the House. He did not think it was the intention of the honorable member for Fortitude Valley to move a vote of censure upon the Government, but to place on record, that with whatever honesty of purpose the Government had acted, the course they had adopted was illegal and unconstitutional. If that was a correct view of the honorable member's intention, there was no harm done, but if not, the motion was a very unjust one. He (the Attorney-General) admitted that, technically speaking, it was illegal for the Government to collect any duty without the sanction of an Act of Parliament. In the abstract it was illegal, but the illegality of the action had always been over-ridden by the necessity of the case, and by custom. So much for the legality of the action. Then as to the charge of unconstitutional proceeding, the only fact which the honorable member for Fortitude Valley had to support it was, that the resolution, instead of being come to in a Committee of Ways and Means, who would have given the Government a right to collect the duty, was arrived at in a Committee of the Whole House. The conduct of the Government did not, therefore, deserve such a harsh term. If they did not act exactly according to precedent, they could not be said to have acted illegally or unconstitutionally, as they would have done if the Legislature had not acknowledged their act. The honorable member, in the course of his remarks, had also led the House to believe, that if

the course adopted by the Colonial Treasurer were to form a precedent, it would be in the power of the Government to impose an arbitrary tax, even to the whole value of the gold collected. But he (the Attorney-General) had not gathered from the authorities quoted by the honorable member, any explanation as to the extent to which such a practice had been pursued. He had not the slightest doubt that no Executive or Government could impose any tax upon the people without the sanction of Parliament. He believed, however, that only applied to taxes which were continuous. But those were very different from taxes which must be collected before the passing of a Bill, in order to prevent frauds from being committed. The tax to which the honorable member referred, was a continuous tax, and not one which was levied from year to year. It could not, therefore, be included in the same category as the duty levied upon gold. And, therefore, it must not go forth to the world that the rights which belonged to the public, and which he trusted would always be protected, had been infringed, or that this Government had for one moment attempted to interfere with them in any way. For these reasons, he thought the House ought not to assent to the motion.

Mr. PUGH said that arguments made use of by the honorable Colonial Treasurer, simply amounted to saying, if the Government had done right all would have been well. If the tax had not been levied illegally, why was it refunded? The right of the Government to impose taxes, without the sanction of Parliament, was one that should be jealously watched. It had been said that the resolution of 2nd June was one upon which the Government were right in acting, and which justified the Collector of Customs in stating that an Act had been passed, and he wished to ask the Speaker whether that resolution was in accordance with "May's Parliamentary Practice," p. 505, according to which, as it appeared to him, it should have been passed in Committee of Ways and Means? He should be sorry to see the motion looked upon as a vote of censure upon the Government, but he thought it was desirable to know whether the action of the Government was in conformity with Parliamentary authority.

Mr. LILLEY having replied,

The COLONIAL SECRETARY wished to answer an assertion which had been made by the honorable member for Fortitude Valley. That honorable member had stated that the sum of the duty had not been named before the committee. His honorable colleague had admitted that a mistake had been made in introducing the subject now before the House in Committee of the Whole, instead of in Committee of Ways and Means, but he thought it would not be denied that the Treasurer had stated in committee that the amount to be collected was half-a-crown an ounce, and that that amount was set forth in the Bill which was shortly laid before the House, and read a first time. If only the resolution had been agreed to in Committee of Ways and Means, the whole subsequent proceeding would have been correct.

Mr. LILLEY: It should have been in the resolution before the House.

The previous question was then put—"That this question be now put,"—and the House divided.

Ayes, 7	Noes, 10.
Mr. Stephens	Mr. Moffatt
,, Brookes	,, McLean
,, Pugh	,, Macalister
,, Douglas	,, Herbert
,, Blakeney	,, Taylor
,, Lilley	,, Bell
,, Edmondstone	Dr. Challinor
	Mr. Royds
	,, Wienholt
	,, Pring

BRISBANE BRIDGE.

The SECRETARY FOR LANDS AND WORKS moved—"That the report presented on the 31st ultimo, from the Select Committee on the Brisbane Bridge Act, 1861, be now adopted." It was, he said, a mere formal record, the report containing no recommendation.

Mr. BROOKES was not opposed to the motion, but accused the Government of persistent hostility to the Brisbane corporation, and charged the chairman of the committee of having put insidious questions to several of the witnesses who had been examined. He could only characterise the proceedings of the committee as akin to those of the Holy Inquisition. The report which had been brought up, together with the evidence, would show, that while the Government wished to make the Brisbane Bridge another opportunity of extending their patronage, they were utterly unable to accomplish the work they had undertaken.

The COLONIAL SECRETARY disclaimed on the part of the Government any feeling of opposition to the corporation, such as the honorable member for North Brisbane (Mr. Brookes) said existed. It was, however, well known to everybody, that the corporation had often called upon the Government to do certain acts which the Government could not fairly do. The Government had felt it necessary to refuse what the corporation asked for; and they had done what they thought best for the inhabitants of the Colony when they found the corporation in the hands of bad advisers. He was very sorry that there should have been collisions between the corporation and the Government, but he thought it better that the Government should stand out firmly in refusing what the corporation had no right to ask for. He was one of those who thought that the Brisbane corporation were not capable of constructing important works with economy, and satisfactory efficiency. He thought if the corporation had looked after their many corporate duties, and had contented themselves with

mending the streets, and otherwise providing for the well-being of the city, they would have done better than by attempting such great public works as the erection of the bridge, which the Government could carry out for a very much less sum of money. He very much doubted whether the corporation would carry out that work successfully, though he heartily hoped that his doubts were ill-founded.

The SECRETARY FOR LANDS AND WORKS said he had endeavored to avoid a discussion on the subject before the House, but he must remark that the honorable member for North Brisbane (Mr. Brookes) in the intemperate and uncalled for speech made by him, had shown a sample of the qualities of the Brisbane corporation, and of the description of correspondence the Government were in the habit of receiving from that corporation.

The motion was then put and agreed to.

BANK OF NEW SOUTH WALES BILL.

The SECRETARY FOR LANDS AND WORKS moved the second reading of the Bank of New South Wales Bill. He stated that the object of the Bill was to give to the corporation of the Bank of New South Wales the powers which were exercised by other banking institutions in this Colony, namely, that of taking real security in payment of debts, and to further extend its business.

The motion was agreed to.

CARELESS USE OF FIRE PREVENTION BILL.

Mr. MCLEAN said he had been asked to take charge of the Bill, which had been passed in the Legislative Council. He believed it would prove an excellent measure, and be very beneficial to the public, especially to small farmers in the agricultural reserves, as it would prevent any person from endangering his neighbor's homestead and crops, by burning off grass and timber without taking due precaution to prevent danger. It also provided a penalty for all persons travelling along the roads, who left their camp fires alight. He believed a measure of this nature had become necessary, and that its effect would be to give much greater security to owners of property. The honorable member gave a further explanation in detail of the principal provisions of the Bill, and moved that it be read a second time.

Dr. CHALLINOR expressed his approval of the measure, and said he had good reason to believe it would work well. The honorable member quoted an instance, among others, in which from the careless use of fire, a valuable stack of oaten hay, and several horses, had been destroyed, the owner of which was unable to obtain the slightest redress. He had great pleasure in supporting the motion.

Mr. BELL said he was also of opinion that the Bill would be of great service. He knew by experience, that the squatters suffered a good deal of damage by the frequent destruction of grass by fire. Sheep and cattle were frequently victims to these bush fires. He thought it was a very valuable measure, and only regretted that it had not been in force before.

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