

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 5 SEPTEMBER 1865**

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## ERRATA.

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*May 16.*—Page 34, column 1, in Mr. R. Cribb's speech, 3rd line from the bottom, instead of "protected" read "treated."

*May 25.*—Page 98, column 1, in the Colonial Secretary's speech, 23rd line from the top, for "£19,000" read "£1,019,000."

*May 25.*—Page 101, column 2, in Mr. McLean's speech, 8th line from the top, after "honorable member" insert "for Maryborough."

*May 30.*—Page 124, column 2, in Mr. Mackenzie's speech, 20th line from the bottom, instead of "support" read "oppose."

*August 23.*—Page 530, column 2, in Mr. Jones' speech, 25th line from the bottom insert "et" between "Danaos" and "dona."

*September 5.*—Page 598, column 2, in the speech of Secretary for Lands and Works, 17th line from the bottom, omit "non" before "competitive."

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## LEGISLATIVE ASSEMBLY.

Tuesday, 5 September, 1865.

Claims of the late Government Resident at Port Curtis.—Vote in support of Volunteers.—Claim of the Hon. Louis Hope.—Chief Officer of the "Commodore Perry".—Grant of Land to Squatters.—Supply of Water to Maryborough.—Salaries of the Chairman of Committees of the Legislative Council, and of the Legislative Assembly.—Jetty at Sandgate.—Municipal Institutions Act of 1864 Amendment Bill, 2<sup>o</sup>.—Real Estate of Intestates Distribution Bill.—Triennial Parliaments Bill.

CLAIMS OF THE LATE GOVERNMENT  
RESIDENT AT PORT CURTIS.

MR. DOUGLAS: Sir, I now move, pursuant to notice,—“(1.) That a select committee be appointed, with leave to sit during any adjournment, and power to call for persons and papers, to inquire into, and report upon, the claims of the late Government Resident of Port Curtis to compensation for the abolition of his office. (2.) That such committee consist of the Colonial Secretary, Mr. Mackenzie, Mr. Sandeman, Mr. Walsh, and the Mover.” The gentleman alluded to is well known as a high Government official, holding at present the position of President of the Legislative Council. It may be considered that he might have approached this subject as a private individual, in the form of a petition; but I think honorable members will agree with me, that he could hardly have adopted that course. I have, therefore, moved for the appointment of this committee on behalf of Colonel O’Connell, who, besides being President of the Legislative Council, is one of my constituents, and upon that ground claims my services in bringing the subject under the notice of the House. I believe the details of this matter have been already before the Government. They have given their decision upon it, and the House itself has decided upon a collateral question involving a pension to Captain Wickham; at any rate, it has expressed an opinion that a retiring pension was not due for any services rendered by that gentleman to the Queensland Government. I do not intend to enter into the merits of this question, upon which I am not altogether well informed myself. But, practically speaking, I believe that Colonel O’Connell, who at the time of Separation occupied a high official position as Government Resident at Port Curtis, considered he had a claim upon the New South Wales Government, under the 51st clause of the Constitution Act of that colony, which provides that any officer in the employ of the Imperial Government, covenanted to that Government, should on the abolition of his office be entitled to a retiring allowance equal to the amount of salary he had received. That had been conceded in previous cases, but was refused in this case; the Government of New South Wales arguing that the Queensland Government should pay the amount; the Queens-

land Government, on the other hand, contending that the claim ought to be recognised by the Government of New South Wales: so that Colonel O’Connell fell between two stools. It is true that he now holds a very high official appointment—whether or not that is an equivalent, I do not pretend to say, and I shall not raise the question. What I claim is, that the honorable gentleman shall be allowed to state his own case to the committee. That committee might arrive at a decision favorable, or unfavorable to his wishes; but, I think at any rate, it is due to a gentleman in his position, to accord him the opportunity of stating to the committee that which he desires to say to this House. I do not pretend to anticipate the ultimate decision of this House, I ask only that Colonel O’Connell shall be permitted to submit his claim to the committee, a similar claim having been recommended in a former case. I am the more desirous that this question should come under the notice of the House, because, although this gentleman now holds a high position as President of the Legislative Council, he may not always desire to hold it, and the question will then arise whether he has any further claims upon the Government. That is the position which honorable members have to consider, and it is one which I feel sure they will have little difficulty in recognising.

THE COLONIAL SECRETARY: Sir, as I brought down, and laid upon the table of the House, on a former occasion, a memorandum upon this question, which had been referred to the Government on the motion of the honorable member for Fortitude Valley, and as I was then led to believe, and believe still, that it is a case for inquiry, I shall support the motion. I hold a strong opinion that this is a case which deserves inquiry, because it has been mentioned by the Secretary of State that it was entirely owing to a clerical error that Colonel O’Connell was not placed in the same position as the permanent officers of the New South Wales Government. And it is not right that this Parliament, without due inquiry, should place him in a different position to that held by those officers, owing to the fact that Separation has taken place. I believe this House is bound in honor and fairness to inquire into this matter. It is not at all incumbent upon this House to order any payment in connection with his present office; there is no retiring allowance attached to it. But the office he formerly held as Government Resident at Port Curtis carried with it the right of a pension, and it is upon the abolition of that office that he bases his claim. I hope this inquiry will be allowed, for I think it is asked for upon just grounds, and that the credit of the colony requires it.

MR. TAYLOR: No doubt, sir, from the very high position which this gentleman holds, many honorable members have great delicacy

in speaking to the motion. I am not one of those members—I have no such feeling. I repeat, sir, there is a general scramble for the money of the country. I have no doubt whatever what the report of this committee will be, from the names mentioned in the motion. I have no desire to prejudice the report, but I know very well what report will be brought up. I shall oppose the appointment of this committee, and divide the House upon it. As far as I can understand the claim, this gentleman was an officer of the New South Wales Government, and he says that when Separation took place he was entitled to a pension. Why did not he apply for it then? If he were fairly entitled to it, how could the Government have got out of it? Then he applies to this Government. I am not aware he has done anything for this Government, although he has done for the Government of New South Wales. I do hope the House will set their faces against this motion. There are several more of a similar character on to-day's paper. I think the very best way will be to cut up the public revenue and divide it among the officers of the civil service.

Mr. BLAKENEY said he coincided with much that had been said by the honorable member for Western Downs, Mr. Taylor. Some time ago a motion was brought forward to grant a pension to a brother officer of Colonel O'Connell, and he was happy to say that he was enabled by his casting vote to prevent the House from doing what he considered would have been an act of great injustice to the country. The case before the House was a similar one, but he hoped his honorable friend, Mr. Taylor, would not divide the House upon it, because he considered that an inquiry should never be objected to. The House would not be bound by any report which the committee might bring up. He should for that reason vote for the appointment of the committee.

Mr. WALSH said he hoped the committee would be granted, for the purpose of ascertaining whether Colonel O'Connell had a just claim to prefer; if so, it was not right for the House to shut their ears to that claim. He was not acquainted with the merits of the case, but he thought an inquiry should be made, and he should therefore support the motion. He had no desire to be a member of the committee, and he hoped the name of another honorable member would be substituted for his.

Mr. MACKENZIE said he did not consider that the slightest necessity existed for the appointment of a committee. The circumstances of the case were well known. There was no doubt whatever as to the right of Colonel O'Connell to receive the pension—the only question was as to whether it should be paid by New South Wales or Queensland. He thought the question might be decided at once.

Mr. McLEAN said he thought it was in very bad taste on the part of the honorable member for Port Curtis to bring forward such a motion at the end of the session, knowing, as he must do, that at least one-third of the members of the House would be absent when the report of the committee would be brought up. He thought the motion placed Colonel O'Connell in a worse position in the eyes of the public than if his claim had been left in abeyance for some time to come. He desired to shew every consideration to the honorable gentleman who was now President of the Legislative Council, and that full justice should be done to him. He believed the country would always be ready to recognise the claims of gentlemen who had served for a number of years, when the time arrived for them to retire from office—that was the time for them to prefer their claims. But the gentleman who was the subject of the motion before the House was in receipt, or would be very shortly, of higher pay than he had ever received, and he (Mr. McLean) thought the motion was premature. He felt quite sure the inquiry would prejudice that gentleman's claim, and he objected to the appointment of the committee at this advanced stage of the session.

Mr. FITZSIMMONS said, that in his opinion, if it were right to bring the motion forward at any time, it was right to do so at the present time. It was impossible for honorable members to deal with the merits or demerits of the question, unless an inquiry were instituted by a select committee. He thought it would be very uncourteous to refuse the inquiry, and he should therefore support the motion for the appointment of a committee.

The question was then put and the House divided.

Ayes, 10.		Noes, 12.	
Mr. Herbert		Mr. Macalister	
" Bell		" Taylor	
" Sandeman		" Pugh	
" Royds		" Brookes	
" Pring		" Miles	
" Fitzsimmons		" R. Cribb	
" Mackenzie		" Forbes	
" Blakeney		" Jones	
" Douglas	} Tellers.	Dr. Challinor	
" Walsh		Mr. Watts	
		" Wienholt	} Tellers.
		" McLean	

#### VOTE IN SUPPORT OF VOLUNTEERS.

Mr. BLAKENEY rose to move, pursuant to notice, the following motion standing in his name:—"Resolved, that out of the sum of £1,000 voted by this House, for the volunteer force for the year 1866, the Government be empowered to allocate the sum of £759 1s. 2d. out of the said vote towards discharging so much expended by them for the year 1864 beyond the sum voted by this House for that force."

The SPEAKER said he had some doubt whether it was competent for the honorable member to move this resolution. The House in committee of supply having come to certain resolutions which had been adopted by the House, it was not competent to override that report by a simple resolution of the House. Such a course was entirely new, and he believed without precedent.

Mr. BLAKENEY said he thought the House, having the purse strings of the country in their hands, had a right to pass such a resolution. He could only say that if the Government objected to his putting it, they would place themselves in a worse position than that in which they at present stood, as he could oppose the Appropriation Bill, and he had no doubt he should be able to carry an amendment by which the money voted for the volunteers for 1866 would be struck off, and there would be then no authority for the Government to repay themselves this £759, which they had spent without the sanction of the House.

The SPEAKER ruled that it was not competent for the honorable member to move the resolution. It would be establishing a precedent which he could not advise the House to adopt. That was his own idea entirely; he had received no suggestion from the Government on the subject. The question, in his opinion, could not be entertained.

Mr. BLAKENEY then said he should divide the House upon the item for 1866, and the Government would have to pay this money out of funds in hand, and bring forward the sum in the Supplementary Estimates for next year. Of course he bowed to the decision of the Speaker, but he should not withdraw the resolution, as he wished it to be place on record that he was not allowed to move it.

The question then dropped.

#### CLAIM OF THE HONORABLE LOUIS HOPE.

Mr. MACKENZIE moved, pursuant to notice,—"That this House do now resolve itself into a committee of the whole, to consider the petition of the Honorable Louis Hope, praying for a grant of two thousand acres of land in the northern districts for the purpose of sugar growing." He said the gentleman on whose behalf the motion was brought forward had, without any assistance, entered upon the cultivation of sugar, and in doing so had expended upwards of £20,000, and so far he had been successful. But he thought the pursuit would be more successful further north, and believing himself entitled to some consideration from the Legislature, he asked that a suitable grant of land should be given to him in one of the northern districts. It was clearly understood, and Captain Hope pledged himself to it, that if the land were granted he would immediately improve it and commence the cultivation of sugar upon it. He

(Mr. Mackenzie) had observed that as soon as he had tabled the motion a number of other motions, having a similar object, were placed on the paper. But no comparison could be drawn between them. He did think when a person like Captain Hope entered upon a speculation calculated to establish a new branch of industry in the colony, and expended so much capital in carrying out the enterprise, he deserved some recognition of his services. As honorable members would perceive, it was not a money grant that was asked for, but a grant of land, which would be improved and cultivated at once. He hoped the House would not object to the motion.

Mr. BLAKENEY said he had hoped some honorable member connected with the agricultural interests of the colony would have addressed the House upon the resolution brought forward by the honorable member for the Burnett, whom he had hitherto regarded as one of the chief conservators of the public interests. When he first saw the motion, he thought it was merely placed upon the paper for the purpose of feeling the pulse of the House, and not with the intention of taking any real action upon it. As the honorable member for Western Downs, Mr. Taylor, had observed, there seemed to be a scramble for the funds of the colony. Because the honorable gentleman on whose behalf the honorable member for the Burnett preferred such a modest request, had entered for his own benefit upon an undertaking which had turned out a very profitable one, was there any reason that the State should present him with a grant of land? It would be far more reasonable for some member who represented the squatting interest of the colony to come forward with a similar request on behalf of gentlemen who had expended enormous sums in introducing horses and stock of a superior breed, by which they conferred a benefit upon the whole colony; putting, however, at the same time a considerable sum of money into their own pockets. Those gentlemen, although they had acted in their own interest in such expenditure, had, in his opinion, been greater benefactors to the colony than the gentleman in whose favor the House was now asked to make a grant of 2,000 acres of land. Why did not that gentleman take up the land he required under the sugar regulations? He hoped the honorable member for the Burnett would withdraw his motion, or he (Mr. Blakeney) should be obliged to oppose it in every stage.

Mr. BROOKES said the motion comprised a request which, he thought, the House might fairly accede to. Captain Hope had presented a petition to the House, in which he stated that he had expended something like £22,000 in the cultivation of sugar. Now, supposing that sum had been expended under the sugar regulations, it would have given him more than 22,000 acres of land. And

taking into consideration that he had established the fact that sugar could be cultivated with success in this colony, and that he had expended large sums of money in doing so, which had precluded him from availing himself of the sugar regulations, he (Mr. Brookes) thought the request a very moderate one indeed. It was not like asking for a money grant, and, in his opinion, the House would do well to recognise in such a reasonable and economical way the services which Captain Hope had undoubtedly rendered to Queensland in the cultivation of sugar.

Mr. WATTS said he did not think he should have risen at all on the motion before the House, had it not been for the resolutions which followed it. As had been stated by an honorable member, he had only placed the resolution in his name on the paper for the sake of ridicule. He had never expected that the House would give grants of land to the squatters, any more than to the Honorable Louis Hope. That gentleman might be a very good colonist, and have done a great deal of good to the country; but, like many others, he had done so with the expectation of getting back all he had expended, and, perhaps, a great deal more. As far as his resolution was concerned, he (Mr. Watts) would observe, that in his own case, he might make out a very good claim against the Government for compensation. He had spent over £3,000 in the introduction of sheep alone, and although he had done so in common with others as an experiment, the experiment had turned out very well, and had proved of great benefit to the country. He had also introduced a new system of wool washing, for which he had imported the machinery, and the effect had been to increase the price of that export 2d. or 3d. per lb. If applications of this nature were to be entertained, the squatters were equally entitled to grants of land. He held in his hand another application from an equally deserving person, Captain Towns, who was well known by most honorable members. That gentleman had sunk a large capital in this country, and had contributed greatly to its prosperity. But it would be very dangerous, by recognising these claims, to establish a precedent which would be taken advantage of in every direction. An honorable member had stated that Captain Hope had expended £22,000 in the purchase of machinery for the preparation of sugar; but that was absurd, because the machinery necessary for that purpose would not cost more than £5,000 or £6,000. The fact was, he believed, the honorable gentleman introduced a quantity of machinery for the manufacture of salt, and when that failed, he placed it all to the credit of the sugar. It was not also known decisively, that the Honorable Louis Hope was the first manufacturer of sugar in this colony. He had no desire to depreciate the service that gentleman had done to the

country, but he desired, and he thought he had said sufficient, to prove the absurdity of opening the door to the numerous claims which would be made if this application were granted. If persons had expended such large sums of money, they had done so for their own benefit, and in many cases, they had been amply rewarded. He should oppose the motion.

Mr. WALSH said he looked upon the motion and remarks of the honorable member for the Western Downs, Mr. Watts, as exceedingly frivolous; he had hoped that, this being the last week of the session, the time of the House would not have been thus taken up. He supported the motion before the House, and thought it one of the best which had come from his side of the House. He recognised the Honorable Louis Hope as the father of the new industry which had sprung up, and regretted that his petition had been met by a motion which was a disgrace to the records of the House. That gentleman had very strong claims, and they had been laid before the House with the knowledge and sanction of the Government. He (Mr. Walsh) was one of those who were of opinion that the waste lands of the colony could not be applied to a better purpose than to reward those whose enterprise tended to develop the resources of the country.

Mr. FORBES said he could not agree with the honorable member who had spoken last. If Captain Hope had expended large sums of money, he had, no doubt, done so with the view of making a profit out of the expenditure. Admitting that the efforts of that gentleman to establish a new branch of industry had conferred a great benefit upon the colony, he thought that, to recompense him in the way it was proposed in the motion, would be to establish a dangerous precedent. No such precedent had been established since Separation, and it had long been exploded in the other colonies. He would far rather meet the question fairly, by protecting these gentlemen in carrying out such enterprises as were likely to be of general advantage, than give away the lands which did not belong to the State, but were held in trust for those who should come after us. He believed there was no man here who had not in some way benefited the colony. If this motion was passed, every man who had done some slight good would come down to the House with a claim for consideration.

Mr. JONES considered that the position of the case of the Honorable Louis Hope, as it came before the House, was somewhat that of a dilemma. Captain Hope, it seemed, had succeeded in the south, and, if so, he had been rewarded with profit; and, having been so rewarded with profit in the south, he was better able than any one else to succeed in the north. If, however, he had failed in the south, why should Parliament grant to him 2,000 acres, that he might fail also in the



north? He could understand, if at a future day sugar became a great product, and an article of export from the colony, some one asking that Captain Hope should be rewarded by a grant of land, for the benefit he had conferred upon the colony by his efforts in introducing sugar cultivation. At the present time, however, if he had succeeded, he had the profit of his success, but if he had not, he did not see they should enable him also to fail in the north.

Mr. DOUGLAS said he was inclined to concur in the remarks made by the honorable member for the Mitchell. When the day arrived that Captain Hope was proved to have been a benefactor to the colony, it might be proper then that the Legislature should acknowledge his services by a grant of money; and a man who successfully promoted a new industry might be of more real value to the country than some of the ablest politicians. But though he agreed with the honorable member for the Mitchell so far, he did not see why they should not also do justice now. It was admitted that the Honorable Captain Hope went into the promotion of sugar cultivation as a speculation. Now, they were all speculators, more or less, but in every instance their souls were not bound up in their breeches pockets. There were some persons who had higher ideas than that of merely making money—who desired at the same time to benefit the country in which they lived. Though Captain Hope might have had the idea of making money when he entered upon sugar growing, he might also have had in view the higher object of promoting the prosperity of the colony. Captain Hope had been a squatter, but he saw there was a want in the colony for an industry at which people would be better employed than in connection with squatting, and he accordingly entered upon the project of sugar growing. The cane was not to be obtained in the colony, and he sent to the Mauritius and the Sandwich Islands for it, and invested all he had in the undertaking, in the hope that it would be of advantage to him, and also to the country he inhabited. Up to the time that Captain Hope started his project, the Government had not given any liberal leaseholds, as they had done since, for the promotion of such industries, and he had to go to the Government with the money in his hand to purchase the amount of land he required. He now found, after he had established sugar cultivation, and after people through his efforts in the first place could easily procure cane of the best description, that more advantageous terms were extended to others than he could obtain when he commenced the culture of sugar. At the same time, Captain Hope was not prepared to take a leasehold with the option of subsequent purchase, but asked that he should receive something as an equivalent for what he had done for the colony. The honorable member

for the Mitchell said, that to give Captain Hope a grant of land was a sort of presumption that his efforts in the south had not been successful. But there was another side to the question, and it was this—that Captain Hope, having been successful in the south, wished to try the north, and see if the soil and climate there were still more suitable than in the south. It was ridiculous to found on this purely exceptional case any system that would result in the spoliation of the lands in the hands of other persons in the colony. This was wholly an exceptional case, and, therefore, he thought it was quite unbecoming of the honorable member for the Western Downs—who was no doubt a patriotic colonist, but with a full view to his own interests—to try to asperse the fair claims of a gentleman to whom the country was so highly indebted, by bringing forward an invidious distinction between his own claims and the claims of Captain Hope. True, the squatters to whom the honorable member had alluded had, no doubt, conferred benefits on the country; but had they not also received large benefits in return? They had been allowed to purchase large blocks of land without competition. They had no doubt enjoyed great facilities, and possibly they deservedly enjoyed them, and turned them to moderately good advantage both to themselves and to the country; but because they had been able to buy the best lands without competition, why should they turn round and say that they would not concede 2,000 acres where the land was not occupied, to prove its value for sugar cultivation? The honorable member for the Western Downs took credit to himself for introducing all sorts of new machinery; but he (Mr. Douglas) took leave to doubt if the honorable member really did introduce so much new machinery as he would have the House believe he did. No doubt he bought the best machinery he could get for sheep washing, and paid the best price for it, and had been largely benefited. But he (Mr. Douglas) had also introduced machinery for station purposes into the colony; and he could tell the House that the honorable member for Western Downs was not the first to introduce machinery. He himself had used machinery on the Darling Downs simultaneously with the honorable member; and he believed that it was Mr. Deuchar who was the first to introduce machinery. The honorable member, however, said that for their services in that way to the colony, squatters deserved as much recognition as the Honorable Captain Hope.

Mr. WATTS admitted that he bought a machine from the honorable member for Port Curtis, and he found it quite worthless, and had to get another.

Mr. DOUGLAS: That only came to this, that having used the machine, and having come to know there was a better kind of machinery, he supplied himself with the

better article at the expense of the honorable member. However, with respect to the matter before the House, he considered that Captain Hope deserved what he asked for, having introduced a large quantity of cane, which would now in all probability be brought into cultivation. In what Captain Hope had done already, they had a pledge that he would do all he promised in the future. The grant now sought for might be made, subject to such conditions as might be thought desirable. The grants might be issued, and yet the ground not be alienated till a certain period, or till such an amount of sugar had been produced as would place the success of the experiment, and the suitableness of the soil and climate for sugar culture, beyond a doubt. What Captain Hope proposed to do was, to take up tracts of country in some unoccupied place, in a district that was unpeopled and untenanted by stock; and yet, though he proposed to take up two thousand acres of such country, and endeavor to render it valuable, and the country around it highly valuable, it was grudgingly thrown in his teeth that he had done nothing to deserve it.

Dr. CHALLINOR said he thought they had a right to compare the case of the Honorable Captain Hope, as regarded the introduction of sugar cultivation, with the case of Mr. Macarthur, who introduced the merino sheep into New South Wales. The services of Mr. Macarthur were duly acknowledged, and that at a time when it was not anticipated that wool would become such a large and valuable export from the Australian colonies. Now, he did not see why they should consider themselves in any way bound to wait till the colony became a large sugar producing country, before acknowledging the services of the Honorable Captain Hope. He thought that that honorable and gallant gentleman had some claims on the country at large, as had been observed by another honorable member, for having imported and acclimatised the sugar-cane, as the canes from his ground could be obtained cheaper than canes imported from the islands from which Captain Hope first imported his canes. The honorable member for the Western Downs had taken the view, that because the cultivation of sugar had been profitable to Captain Hope, he had derived sufficient reward; but he did not agree in that view, as he considered that Captain Hope had conferred a very great and lasting benefit on the colony, and ought to be rewarded by the colony for doing so, for his position was like that of a general or admiral, who had achieved great advantages for his country, which entitled him to a recognition of his services beyond his ordinary pay and share of the spoils of war. He believed he was correct in stating, that Captain Hope had endeavored to introduce the manufacture of salt into the colony, but had not succeeded. He, however,

spent a large sum of money in the experiment, but because it had proved a failure—because he had not succeeded in that instance in conferring a benefit on the colony, he did not ask the country to recognise his endeavors. He did not ask for compensation for loss then, nor did he ask for compensation for expenditure now, but he only asked that the country should recognise his successful efforts to introduce a new industry, which would be of the greatest advantage to every one in the colony—to the capitalist and to the laborer. The honorable member for the Warrego had said that if they gave Captain Hope this grant, they would be introducing a policy which in New South Wales had been found to be very injurious. But it would not be the adoption of such a policy, for so far from there being no precedent in this colony, he would refer the honorable member to a resolution of the House on the motion of the honorable member for the Western Downs, to the effect that grants of land, not exceeding twelve hundred and sixty acres, and not less than three hundred and twenty acres, should be given to persons willing to embark their capital in the production of cotton. Now, that was a proposition to make grants, not for having accomplished something, but to induce persons to attempt to accomplish something. But in this case the grant was asked for because something had been accomplished; and honorable members, in dealing with this question, should bear in mind that the whole of Captain Hope's available capital might be locked up in his present undertaking. Indeed, it was stated in Captain Hope's memorial, that he had devoted the whole of his available capital to the promotion of this undertaking, and that he was not therefore in a position to come forward and take up land under the sugar regulations as others were, whose capital was available to enable them to do so, having the benefit at the same time of his experience, and of his expenditure in the first instance. It might also be, that before he got his capital realised, the choice parts of the country might be taken up. Now, that was a very material point to be looked at; and those who came in second, would get the advantage of his services. The honorable member for Port Curtis had referred to the standing advantages of the squatters for the growth of wool. The squatters, as was well known, had pre-emptive rights, low rents, and were now also enabled to take up land, by placing on it only one-fourth of the stock it was able to carry. These were great advantages, and he thought that equal advantages should be extended to any gentleman who introduced a new and valuable industry to the colony. He considered the Government should grant the prayer of the petition, and that like advantages should be given to any gentleman who introduced an industry of equal value. If it were compe-



tent for him, he would move an amendment, to the effect that instead of "not less than two thousand acres," the motion should read "not exceeding two thousand acres".

Mr. TAYLOR opposed the motion, as he was not aware that Captain Hope had done anything to entitle him to the grant of land he asked for, and as he obtained the same bonus from his industry as others did from their industry. Captain Hope could obtain the use of the land he wished for, at a shilling an acre, and that, with the prospect of greater success and profit than had attended his efforts in the south, ought to be sufficient inducement to Captain Hope to test his experiment of sugar growing in the north. He was astonished to hear the honorable member for Maryborough say that Captain Hope had the sanction of the Government for bringing forward this petition. Now, he did not see why any person should go and get the sanction of the Government to the bringing of a petition before the Legislature. He was not aware that the Government would do such a thing, and he would therefore like to hear the Government give some explanation of their conduct in the matter. As regarded the remarks of the honorable member for Port Curtis, on the subject of sheep washing, he considered they were very unnecessary. He knew that the honorable member, Mr. Douglas, when he was a squatter, used very ridiculous machinery, and had no doubt been glad of the opportunity of getting rid of it, by selling it at any price to the honorable member for the Western Downs, and other squatters. However, he could tell the honorable member for Port Curtis, that the honorable member for the Western Downs was the first to introduce the new system of sheep washing, and if there was any bonus to be given for doing a great service to the country, his honorable friend Mr. Watts deserved, as much as Captain Hope, to have his services recognised.

Mr. R. CRIBB said he was as anxious as any other honorable member to aid in the encouragement of a new and valuable industry, and if, after the lapse of a year or two, Captain Hope could shew that he was entitled to a grant of land for his services to the colony, for the introduction of sugar cultivation, he would be happy for one to support his claim. He thought that was the most reasonable course to pursue; but he could not agree to a grant of land being given to Captain Hope at present. No doubt the colony would reap some advantage from the efforts of Captain Hope, and no doubt when the success of those efforts had reached a point that would enable it to be measured, a claim by Captain Hope, such as the one now under consideration, would be favorably entertained. As had been stated by the honorable member for Western Downs, Mr. Taylor, Captain Hope, like the squatters, could purchase the land he asked for at the

rate of one pound an acre without competition. Now, why should he not adopt that course, for he could make a selection, and pay for it when he was able? As he had already stated, he would at the present time oppose the motion before the House.

The SECRETARY FOR LANDS AND WORKS said that as the Government had been referred to in this matter, and as, in point of fact, before any decision could be arrived at, it was necessary the opinion of the Government on the subject of this application should be communicated to the House, he now rose to offer one or two observations on the subject. The Honorable Captain Hope, it was true, did make his application originally to the Government, and his application was cogent enough, so far as it went, and was expressed in language which the Government had no hesitation in approving of. But, at the same time, it was felt by the Executive Council that the Government did not possess the power, without the sanction of the House, of making a grant of the nature asked for. The expression of the Government, therefore, was not unfavorable to the claim on the part of Captain Hope, and if any inference was to be drawn from the conduct of the Government in the matter, it must certainly be one favorable to the application. At the same time, however, Captain Hope was referred to the Legislative Assembly for their decision on the subject, and so the course of action he had taken was the one he was advised by the Government to take. Now that was how the matter came to be brought before the House. But he must say, and he said it individually, that so far as he was personally concerned, he thought this was one of those cases in which the Government would be justified in interfering to support a new industry. The idea of putting forward a claim for a grant of land to a squatter, merely because he had introduced a piece of machinery for cleaning wool, and comparing that with the introduction of a new industry, was about as absurd an argument as could well be advanced. Now, the precise position of the Honorable Captain Hope, as compared with other sugar growers was this: that he either went to auctions or to non-competitive sales for country lands, and paid the Government at least one pound an acre for every acre of land he took up.

An honorable MEMBER. Ten pounds.

The SECRETARY FOR LANDS AND WORKS: Well, he bought it at the market price and paid for it; and he undertook, at his own expense, to introduce the sugar-canes from foreign countries. The introduction was quite new, and Captain Hope had proved the adaptability of this climate to the cultivation of sugar, but he had not been able to take advantage of those privileges, which those who were following up his example were able to take advantage of. In the arguments that had been advanced in the

House, it seemed to him that the real merits of the question had been lost sight of. He was not aware that Captain Hope asked this grant of land for what he had done in Cleveland, though he had spent enormous sums of money there, and had already done what ought to entitle him to the consideration of the House. He did not understand that it was on such grounds as those that the Honorable Captain Hope pressed his claims. On the contrary, he understood him to say that he did not wish for any advantages on his own part; and that what he said was, that if the land were given to him, he was willing to prove the adaptability of this industry to the soil and climate of the north. That, he understood, was the proposition of Captain Hope, and, at any rate, it was the one he made to the Government. Looking at the matter then in that light, he thought the application was one that was well worthy of the consideration of the House; and considering the importance of the question, he very much regretted the attempt that had been made by one honorable member to cast ridicule upon the application. He thought that to do so, on an occasion like the present, was calculated to prevent persons who had legitimate claims on the country from making those claims known. Now, whether those claims were to be granted or rejected, there should be no obstacles thrown in the way of bringing them before the House.

The motion was then put and negatived on a division, as follows:—

Ayes, 12.		Noes, 13.	
Mr. Douglas	} Tellers.	Mr. Pring	} Tellers.
„ Brookes		„ Blakeney	
„ Walsh		„ Watts	
„ Fitzsimmons		„ R. Cribb	
„ Sandeman		„ Forbes	
„ Royds		„ Bell	
„ Pugh		„ Edmondstone	
„ Mackenzie		„ Jones	
„ Stephens		„ Miles	
Dr. Challinor		„ Coxen	
Mr. Herbert		„ Wienholt	
„ Macalister		„ Taylor	
		„ McLean	

#### CHIEF OFFICER OF "COMMODORE PERRY".

MR. DOUGLAS, in moving the adoption of the report of the select committee on the case of the chief officer of the "Commodore Perry," said it would be in the recollection of honorable members that a short time ago he put some questions to the honorable gentleman at the head of the Government relative to the chief officer of the "Commodore Perry," with the view of ascertaining if the gratuities had been paid to him. He, on that occasion, ascertained from the honorable the Colonial Secretary that he was not aware that the officer had been guilty of misconduct. Subsequently, however, it came to the knowledge of the honorable the Colonial Secretary that the chief officer had been drunk on more

than one occasion during the voyage, and he (Mr. Douglas) having obtained similar information, moved for the appointment of a committee to inquire as to the facts of the case, with the view of establishing this principle: that when there was undoubted misconduct on the part of any person who was entitled to gratuities, care should be taken that no gratuities were paid. He felt obliged to the honorable the Colonial Secretary for not opposing the motion, as the subjects of inquiry was a matter of detail, which properly fell within the province of the Executive to deal with, and, on that account, he should not have felt justified in moving for the committee merely on the merits of the question. However, the inquiry had not been without results. It had been proved that the chief officer of the "Commodore Perry" was guilty of drunkenness on several occasions, and that on one occasion his conduct had been such as to produce great indignation on the part of the passengers. Indeed, very great indignation was felt on the part of the steerage passengers at the conduct of this officer, and a number of them specifically demanded that an inquiry should be made on board as to his conduct. An inquiry was so made, and the result was as stated in the appendix. As to the report of the committee at the conclusion of the evidence that was then taken, the subject was left for further proceedings at Brisbane—the steerage passengers especially requiring a promise to that effect. Now, as was well-known, immigrants, when they arrived in port, were very apt to forget many things that occurred on the voyage, and it was well it was so, and that many a fracas was allowed to drop; but when such a serious matter as this came under the notice of the Government, it was only right that due notice should be taken of it. In this case, the surgeon-superintendent drew attention to the circumstances, but other representations were also made to the effect that the chief officer had made himself exceedingly useful to the surgeon-superintendent, and the honorable the Colonial Secretary, on account of such services, came to the conclusion to overlook the offence. He (Mr. Douglas) thought it was to be regretted that such was the case, and the committee appeared also to be of a similar opinion, as would be seen by the third paragraph of the report. The Government were not unacquainted with the charges that were brought against the chief officer of the "Commodore Perry," and, therefore, it was wrong of them to grant the gratuities until inquiries had been made. That they were aware of those charges was shewn by a letter from Dr. Kemball, the Immigration Agent, to the principal Under-Secretary. In that letter, which was dated Immigration Office, Brisbane, 7th July, 1865, Dr. Kemball said—

"In now forwarding to you the journal of Dr. Luce, late surgeon of the "Commodore Perry," I beg

to notice that, when placing it before me, he drew my attention to its containing several complaints, which could not be entered into on board when the vessel was inspected. I requested him to mark any entries of particular notice, which he has now done. Dr. Luce was not *then* disposed to certify for gratuity for the first mate, and I coincided with his views; but he has since informed me that, upon conferring with you, you considered that the charge of drunkenness was not sufficient to prejudice that officer's claim for head-money. Therefore the voucher will be rendered as soon as Dr. Luce, who is temporarily absent from Brisbane, certifies to the same."

Of course that was a matter of executive detail, which in ordinary cases the House was not entitled to enter into, but in this case it touched very materially on the working of the Immigration Act; and it was his opinion, and that of the committee, that any officer who had been guilty of any intemperance on board of any immigrant ship to this port, should not receive those gratuities to which he might otherwise be entitled. He wished also to draw attention to Dr. Luce's journal. Of course it was to be taken for what it was worth, but the entries were all made at the time of the occurrence, so that the doctor's journal related the circumstances in their order. According to the journal, the conduct of Mr. Davis seemed to have been of a most disgraceful character—of a more disgraceful character than was shown by the evidence brought before the committee; but at any rate, it led to a great disturbance on board the ship—to a disturbance that almost amounted to a mutiny. Dr. Luce, in his journal, under date the 15th April, at eleven o'clock, said:—

"I was sitting on the poop, and was informed that a disturbance was taking place in the second cabin, between the first and second mates and the passengers, and that one of the mates had a revolver, and the other a knife, threatening to make use of them. I directly called the captain, and we went down together to the cabin, where there was a great uproar, and both the mates there in a very excited state. The captain ordered them away directly, and they then left and went on deck. Mr. Williams (the second mate), whose watch was then on, returned to his duty, and the chief mate, who was very far from sober, was ordered to his cabin, which is on the poop. He went in, but came out again in a minute or two, and, in the presence of the passengers, and (without my saying a word to him, or giving him the least provocation in any way), in the hearing of the captain, called out—"The doctor is a d—d fool, and a b—y old woman." Captain Owen told him he would not have such language used, and put him back into his cabin, and locked him in."

"Soon afterwards, and before I had left the poop, one of the constables (Fitzgibbon) came to me, and said he thought it was quite necessary for me and the captain to go forward to the steerage men, and try to pacify them, or he feared there would be a mutiny in the ship, as they were all so enraged at the officers' behavior, on this and on other occasions, and especially

as regarded the ill-treating and kicking Davey's children this afternoon, and that they would not be satisfied without an example was made of them, for threatening to use the revolver and the knife, the same as they would have been punished if it had been any of them. Before, however, I had time to leave the poop, more than fifty of them rushed up, and said they came to demand satisfaction for the mate's using fire-arms on the deck (as well as in the second cabin), as they considered their own lives, and the lives of their wives and families, unsafe. I found it extremely difficult to pacify them, or to prevent a serious riot occurring, but after a little while, on my promising them (and the captain also) that the matter should be fully investigated on Monday morning, and satisfaction given them, they left the poop, but remained in large numbers on the main deck, in an excited state, till between two and three o'clock in the morning."

Now, though the captain assisted by the surgeon succeeded in putting down the mutiny, the passengers were not satisfied, but required a promise that further proceedings should be taken against the chief officer on the arrival of the vessel at Brisbane. A few weeks afterwards, there was another disturbance on board the ship, and in his journal of the 8th May, Dr. Luce said:—

"Mr. Lampard (second cabin) informed me that Mr. Davis (chief mate) came down to the second cabin in the night (between 12 and 1) tipsy, and wanted to go to one of the ladies' berths, and he believed would have done so but for Mr. Pawling preventing him. After a little while, Mr. Pawling got him up on deck again, and took him across the poop to his cabin, and assisted to put him to bed."

A few hours after, this broaching of the cargo ensued; and it might fairly be inferred that it was on account of the conduct of the chief officer that this broaching of the cargo took place. Dr. Luce continued the entry of the 8th of May, as follows:—

"The purser (Mr. Gibson) came to me about 5 a.m., and informed me that a serious affair had taken place during the night in the steerage part of the ship; some of the passengers having got down into the hold, and broached some of the casks of beer; and also broken open some of the packages of cargo, and stolen the goods."

"I immediately got up and went with him, and found one of the steerage passengers (T. White) drunk, and almost naked, lying on one of the forms asleep, several lucifer matches that had been struck on the floor; also, an oil lamp (from the fore-castle), and some empty pint beer bottles. The purser, the boatswain, and one of the constables, went down into the hold, and there found lots more lucifer matches that had been struck, and empty beer bottles, and open cases of cargo, &c. Another of the passengers, named Henry Willis, was drunk in his berth, and many of the others evidently under the influence of what they had been drinking. I ordered the handcuffs to be at once put on White and Willis (which was done by the boatswain), and desired the constables to take them up to the poop for examination, &c. After they were sober they refused to go, and a

mob soon gathered round them, and prevented—in fact, dared the constables and the ship's officers to take them. I then went and communicated with the captain about the riot; but before I could do anything further, or even return to the place, the handcuffs were knocked off, and the men set at liberty. I deemed it then best (under the excitement prevailing) to let further proceedings remain for an hour or two; and I then called a general meeting of all the passengers, to consider what prompt measures should be taken to suppress such insubordination and mutiny, and protect the lives of all on board; also, ensure (if possible) the safety of the ship from fire, from which there had been such a providential and miraculous escape!"

That was the entry made at the time of the occurrence; but it was in contradiction of the evidence given by Dr. Luce on the point, for Dr. Luce, when examined, rather seemed to shirk the question of insubordination and mutiny, and declined to apply those terms to what took place. On referring to the log, however, it would be found that those terms were used; and there was no doubt that a very serious disturbance took place. It was of some importance to draw the attention of the Government and the House, and the attention of the public, to this, because, if those serious disturbances were overlooked, something serious might take place in other vessels. Those ships might have been very fortunate, and not many deaths may have taken place on board of them; but Dr. Luce drew attention to the fact that there was little or no provision for the maintenance of discipline on board of them. In the examination of Dr. Luce, the following questions and answers occurred:—

"Do you think that facilities for securing better discipline on board could be provided in the ships you have sailed in? Yes, to a much greater extent than exists at present. In fact, there are no facilities at all; the men can turn round upon the constables, who are quite powerless to put down disorder. I think if we had a place of confinement for the disorderly and drunken characters, it would have a very salutary effect upon the passengers.

"At present there is a good deal of tact required in maintaining order among so many? Yes; and even then our authority is pooh-poohed. On one occasion, handcuffs were put upon two of the ringleaders who broached the ship's cargo, and endangered the safety of the ship, and, of course, the lives of the passengers; but five minutes afterwards they were knocked off with hammers by some of their friends in the presence of the officers. About 150 of them came in a body and knocked off the handcuffs."

Now, that shewed there was a direct act of mutiny on the part of the passengers. Two of their number were handcuffed, and in five minutes afterwards a large body of them knocked off the handcuffs. It might not have been possible, or even advisable, to have taken proceedings against those passengers at the time of the occur-

rence; but when the matter came under the notice of the Government, steps should have been taken to punish them for their mutinous conduct. Dr. Luce also said that, if notice was not taken of those occurrences, disorder on board ship would probably increase, and the ships, instead of becoming more orderly, would become more disorderly. There was a growing opinion, it was said, that people might do as they liked on board those ships during the passage, and that all would be forgotten on the arrival of the vessel at her port of destination. Now, if that was the case, and as, in this case, sufficient had been shewn to prove that great disorder prevailed on board, a check might have been put to such an opinion and to such disorders by the chief officer and others causing disturbance being brought to justice. No course, however, was taken to vindicate the cause of law and order on board those ships. He would only further remark that he considered the evidence was deserving of the perusal of honorable members as bearing on the immigration system of the colony.

The COLONIAL SECRETARY said he had no objection to the adoption of the report, though he construed some of the clauses in a different manner from the honorable member who had moved the adoption of the report. He considered that, in reference to the particular circumstances of the case, the Government were bound to give the chief officer some gratuity, and that they would have acted injudiciously if they had not done so. No doubt he did not deserve all the gratuity had there not been some redeeming circumstances; but it appeared to him that the chief officer deserved the full amount of the gratuity, and perhaps more, for the admirable manner in which he assisted to maintain order on board the ship. He had to confess that he did not notice the wording of the clause in the report, that recommended that no gratuity should be given to an officer who had been drunk on board ship during the passage. Certainly, to a habitual drunkard no gratuity should be given. He knew that many passengers, who called themselves gentlemen, got drunk, and that many others would do so if they could, and knowing that, he did not wonder that some of the officers should occasionally exceed. If he found that an officer was in the habit of getting drunk, or that he did not render assistance other than attending to his own duties, he should refuse him any portion of his gratuity. Now, every honorable member knew that disturbances occurred on board the highest class of passenger ships all over the world, and, therefore, they must not wonder if they occurred on board ships carrying the lower class of immigrants. He did not think that any rule could be laid down as to granting or withholding the gratuities to officers. Now, as he understood, Mr. Davis was a most admirable officer, and deserved more gratuity than he got. He did



not think it would be wise to lay down a rule that a gratuity should not be given to a person who had exceeded, for if he assisted the surgeon to maintain order, and was always ready and able to suppress mutiny amongst the passengers, it would be well to reward him. He had never known any emigrant ship, on board which a disturbance did not occur—neither in any vessel in which he had travelled himself, nor in any with respect to which he had made inquiries. Now, that being the case, he did not think they should retain the third clause of the report, or, at any rate, that it should be considered as an instruction to the Government not to pay gratuities to officers who might have been intoxicated during the passage. He did not think they should look too closely into such matters. When an officer who might have exceeded during the passage rendered services that more than compensated for his faults in that respect, he thought he was entitled to the gratuity; and, after all he had heard, he considered that the chief officer of the "Commodore Perry" was entitled to the gratuity he received. As a rule, the surgeons of passenger ships were not the highest class of men, but the surgeon of the "Commodore Perry" was a gentleman of great experience, and an able surgeon; and when he asked Dr. Luce if he considered the chief officer was entitled to a gratuity, he expressed himself as being decidedly of opinion that he should get it. Dr. Luce was not at first of opinion that he (the Colonial Secretary) could give the chief officer the gratuity, but when he knew that he could, he said he considered Mr. Davis was well entitled to the gratuity. Some attempt had been made to shew that pressure was brought to bear upon Dr. Luce to get him to express that opinion, but he understood that no pressure whatever was used. The services of the committee might be of some good, and might lead to the maintenance of better order on board immigrant ships. Where a clear case of improper conduct appeared, the Government would prosecute the offender, but he did not think that the chief officer of the "Commodore Perry" should be prosecuted, nor did he think if a person had been drunk to a trifling extent, perhaps, on board ship, that that should efface all the valuable services he might have rendered.

Mr. DOUGLAS remarked that Dr. Luce declined to sign the certificate, because, according to the wording of it, he did not think he would be justified in signing it. The question that arose, therefore, was whether when it came to the knowledge of the Government that the chief officer had been disorderly, he should have received the gratuity. He agreed with the honorable the Colonial Secretary, that in the case of an officer being overtaken once or twice, he should not be deprived of the gratuity; but the officer was violent in his conduct towards the passengers, and though for the services

he rendered in quelling disturbance he might have received a portion of the gratuity, he should not have received the full amount. If the conduct of this officer had not been taken notice of, he might have gone back to England, and returning again with passengers, have felt himself entitled to use the same liberties as he had attempted to use in this instance. He trusted that that would not be the case now, for the attention of the Government having been called to this case, the officers of immigrant ships and others would in future take better care of the persons under their charge.

The report was then adopted.

#### GRANT OF LAND TO SQUATTERS.

Mr. WATTS withdrew the following motion standing in his name:—“(1.) It now being an ascertained fact that it is impossible to develop the vast resources of this colony without the expenditure of a large sum of money, and that certain squatters having, by the importation of machinery at a very great cost to themselves, and in some cases sustained a very great loss—this House recognises the advisability of giving a grant of land to each of those gentlemen who, by their acts, have very materially advanced the interests of this second branch of colonial industry. (2.) That in case of those who have expended for the purpose of advancing their own interests in the purchase of land and machinery amounting to over £20,000, a grant of not less than 2,000 acres of the best land that can be found in the colony shall be given; in that of £40,000 expended in like manner, 4,000 acres shall be granted; and in that of £60,000, not less than 6,000 acres.”

The SPEAKER said he was aware that any honorable member had full liberty to place motions on the paper, and afterwards withdraw them. But he was sorry that the honorable member for the Western Downs had adopted the course he had chosen on the present occasion. The honorable member had admitted that he had only placed the motion on the paper for the purpose of ridicule. Now there was no doubt but that such conduct was highly reprehensible, as being calculated to detract from the dignity of that House, and bring its proceedings into ridicule.

#### SUPPLY OF WATER TO MARYBOROUGH.

Mr. WALSH moved—“That this House will, on Wednesday next, resolve itself into a committee of the whole, to consider an address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum of money not exceeding two thousand pounds, for the purpose of supplying the town of Maryborough with water.” He said he was satisfied there was no question which could be brought forward of greater importance than the supply of water to the principal towns of the colony. Happily, as

Maryborough was situated for commercial purposes in, perhaps, the finest part of the colony, one important matter had been overlooked by the Government of New South Wales some fifteen or twenty years ago, and that was a proper supply of water to the loyal inhabitants of that town. The town of Maryborough was the seaport to a large and fertile tract of country, and it was almost impossible to estimate the size and importance to which it would attain in a few years. It was anticipated that the new product of sugar growing, now attracting so much attention—that the export of sugar alone would render Maryborough the most important port in the colony. When the town was laid out by the New South Wales Government, it was never anticipated that it would reach its present importance, but even then the supply of water was inadequate to the wants of the population; now it was totally inadequate, and in a few months, or at any rate years, it would be frightfully inadequate to the necessities of the town. He felt he should be wanting in his duty to his constituents if he failed to bring the question before the House. He had heard that a great deal of sickness prevailed in Maryborough, which was owing to the impurity of the water. That fact alone, he thought, should be in itself sufficient argument in favor of the motion, as there was no doubt it was an evil which required immediate remedy. At the present time, Maryborough was laboring under a commercial cloud, and was not as prosperous as it was twelve months ago; and although the municipality were quite alive to the necessity of supplying the town with water, they had at present no means of doing so, and had asked him to place the motion before the House, and to point out the dire results which would ensue if some steps were not shortly taken. He had been unable to discover, either from the records of the House or by inquiring of the oldest inhabitant, that the town of Maryborough had received from the Government of this country any peculiar advantage, or that any improvement had been made in it up to the present moment. It would hardly be credited, but nothing whatever had been done to improve that thriving town. He was aware that the Government had some scheme in view for supplying the towns of the colony with water; but he did not consider himself, on that account, justified in withdrawing the motion. Nothing whatever had been done by the Government for Maryborough: not even a water reserve left, or not an adequate reserve, and the only thing left to the inhabitants of the town was to appeal to the House, and, in order to preserve the lives of our fellow-colonists, he thought the House would not object to vote the small sum of £2,000 for such a sanitary and necessary purpose.

The SECRETARY FOR LANDS AND WORKS said, no doubt the honorable member thought

he had a right to know the intention of the Government with regard to supplying the various towns of the colony with water. There was, however, the same objection to the motion that the honorable member had himself raised the other evening to the motion made by the honorable member for Drayton and Toowoomba, namely, that the work was required within a municipality. He contended that as much justice had been done to Maryborough as to any other town in the colony. There was no doubt that many municipalities in the colony were too poor to provide an adequate supply of water within their boundaries, and where it was necessary the Government should step in. He considered, however, that the motion in this case was somewhat premature. In the first place, there was no fund against which the sum asked for could be placed; and if there were, the work could not be entered into until a full inquiry had been made into the nature of the work required. The honorable member had correctly stated that it was the intention of the Government to take measures for supplying the whole of the great centres of population with water, and when that was done, he could assure the honorable member Maryborough should have an equal share of attention with the other towns in the colony. He trusted the honorable member would withdraw the motion.

Mr. WALSH expressed his willingness, after the explanation of the honorable Secretary for Lands, to withdraw the motion, although he had no doubt that if he were to press it he could carry it.

The motion was accordingly, by leave of the House, withdrawn.

#### SALARIES OF THE CHAIRMAN OF COMMITTEES OF THE LEGISLATIVE COUNCIL, AND OF THE LEGISLATIVE ASSEMBLY.

Mr. BLAKENEY moved, pursuant to notice,—"That this House will, to-morrow, 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 on the Additional Supplementary Estimates for the year 1866, the sum of one hundred pounds, for the purpose of raising the salaries of the chairman of the Legislative Council and the chairman of the Legislative Assembly respectively, to four hundred pounds per annum." The honorable member stated that the motion might appear strange coming from him, as he had always been one of the strongest advocates for economy and retrenchment. But to every general rule there were exceptions. No honorable member had been more pleased than he was at the increase voted for the salaries of the honorable Speaker and the honorable President of the Legislative Council; because, he thought, the salaries hitherto received by those gentlemen were most inadequate to the offices they held.



He had now come forward, in a very modest way, to ask a small sum for the purpose of placing two officers of the Parliament in something like an equal position; and if honorable members would refer to the salaries given in the other colonies to the office of Chairman of Committees, they would find that the pay accorded in this colony was very disproportionate. He thought the salaries they received at present were very small, and that they ought to be placed upon a fair footing. It had been remarked that he himself had an eye to the chair, but he denied any such imputation, and if any honorable member thought for a moment that he aspired to a seat in it, he was greatly mistaken. He would not take up the time of the House by speaking at length upon the motion, as there was a great deal of business on the paper. The sum he asked for was a paltry one, but he asked for it, in order that the officers in question might be placed upon a proper equality with other officers, and he put it to the House whether a simple act of justice should not be done. The business of the House was rapidly increasing, the sittings of the House were protracted to a late hour, and he thought that while thousands of pounds were being voted for different purposes, it was scarcely worth while to strain at a gnat and swallow a camel. He trusted there would be no objection to the motion.

Mr. MACKENZIE observed that there was so much jocularly and so much ridicule imported of late into the debates on questions brought before the House, that it was difficult to tell whether honorable members were serious or not. In this case he was at a loss to know whether the honorable member for North Brisbane was really serious. The salaries had been well considered this session, and it had been clearly understood that, with the exception of those of the President and Speaker, they should be left as they were until next session. The motion before the House was in direct opposition to that understanding. It was not the amount he cavilled at; but if the motion were assented to, the whole question would be reopened, and would have to be discussed again *de novo*. He should have no objection to it if it were brought forward at the right time and in the right place. As it was, he felt obliged to oppose it.

Mr. TAYLOR opposed the motion, which he considered, of all attempts to increase salaries brought forward this session, the most unjustifiable. It had been affirmed that it was necessary to give high salaries to the highest officers of the Parliament to keep up the dignity of the House; but that was surely not necessary in the case of these officers. They were not obliged to attend when the House rose, and, therefore, they had eight or nine months in the year to themselves. He could not understand why the honorable member for North Brisbane

had brought forward this motion, unless, perhaps, some person outside had told him he dare not do it; he could attribute no other motive to him, unless he aspired to resume the chair. But, as the honorable member had assured the House that he had passed the chair, he (Mr. Taylor) was entirely at fault to know his reason. He hoped there would be no more motions of this sort during the session, and that this motion would be treated by the House as it deserved.

Mr. FITZSIMMONS hoped the motion before the House would be dealt with as it deserved. One of the gentlemen referred to in the motion was particularly well known to honorable members of that House; and they all well knew that he had obtained for himself the confidence and respect of every honorable member, on account of the way in which he had discharged the duties of Chairman of Committees. It was a very difficult task to perform the duties of Chairman of Committees, and the honorable member who now filled that office had, by his tact, strictly honorable principle, and independence of action, obtained for himself the confidence and esteem of the House. He trusted, therefore, that justice would be done to that honorable member by the motion being agreed to. The amount proposed was small; and it should be remembered that though the honorable member might not be required to attend in the House during the whole of the year, he could not enter upon any private business whatever during the period the House was in session. The position of Chairman of Committees was a high one, being next to that of the Speaker, and its dignity ought to be acknowledged. He therefore hoped there would be no objection to the motion.

Mr. JONES said he had much pleasure in supporting the proposition. It appeared to him there could not be a more proper time than the present to take this matter into consideration. When the question of increasing the salaries of the President of the Legislative Council and of the Speaker of the Legislative Assembly was under consideration, the increase of the salaries of the Chairman of Committees of the Council and of the Chairman of Committees of the Assembly very properly came before the House. In considering this motion, the House ought to remember that the colony was increasing, that the number of members was increasing, that the business of the House was increasing, and that, corresponding with such increase, the dignity of the officers of the Legislature should be maintained. He must say that in his opinion the sum proposed was rather small. He would like to see the office made worthy of honorable members aspiring to, by endeavoring to make themselves familiar with the rules for the governance of the House; and which the honorable the Speaker, by much diligence and careful attention, had made himself thoroughly con-

versant with. There was no one more tasked than the Chairman of Committees. When the honorable the Speaker occupied the chair, honorable members could only address the House once on any subject, but he had heard one honorable member, when the House was in committee, speak nineteen times on one question, and the Chairman of Committees had to submit to that infliction. He had to listen to all that was said, and to recollect and rectify all the tortuous amendments that were made. He should cordially support the motion.

Mr. WALSH said he agreed with much that had been said by the honorable member who last addressed the House. He, too, greatly sympathised with the Chairman of Committees in having to listen to honorable members who rose so often, as he himself sometimes did, to speak to any question under consideration in committee. It was, however, no argument to use in support of the increase of the salary of the Chairman of Committees, that the honorable member who occupied that office had to listen to some honorable members addressing the House nineteen times on one motion. If an honorable member rose nineteen or ninety times to address the committee on any question, if he considered it his duty to do so, it should not be mentioned either in disparagement of him or as a reason for increasing the salary of the Chairman of Committees. It was most unfair to honorable members to have such remarks made, and he trusted that such observations would not weigh with any honorable member so as to deter him from rising to address the committee as often as he felt it was his duty to do so. As to the motion before the House, he would vote in support of it. Indeed, he considered it hardly possible for any honorable member to vote against it; and he did not believe that any honorable member could have so far forgotten himself as to introduce such a motion without being fully satisfied, in his own mind, at least, that he was justified in doing so. He did not see that honorable members could, having due respect to themselves, vote against the motion.

Dr. CHALLINOR said he had no doubt the honorable member for the Mitchell referred to him when he spoke of some honorable member addressing the committee nineteen times on one question; for he remembered its being said on one occasion that he did so, but he was not sure that the honorable member who made the calculation was correct in his addition. However, it was not so much the number of times that an honorable member spoke as the manner in which he spoke, and the matter he spoke, that was to be considered. Now, he was sure, that in both those respects, when he addressed the House his remarks would compare favorably with those of the honorable member for the Mitchell.

Mr. BLAKENEY amended the motion by substituting the word "to-morrow" for the word "Tuesday."

The motion was then put and carried, on a division—Ayes, 11; Noes 9.

#### JETTY AT SANDGATE.

Mr. BROOKES moved—"That this House will, to-morrow, 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 for 1866, a sum not exceeding £2,000, for the purpose of constructing a jetty at Sandgate." It might, he said, be in the recollection of some honorable members that about fourteen or fifteen years ago, Sandgate was selected by Mr. Burnett, who was then chief surveyor, as a site for a marine village, with the intention that it should form one of the lungs of Brisbane, and in the plans he made for the laying out of the township, there was a place marked off for the erection of a jetty. Now, Mr. Burnett selected Sandgate after he had surveyed both sides of the river. Indeed, it was after a long and careful survey that he selected Sandgate as the most advantageous site for a marine village; and it should not be lost sight of that it was the best site for obtaining quick communication between the bay and the city of Brisbane. By reference to a chart of the bay, it would be seen that off Sandgate there was a sufficient depth of water for the largest vessels that entered the bay, and that the water was much deeper than at the present anchorage, which was selected because of its convenience to the mouth of the river. The site where it was now thought it would be most desirable to erect a jetty was not the one put down on the original plan prepared by Mr. Surveyor Burnett, which was a short distance within the mouth of Cabbage-tree Creek. Owing to the growth of the town, it had been found that that site would be very inconvenient; and the site now proposed was from a point near the Police Paddock. It might, however, be found that some other site might be more desirable. He might state, for the purpose of shewing the feasibility of erecting a jetty at this point, and the probable cost of it, that, according to the calculations of an engineer of high standing, a jetty twelve feet wide and 2,112 feet long would cost about £2,200. The principal portion of the jetty would consist of an embankment, which would extend to the point of low water, and the further extension required would consist of timber. At the extreme point the depth of water at low water, neap tides, would be between six and seven feet; and a further distance of 500 feet would give a depth of fifteen feet at low water, neap tides, as the water at a certain point began to deepen very rapidly. The depth of water that would

thus be reached would be sufficient for the largest vessels that visited the bay to lay alongside the jetty. He had the less hesitation in asking the House to assent to this motion, because it was well known that a jetty was very much wanted at Sandgate, as at present there was no possibility of approaching Sandgate from the sea, not even by a boat. This was, therefore, only a reasonable request on the part of those who had invested large sums of money in the purchase of land at Sandgate twelve years ago, very much on account of the expectation that a jetty would be erected there, which was necessary to give the place the character of a marine village. It was certainly absurd that Sandgate should be regarded as a marine village, and yet not be accessible for small boats, far less for steam vessels. He hoped the House would assent to the motion, on the ground of doing ordinary justice to the village, and from the very obvious necessity for such a work being erected there.

Mr. PUGH seconded the motion.

The COLONIAL TREASURER said the honorable member, in bringing forward this resolution, had, he had no doubt, done material service to the marine village he had so well represented; but he thought the honorable member had failed to shew sufficient reason to the House, or to the Government, to justify them in supporting the motion. He thought the House would do well to pause before entering on an undertaking of so large an expense as this proposed jetty would ultimately involve. The honorable member had said that a jetty 2,100 feet long, and twelve feet wide, would be constructed for £2,500. Now, he could only say, and he thought the House would agree with him, that such an estimate scarcely coincided with experience in the erection of jetties in other places. When it became necessary for the House to pass a resolution restricting the Government from accepting tenders for work beyond the amount voted for such work, the House should be cautious before assenting to this proposition, for, at another part of the bay, the cost of carrying a jetty only a small way into the water was £5,000. It might be possible for the honorable member, on some future occasion, to make out a sufficient case to justify the House in assenting to the expense of erecting a jetty at Sandgate, but he thought he had not only not done so on the present occasion, but also that the House was not prepared to vote a sum of money for the work. He had no doubt that the publicity which had been given to the motion would, in the meantime, be of much benefit to the marine village; that the inhabitants would, therefore, be so far satisfied, and consequently the honorable member might now withdraw the motion for the present session, in the hope that at some future day Sandgate might rise into sufficient importance to induce the House to vote a sufficient sum of money

for this purpose—a purpose, which he must confess, he did not see any necessity for at the present moment. If the honorable member should be determined to press his motion to a division, it would be his duty to vote against it.

Dr. CHALLINOR said he thought the honorable member for North Brisbane had on the present occasion departed from his usual course of action, for on a former occasion when the question as to the construction of a railway to Warwick was before the House, he objected to the proposition then made, because there were no definite plans of the proposed works submitted. He (Dr. Challinor) had no present objection to the construction of a jetty at Sandgate, because such a work would be likely to suit his purposes, but he questioned whether a jetty that would be strong enough to withstand the storms and heavy seas at Sandgate could be constructed for so small a sum as that mentioned by the honorable member. He also thought that the honorable member was premature, and that it would, therefore, not be well that the House should commit itself to the erection of a jetty at Sandgate till some more definite knowledge was obtained on the subject.

Mr. BROOKES said he had but little to say in reply to what had been stated by other honorable members. He would, however, remark that there was no similarity between Cleveland and Sandgate for the construction of a jetty. Sandgate was by far the most suitable place, and there was no rock in the way. The beach was a flat sand almost level to the point of low water, and then it shelved down rapidly till a depth of three and a-half fathoms of water was obtained. It could not, he maintained, be objected to the proposition that it was premature, for the idea of having a jetty at Sandgate was about fifteen years old. He did not ask the House to commit itself to this plan, but he could assure the House that the calculation he had submitted was very carefully prepared; and on the authority of the gentleman by whom the calculations were made, he was confident that a jetty such as was at present required could be constructed for £2,000. Now, without a jetty at Sandgate, it was no use calling the place a marine village. He trusted the House would agree to the motion, and allow the sum he asked for to be placed on the Estimates for this purpose. The Government could choose their own site, and appoint their own officers to carry out the work. He was not in a hurry for the work being done; but he considered it would be only ordinary justice to the inhabitants to erect a jetty at Sandgate, as it was on the faith of such a work being carried out that lands were purchased there, and that many persons went there to reside.

Mr. DOUGLAS did not think the sum proposed would be sufficient for the erection of

such a jetty as would be required at Sandgate, but the object was one that was well worthy of consideration. If the motion was not carried, and he presumed it would not be, still the matter, he thought, was one that should be taken into consideration by the Government during the recess. A large amount of money had already been spent in removing the bar, and after that work was completed it would still be necessary to expend large sums in deepening the flats in the river before vessels of large draught of water could come up to Brisbane; and therefore it might be worthy of serious consideration whether they should not rather construct a jetty at Sandgate than be subject to the annual expenditure of keeping a deep channel over the flats. When they came to compare the locality of Sandgate with that of Cleveland, they must come to the conclusion that Sandgate was the superior place for the erection of a jetty, merely because at no distant period there must be a railway to Sandgate; and they ought also to bear in mind that Sandgate was necessarily a sanatorium for Brisbane, for the citizens of Brisbane did not resort to Ipswich when they wanted a change of air, but generally preferred going eastward to the seaside instead of westward inland, and where else could they go to as a marine resort but to Sandgate?

The question was then put and the House divided; ayes 6, noes 12.

#### MUNICIPAL INSTITUTIONS ACT OF 1864 AMENDMENT BILL.

Mr. PUGH, in rising to move the second reading of a Bill to amend the Municipal Institutions Act of 1864, said the object of the Bill must be apparent to every honorable member who had perused it, and its necessity also must be admitted by every honorable member. The city, for municipal purposes, was at present divided into four wards, but the divisions were not such as to give satisfaction to those who resided in several localities; and, as honorable members might be aware, the inhabitants of Kangaroo Point were at present petitioning the Government for separation from the city, and the erection of that locality into a distinct municipality. At present, Kangaroo Point formed part of the east ward, and though it returned three members to the city council, neither of the present members resided there. Most of the inhabitants of that district had given their adhesion to the plan he proposed in this Bill, as it would not prevent them from obtaining separation at a future day, if it should be found that under the operation of this Bill they still did not obtain a fair measure of representation. The first clause of the Bill proposed that the city should be divided into six wards instead of four, and that each ward should return two members. That would not increase the number of members of the city council, but would do away with the unjust and inconvenient system of

representation that obtained at present, such as in the case of Kangaroo Point, which was in the same ward as the portion of the city on the east side of Queen street. Those two portions of the same ward were separated by the river, and, as honorable members must see, there could be no community of interests between the inhabitants on the one side of the river and those on the other. Then, as to the Valley ward, it was about two miles long; and there again there could be little community of interest between the residents at the one end and those at the other. The people were generally very much dissatisfied with the present state of things, and they had a very good right to be so. Now, what he wanted to prevent by the Bill was the premature division of the city into petty municipalities. One of the difficulties that would be occasioned by a division of the city in that manner at the present time, or at an early period, would be the adjustment of the existing debt between the city and such parts as might be separated from it. The 2nd clause provided for the retirement of the present members of the Council, and the election by each of the six wards of two aldermen to constitute the new Council. Then the 3rd clause provided for the annual retirement of one alderman from each ward. The schedule attached to the Bill, he believed, correctly described the boundaries of the several new wards; but it would be competent for honorable members in committee to propose any amendments they might desire. As the descriptions were in exact accordance with the maps laid on the table, and which had been approved of by most honorable members, he expected there would be no amendment made upon them. The 4th clause provided a new feature in municipal matters—that was, the election of assessors. Hitherto, it had been the custom of the town council to assess property, to ascertain the amount of rates that would accrue to the city during the year. Now, that mode of assessment had been found to be very unsatisfactory. One year the council made the assessment themselves, and another year they appointed assessors, who were strangers, and on a third occasion they appointed a committee to make the assessment. He might say, that when the assessment was made by the council in their own office, there were fewer complaints against their valuations than against the valuations made otherwise. Now, he proposed by this Bill that the rate-payers should have power to select two of their own number to act as assessors. His reason for this was, that if the rate-payers of any municipality elected a person or persons to assess their property, they would only have themselves to blame if the assessment was wrongly made, or if in any case the valuation was exorbitant. The matter being left in the hands of the rate-payers, they would choose the persons they believed to be best able to perform the



duties of assessors, and consequently there would be the less room for complaint. The 5th clause related to certain provisions of the Act of last session. The necessity for interpreting those clauses, as the 5th clause of the Bill proposed to do, arose in consequence of the stupidity of a certain mayor and other officers who raised objections to the votes of certain persons, because their rates were not paid on the morning of the nomination. Now, by the interpretation given by the 5th clause of the Bill to certain clauses in the Act of last session, it would be competent to any persons to record their votes, if they should pay their taxes at any time up to twelve o'clock on the day of nomination. The 6th clause related to the proviso of the 76th clause of the Act of last session, and restricted the powers of the Municipal Council as to levying rates upon property within a hundred and fifty feet of any municipal boundary to cases where the council had improved, or had commenced to improve, any street, road, lane, or thoroughfare on such boundary line. This provision was considered to be necessary, in consequence of the town council of Toowoomba having levied a sort of black-mail on persons outside the district where there were no improvements, and where there were not likely to be any. He believed, when the proviso to the 76th clause was before the House last session, it was perfectly well understood that it should only apply to property in the vicinity of which the town council had made street improvements; and it must be admitted, that it would be most unjust to compel persons residing in a district where it was not likely improvements would be made to pay rates. If the redivision of the wards, as proposed by the Bill, should not be found to give satisfaction, it would be perfectly competent for the inhabitants of the several quarters of the city to move for separation. With those observations, he begged to move that the Bill be read a second time.

Mr. BLAKENEY seconded the motion.

The COLONIAL SECRETARY said that as the honorable member who introduced the Bill had done him the honor to consult him as to the provisions he intended to introduce in it, he wished to say that, after giving full consideration to the map which which was appended to the Bill, he had come to the conclusion that the provisions were exceedingly suitable; and he hoped the Bill would be passed in its present form. He thought it would be a most unfortunate thing if the municipality of Brisbane were to be cut up into a number of small municipalities; and the introduction of such a measure at this time was very desirable. The rate-payers would be unwise to entertain any dissatisfaction at such a step. He thought the honorable member had shewn good reason for the several provisions of the Bill. The 5th clause appeared to have been introduced

for the purpose of removing any misunderstanding which might arise from the want of intelligence in the parties concerned. He had been informed by persons connected with some of the most important municipalities—he did not refer to the Brisbane municipality—that it would be a very good thing if a certain amount of education were necessitated in the case of members of those corporations, as difficulties had arisen in many cases from the want of knowledge and aptitude in the ordinary routine of conducting business. He did not say that he could quite see his way to introduce a clause for the education of aldermen; but he could assure the House that the matter had been strongly put to him by certain members of the leading municipalities. He should give his cordial support to the measure.

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

#### REAL ESTATE OF INTESTATES DISTRIBUTION BILL.

Mr. BLAKENEY moved that the order of the day for the consideration of this Bill in committee, and the Bill itself, be discharged from the paper. The honorable member stated that when he had first introduced the Bill to the House, the honorable Attorney-General had objected to some of its provisions; and being always anxious to meet the views of the honorable and learned gentleman, he had yielded to those objections, and had since prepared several clauses to meet his suggestions, which he had taken from the Acts now in force in South Australia and Victoria. The honorable Attorney-General still thought they were a little too cumbrous; and, in order to meet his wishes, he (Mr. Blakeney) waited upon the gentleman whose duty he considered it to be to assist honorable members of either House in the preparation of Bills—the Parliamentary Draftsman—and gave that gentleman a copy of the Bill he originally introduced, and a copy of the amendments, referring him to the several Acts from which he had, to the best of his ability, abstracted the provisions. But, although they had been for a considerable time in the hands of that gentleman, he had at last informed him that he had not time to attend to them. That shewed the necessity which he (Mr. Blakeney) at the time considered to exist, of making the appointment of Parliamentary Draftsman a separate and distinct one. That was the practice pursued in every other colony. But a different principle was carried out here, and hence he believed had arisen a good deal of the hasty legislation and the undigested Acts which had been complained of. It was quite impossible that a gentleman in full practice as a barrister could give his undivided attention to the duties of Parliamentary Draftsman to either House. He maintained that officer should be the servant of both Houses; and as the appointment was now vacant, he took

the opportunity of expressing a hope that, even at the expense of an extra salary, a recurrence of those difficulties would be avoided for the future.

The COLONIAL SECRETARY said he did not think the delay, of which the honorable member complained, was to be attributed to the Parliamentary Draftsman. The fault, if any, rested with the late Attorney-General, who was unable to attend to the matter.

Mr. BLAKENEY: The Parliamentary Draftsman distinctly told him that he had not time to attend to it. The result was that the measure, which was one of vital importance to the interests of the colony—which was law in all the colonies—would again have to fall through, as, under the circumstances, he should not press it upon the House. He did not blame the gentleman to whom he had referred, because it was impossible with his numerous avocations to attend to them all. He only desired, without making any charge whatever, to shew the result of such a practice, for it was very probable that if he were in the same position, he should give his professional practice a preference to his other duties; that was only human nature. He merely stated the facts of the case, in the hope that some other arrangement might be made when the successor to the present Parliamentary Draftsman was appointed. He was now obliged to withdraw the motion, and he moved that the Bill be discharged from the paper.

The COLONIAL SECRETARY said he wished to say a few words in explanation. As the honorable member had for various reasons postponed the measure until now, it was very unfair to make it the subject of an attack upon an absent member, and to allege that the Parliamentary Draftsman had been prevented by his private practice from attending to the duties of his office. He (the Colonial Secretary) was quite certain that that gentleman had always given up his private practice in favor of his official duties. That officer could not draft a Bill without going to the Attorney-General to obtain his concurrence, and he knew that the Attorney-General had not made up his mind on the subject. He was, therefore, in a position to state that the honorable member for North Brisbane had made an unfair attack upon the Parliamentary Draftsman.

The question was then put, and the order of the day for the second reading of the Bill, and the Bill itself, were discharged from the paper.

#### TRIENNIAL PARLIAMENTS BILL.

Mr. BLAKENEY: Mr. Speaker, before I proceed with the observations I have to make in support of the motion for the second reading of this Bill, I beg to express my intention of making a slight alteration in the second clause, to omit the words "the present," so as to confine the operation of the Bill to "every future parliament." I

will now, sir, endeavor to shew, and I think I shall succeed in doing so, that some honorable members have not such a long tenure of office as they appear to imagine. The law as it stands at present is that each Parliament shall last for five years only. Now, this Parliament has been three years in existence on the 5th of May of this year.

The COLONIAL SECRETARY: Two years.

Mr. BLAKENEY: Then you have longer to live than I expected, and so much the worse for the country. I had flattered myself we were nearer to the close. However, I will now come to the point. When I had the honor of being returned, both to the first and second Parliaments of this colony for the city of Brisbane, I pledged myself, on both occasions, to advocate triennial parliaments. I believe I have fulfilled that pledge, for this is the third time I have brought this measure before the House. I deeply regret that I have hitherto been unable to carry what I believe ought to be the law of this colony, which is at present the law in some of the other Australian colonies—it is certainly the law in Victoria, and I rather think it is in South Australia. We must consider the peculiar position of this colony, and if we do so, I think that we shall find that, if there is one colony more than another which should have triennial parliaments, it is Queensland. We commenced in 1860 with a population of 25,000 or 30,000, which is now increased to somewhere about 80,000. At the last election the population of this colony was about double that of 1860. I do not think I shall be accused of exaggeration when I say that the present population of the colony is 80,000, and at the rate we are now progressing, in two years more, if this Parliament continues, three-quarters of the population will be unrepresented. The circumstances of this colony differ widely from those of the old country. The old country increases merely in proportion to the natural increase of population, minus the enormous number of persons who leave England, Ireland, and Scotland, for foreign parts. We must also bear in mind that when triennial parliaments have been advocated in the British senate, one of the chief objections advanced against them, has been the great expense attending contested elections in the mother country. That argument has had great weight in the British senate, but here no such complaint can be advanced. There is no qualification required except that a candidate must have his name upon some electoral roll; the expenses of the election are borne by the State, and the cost to the candidate is but trifling—he need not spend sixpence unless he choose. Therefore, there can be no excuse on the score of expense. I have once or twice heard debates in the House of Commons on this question, and I believe this was one of the principal arguments which deterred its members from



altering the law as it at present stands. We have been told, and I shall not be surprised to hear to-night, that the usual duration of colonial parliaments averages less than three years. If that argument be used, it will bear out what I say. Sir, when I was elected two or three years ago for the city of Brisbane, and other honorable members were returned for their respective constituencies, the circumstances of the colony were very different from the circumstances of the present day. Can any honorable member in this House—unless it be one of those six additional members who were returned last year—say that we now fairly and truly represent the wants of our electorates? The population in these electorates has been doubled, in some more than doubled; hundreds and hundreds of names have been added to the different rolls, and we are in an entirely different position. Will any one say that I or either of my colleagues truly represent the city of Brisbane? No; we are essentially a colony, increasing in size and importance year by year in the natural order of things, and in consequence of the large sums expended in the introduction of emigrants from the mother country. And I say it is a monstrous proposition that the thousands of emigrants who have arrived in this colony since the last election, should be deprived for another three years of an opportunity of choosing representatives for the various localities in which they reside. Sir, that is not the principle of true responsible government. If that were carried out, we should have frequent and constant elections occurring within a reasonable period, for I say it is monstrous to suppose, with the large yearly immigration to this colony, the Parliament should only be elected in every five years. We all know the cry of principle that was evoked at the last general election; but I believe that several members of this House were elected on false pretences—that they do not fairly represent their constituents, and that they have violated their pledges.

**THE COLONIAL SECRETARY:** National education.

**MR. BLAKENEY:** I admit, sir, that on my last election I said I should be an advocate for national education, and so I am; but I do not see why those who differ with me should not also receive aid from the State. I see that principle carried out in the other colonies, and that there both the systems go hand-in-hand. (No, no.) I say yes, and challenge contradiction. I observe on the Estimates of New South Wales the sum of £35,000 voted for national education, and a similar sum for denominational education. Will the honorable member at the head of the Government for a moment say that because I advocate aid on behalf of those who wish to have a religious education for their children, I am violating my pledge, or that I am not in favor of national education?

Does the honorable member mean to affirm that every member who pledges himself to support national education must oppose every other? I am really surprised to hear such a remark, and still more surprised to hear the honorable Colonial Treasurer echo the sentiments of his leader. For I remember that before that honorable gentleman had a seat upon the Treasury benches, he was one of the strongest advocates for denominational education. (No, no.) I say yes. The honorable member is strangely forgetful, no doubt under the influence of a sort of mesmerism which seems to affect honorable members who sit upon those benches, and makes them deny everything they have said.

**THE COLONIAL TREASURER:** I must rise to correct the honorable member. He is mistaken when he says that I have ever voted in support of denominational education. I have always strongly advocated the national system.

**MR. BLAKENEY:** I always believed that the honorable member had been a supporter of all those who sought to obtain support to the denominational system. I know that his predecessor was a strong advocate of that system. Perhaps, sir, my arguments have been a little too pressing, and it was extremely convenient for the Colonial Secretary to throw national education in my teeth. But I am not so easily put out. To return to the question before the House. At the last occasion that I urged the second reading of this measure, I quoted from a very important document in support of what I considered a most necessary principle to establish in this colony. I quoted, sir, from a despatch sent home by our present Governor to the Secretary of State upon the question of the dissolution of the last Parliament. And, although I were to exhaust all the arguments used by the principal writers in support of triennial parliaments, I could not bring forward a stronger argument in its favor than that very document. I think it cannot be too strongly impressed upon the minds of honorable members, and I think, therefore, it is my duty to read to them the despatch which I read to the House upon the last occasion when I had the honor to bring this question under their notice. The despatch is dated from Government House, 15th June, 1863, and is addressed to the Secretary of State for the Colonies. I extract the following:—

“Soon after the commencement of the annual session of Parliament for 1863, it became evident that an appeal to the country would shortly become unavoidable. The Assembly had been elected on the first establishment of the colony, and according to the provisions of the Constitution Act for five years. It was already in its fifth session, and it was argued both in and out of Parliament that a legislative body chosen in 1860, when our population was under twenty-five thousand, could scarcely be held to adequately represent the colony in 1863, when our popula-

tion exceeds fifty thousand souls. The Statistical Register moreover proved, that during the same interval, our trade and revenue, as well as our population, had more than doubled, and it was contended that, seeing the very rapid and solid progress of this young community, a triennial parliament in Queensland was practically more than equivalent to even a decennial parliament in England."

Now, sir, can anything which may fall from any honorable member of this House convey more potent arguments for the necessity of triennial parliaments. We have now, instead of 50,000, a population of 80,000 souls; this is rapidly increasing; and what, I ask, will be the condition of this colony if the present Parliament continues for three years longer, and every successive parliament is to last for five years? It is a monstrous idea. I cannot at all imagine how honorable members, who really and conscientiously feel that they have done their duty honestly and faithfully, can vote against this Bill, or why any honorable member who has acted up to his promises and has violated no pledge, should hesitate to appear before his constituents. I have heard many arguments in favor of annual parliaments, but I do not go so far as that; I think triennial parliaments the most suitable to this colony. Now, sir, it is unpleasant to make any personal observations, and I shall therefore simply read an extract from a newspaper in which two honorable members of this House are referred to. I do not say that any honorable member has violated his pledge. I am merely quoting from an article in a newspaper, *The Warwick Argus*, of 5th July last, which says:—

"We may be pardoned for reminding both our town and country members that they are expected to give their support to this measure, from the fact that they pledged themselves to do so some two years ago, when they, as candidates, addressed the electors of Warwick. Mr. Wienholt on that occasion stated that he would endeavor to obtain triennial parliaments, as he believed in them; and if returned, he pledged himself to use all his influence to such an end, and not only so, but to secure an extension of the reserve. Mr. McLean followed with an "Amen," going so far as to ensure the people of Warwick an extension of the town reserve within three months, but did they ever get it? The latter gentleman also advocated triennial parliaments, and we will now have an opportunity of seeing how both these gentlemen carry out their pledges. Any member who is consistent, and acts solely for the interest of his constituents, will endorse Mr. Blakeney's motion, for he will thus shew that his votes have always been in accordance with his pledges. We opine the Government will support this measure, it being one of a liberal character, and also expedient under the existing circumstances of the colony."

An honorable MEMBER: You were the author of it.

Mr. BLAKENEY: Sir, I utterly repudiate that insinuation. I deny it in the strongest terms the English language is capable of.

What have I to do with the *Warwick Argus*? I never saw a second number of that publication until my attention was drawn to it the other day. It will be for the honorable member himself to say whether it is true or not. It may be the foulest falsehood ever penned. I quote it merely to shew some honorable members what their constituents think of them.

Mr. McLEAN, in explanation, said that he was not at Warwick at all when the honorable member referred to was elected. He believed the honorable member was only reading to the House something he had written himself.

Mr. BLAKENEY said he knew nothing whatever of the truth of the extract, or whether it was true or otherwise; nor did he know if the cap fitted the honorable member or not.

Mr. McLEAN: Well, I can inform the honorable member that it does not fit.

Mr. BLAKENEY concluded by stating that a day of reckoning between the honorable member and his constituents would come; and, thought it might not be so near as was desirable, both the honorable members would see, when they got on that most unpleasant place, the hustings—that most terrible place for members who had offended—how far their memories and the memories of their constituents agreed, with respect to pledges in favor of triennial parliaments and reserves. The latter was a tender subject, and he would pass it by, as it was foreign to the question before the House. He trusted that nothing he had said would be considered personal, as it was his wish at all times to avoid personal allusions; but he wished to say that, having got a hold of the paper, it struck him that the memories of the honorable members who represented the town and county of Warwick must be exceedingly short, and that it would be well for him to read the extract to them in order to warn them against committing any fault, lest the House might lose their services in Parliament, which they shed so high a lustre on. It was wholly in consideration for the honorable members that he read the paragraph, and only for the purpose of helping their memories. Now, there could be no question that there had been few matters connected with the House which had excited more general interest throughout the colony than the question of triennial parliaments, though, certainly, he must admit, the constituencies in many cases lost sight of the question at the last elections by the great attention they were called to give to what was the practical question of the day—whether they should have railways or not. But such was not the case at the first election. He was at a good many popular elections at that time; and he read the reports of the proceedings of many popular elections at that time, and he could assert that, at the first elections, there was scarcely one election at which the candidates were not called upon to

pledge themselves that, if returned, they would advocate triennial parliaments. He repeated, and that advisedly, that at the first elections the question of triennial parliaments was one of the principal cries throughout the colony. The electors complained, and very naturally so, because they considered they were very much shorn of their elective privileges by the Order in Council, which deprived many of the elective franchise they possessed under the New South Wales Act, and put them back to the original franchise, before the Reform Bill of New South Wales was passed. Many were shorn of those privileges, and in consequence the great cry was for the restoration of those privileges. The only way safely to do so was to have triennial parliaments. Now, he again asserted that there was no honorable member who was elected by any popular constituency for the first Parliament but must admit that one of the great cries of that day was for triennial parliaments; and there were very few of the candidates but promised to advocate a measure for the establishment of triennial parliaments. He knew from the complexion of the House, from the bickerings that would be sure to take place between some honorable members and their constituents, and from the fact that the electors had in some instances doubled, trebled—aye, quadrupled—that some honorable members would rather hold their seats for any length of time than go before their constituents again. He was afraid there were many would rather continue as they were, knowing that the seldomer they went before their constituents the safer they were. They felt that once they got in they were safe for five years, and for that length of time could take care of themselves and their friends, and conduct themselves in a very different way from what they would if the Parliament had to be elected every three years. He held that the only way to keep honorable members faithful to the pledges they gave to their constituents, was to have triennial parliaments; and any one who wished well to the colony and to the prosperity of parliamentary government, would support his motion. He then concluded by moving that the Bill for the establishment of triennial parliaments be now read a second time.

Mr. McLEAN said he merely rose to make a short explanation. He did not intend to follow the honorable member for North Brisbane through all the details he had gone into; but merely wished to state that he was not at Warwick, at the election of the honorable member who represented that constituency, or at any of his meetings. He did not recollect reading in any of the speeches of candidates at the last election anything about triennial parliaments; and he might further say that he never heard mention made of triennial parliaments at any of his own meetings. The honorable member

for North Brisbane was himself the only one he ever heard speak about triennial parliaments. That was his experience in travelling through the colony. If the honorable member's advocacy of triennial parliaments rested on such grounds as he had read out of the Warwick paper, he must say he thought they had a very frail foundation indeed. The honorable member, he must say, had on this occasion been consistent with himself on previous occasions; for now, as always, he had started with nothing to start with, went on without anything particular to say in support of his motion, but as he went on he found some fallacious grounds on which he built up something like an argument. The honorable member was always going about like an old terrier bred to rat-hunting; he was always smelling about for his neighbors' faults, but he was generally very unsuccessful. He should be very happy to see the honorable member a candidate for the Eastern Downs at the next election, and he would give him such a threshing as would astonish him, notwithstanding that it was his intention to oppose the second reading of the Bill.

Mr. FORBES said that as he had not the honor of a seat in the House when a similar motion was brought forward on a former occasion, he hoped the House would bear with him while he made a few remarks, explanatory of the reasons that guided him in supporting the second reading of this Bill. Looking at the progress of legislation on the subject of the duration of parliaments, he found that in 34 and 36 Edward III., it was provided that annual parliaments should be held; and in the 16th of Charles II. the duration of parliaments was limited to three years. Again, the 6th of William and Mary, chapter 2, provided that the term of parliaments should be three years. The preamble of this Act clearly shewed that the object for which the Bill was passed, was that the Crown and the people, through their representatives, should frequently be brought to confer on all matters concerning the remedy of abuses, and all matters concerning the good government of the kingdom and its happiness and well-being. Under this system of triennial parliaments, parliamentary government appeared to have been more faithfully and righteously conducted than at the present day. But the 1st of George I., statute 2, chapter 38, enacted that parliaments might continue for seven years. That was an innovation on the constitution, and the only grounds on which it could be defended were those of expediency, for preventing corruption and disorder at elections, the frequent agitation of the public mind, instability in the councils of the country by frequent changes of administration, and the weakness of new governments through inexperience in politics and modes of government. Those were the apparent grounds for passing the Septennial Act, but it was believed by some

historians that one of its objects was the protection of the right of royal succession to the House of Brunswick. Although the system of septennial parliaments might have worked well in the mother country, that could be no reason why it should work well in a democratic colony, where all the means and circumstances were so widely different. It became, therefore, a matter for consideration, whether the present quinquennial duration of parliaments, with the unrestricted power to exercise the prerogative of dissolution, was more beneficial and better adapted to the people of this colony than triennial parliaments. The power of dissolution was supposed to be used only in cases of great emergency by the Crown. It was never used in a penal sense till the reign of George III., when Mr. Pitt dissolved parliament to punish a contumacious opposition. It had been asserted, with some force, that if there were triennial parliaments in Great Britain the Crown would scarcely ever require to exercise the prerogative of dissolution, in any sense, for contending parties for power would be more likely to forbear their differences in parliament, and let them be settled by the decision of the country. He thought that if this Bill should become law, the colony would be more justly, more honorably, and more equitably governed than it was at present. The people would have a more direct power, and more influence on the Parliament and the Government of the day. The Government would not feel the necessity to intimidate or deter the Opposition by the penal threat of dissolution, as that to a bad government or bad parliament would come too soon for either. In this case, it would nullify the terrors of a dissolution, place honorable members in a more independent position in the House, and in a position of becoming more faithful to their constituents; while the rights of the subject would be better protected, and the constitution better preserved. The power of dissolution, which, with triennial parliaments, would be conserved for great emergencies, had already in this colony been used tyrannically, unjustly, and in defiance of the spirit of the constitution; for, after the Government had frequently threatened members with dissolution, if they became contumacious, and would not pass the Railway Bill without the information required of them, they exercised this power, knowing well that by an appeal to the country they would be reinstated in power, which, through a large expenditure of public money would make them perpetual, if not inevitable. The power which in this instance was used tyrannically and unjustly, had tended more to destroy parliamentary government in its chief essential—government by party—than anything else that had occurred since the separation of this colony from New South Wales, and it might take years to mend the evil and remove the

degradations of serfdom thus placed upon the people. He also thought that when a representative had been returned by a democratic constituency, if the duration of his seat should be so long as to make him forget the feelings and sentiments of his constituents, through mixing with persons whose views were at variance with theirs, he could not any longer be considered as their representative, and should vacate his seat. Holding, then, as he did, these views, he thought he should be best serving his constituents and the colony at large by voting for the second reading of this Bill, as the best and safest remedy for the defects in the present constitution of the colony. He might state, as the honorable member who brought in the Bill had alluded to what took place on the occasion of the first elections, that though he was a candidate at that time for the representation of one of the most populous constituencies in the colony, he did not hear any mention made of triennial parliaments, nor did he hear of any candidates being pledged to support a measure for the establishment of triennial parliaments. But, although some candidates might have pledged themselves at that time to their constituents that they would support a measure for the establishment of triennial parliaments, were they not told that "At love's perjury Jove laughs," and so on the same principle the honorable members who so pledged themselves might have found it convenient to forget their pledges. As to the measure before the House, he thought that, viewing the matter as he did—believing that triennial parliaments would confer more benefit on the colony than the present system; and having weighed fully in his mind all the arguments that had been brought to bear by different writers on the subject, some of the most eminent men of the present day and of the past—he had arrived at the conclusion that he would only be fulfilling his duty to his constituency, and to the colony at large, by supporting the Bill, because he believed, if carried into law, it would result in great benefit to the colony.

Mr. WIENHOLT denied the accuracy of the remarks made by the honorable member for North Brisbane, so far as they applied to him; and as to the extract read by the honorable member from the Warwick paper, he said it was totally false, and the writer of it must have known that the statements it contained were false. He saw the paragraph when it appeared, and drew the attention of the honorable member to it, and stated to him that it was totally false. He could bear out the statement made by the honorable member for the Eastern Downs, in saying that no mention was made on the occasion of the election of that honorable member, nor at his own election, about triennial parliaments. As regarded the taunts of the honorable member for North Brisbane, as to his (Mr. Wienholt's) position with the consti-

tuency he had the honor to represent, he cared nothing for them, as he felt he could face his constituency with a clear conscience, knowing that he had not done anything to deserve their reproach or censure. But he could retaliate upon the honorable member, and tell him that when he next faced his constituency, he would have no chance whatever of being again elected by them. He believed the honorable member who moved the second reading of this Bill, was, of all others, most afraid lest it should pass; and his opinion was, that the motion was only brought forward for the purpose of courting popularity. He should oppose the Bill, and would do so conscientiously, and because he believed that in doing so he would only be doing his duty to his constituency, and to the colony at large.

Mr. WALSH confessed that he did not like to see the colony departing from the arrangements and customs of the old country in respect to political affairs, for he believed they were founded in the wisdom of long experience; but he must also confess that there were circumstances connected with this changing colony that led him to think that a Bill of the kind before the House, would not, at this stage of the colony's existence, be so very inopportune. He must confess he thought that during this session he had discovered that some constituencies had been rather hasty in the selection of representatives, and those constituencies, from their experience, might consider a term of five or seven years too long for the duration of Parliament. He thought, under the present circumstances of the colony, and seeing that immigrants and capital were flowing into the colony so fast, and as both required representation, and that a great deal of both would not be represented during a long parliament, he thought that, under those circumstances, it behoved honorable members to take this measure into serious consideration. He knew it was urged, and might be urged against this Bill, that, as a rule, parliaments did not last on the average above three years; but he did not consider that was any argument against the Bill, but it was rather an argument in favor of it, for if parliaments did not last as a rule more than three years, that shewed they should not be allowed to last over three years, under any circumstances. Now, there was no doubt that the outlying districts of the colony were undergoing a very great change year by year, and that in a district in which there were but forty electors this year, there would probably be five or six hundred electors in a few years. Well, if that were admitted, he would ask, was it fair or was it just that the five or six hundred should be represented for several years by the gentleman who had been elected by the forty electors? If such altered circumstances did occur—and he believed that they did take place in the case of almost

every electorate in the colony—it was clearly the duty of every honorable member to do what he could to meet such a change. If the colony was fully peopled, and if such changes as did occur were not likely to occur, he would not vote for this Bill. But he believed the circumstances of every electoral district would change very much every year, and that constituencies that now numbered only a hundred, would in a few years number two hundred; and that rate of alteration he believed would continue for twenty years, or longer still. He, therefore, considered it necessary that the Legislature should provide for elections taking place more frequently. He considered that some of the arguments advanced by the honorable member for North Brisbane were telling enough, and he trusted that honorable members, in taking this matter into consideration, would not view it as an inroad on the constitution—that they would not view it as a terrible innovation on the constitution—or as if it shewed there was a desire to bring about what was un-English or democratic. If he thought it would have such a tendency, he would be one of the most persistent in opposing it. But he saw nothing in the measure that would be injurious in its effects on the colony—he saw nothing in it that was antagonistic to the genius of the English people, and, therefore, if the motion should go to a division, he would record his vote in favor of it.

Mr. DOUGLAS said it was very true, as the honorable member for Maryborough had stated, that the career of parliaments in the mother country was not likely to be much more than three years on an average; but the honorable member then went on to urge that, as that was the case, there was no reason why that term should not be fixed for the duration of parliaments. Now, it appeared to him that if they fixed that period for the duration of parliaments, they would virtually do away with the right of dissolution which the Government possessed, and which was a most valuable right, as it enabled them to appeal to the country on any great political question. He thought that in fixing a short term for Parliament, they would virtually take away that right. It was true the Ministry would have the right still of dissolving Parliament, but the question was, would not the passing of such a Bill as the one now before the House to a great extent render it probable that the Ministry would not have recourse to such a power? That was the constitutional objection he had to the change, and he was afraid that in fixing so short a period as three years, they would cease to recognise what was a most valuable constitutional privilege. He could not overstate the value to the colony of representatives being brought into frequent intercourse with those they represented, and having at no lengthened periods to submit their conduct in Parliament to their con-

stituents for their approval or disapproval. It would be impossible to overstate the benefits of that, but he thought it might be sacrificing what was really a valuable feature in the working of constitutional government, if they were to do anything that might lead the Ministry not to avail themselves of the right of dissolution. No doubt it was the existence of that right that had resulted in the short Parliaments of England. One Ministry had been defeated, and another had come in their place, but found they could not command a majority. Consequently, by the exercise of the right of dissolution, they submitted the question between them and their rivals to the country, and if on the re-assembling of Parliament it was found they had not secured a majority, the custom was that they should resign; and in that way a more faithful representation of the country was secured than would be the case if the duration of parliaments was fixed at three years. He had no real objection to the Bill, but he had a distaste to entering on a new experimental system, when they found that the existing system had worked admirably. The duration of Parliament in the colony was not so long as that of the Imperial Parliament. The duration of the Imperial Parliament was seven years, but the duration of the Parliament here was only five years, and he saw no valid reason for making any change. He should have liked by this time to have seen a change of the Ministry, as he thought such a change would have been attended with some good. He thought it might have been desirable that a completely new set of men had been placed in office, though only for the sake of training up persons to the details of Government. It was not desirable that any one Ministry should last for a long period in the hands of one set of men, because the tendency would be to cause an excessive amount—he would not call it discontent or corruption—but of special management. The Ministry in a small House like that had to deal with but a few members, most of whom were accessible in many ways; and if it came to be felt that there was no chance of turning the Ministry out of power, the members of the House became too subordinate to the reigning powers. He had previously stated what were his objections to the measure when it was brought forward last session. They had seen that the constitution had not been done great violence to as yet by the present Ministry. No very grievous iniquity had yet been perpetrated, though the line of policy adopted had not on all occasions been for the interest of the colony.

Mr. FITZSIMMONS said he should like to see a change of Ministry, perhaps once in five years, or so; but he thought honorable members should well consider before they made a change in the existing constitution of the colony. He did not approve of such a change as the one proposed by the Bill, and therefore he would vote against the motion.

The SECRETARY FOR LANDS AND WORKS said he wished to make one or two remarks with reference to the Bill now before the House. He saw no real objection to triennial parliaments. He saw no real objection to triennial parliaments, because he held, and had always held, that it was desirable honorable members should come as often as possible into contact with their constituents, and render an account of their political career, and receive a vote of confidence, or of want of confidence, from those who sent them into that House to represent their interests. But though they might not have a Bill giving triennial parliaments at present, he saw no reason why honorable members should not have constant communication with their constituents, or why, if they saw reason to believe that their constituents considered they had forfeited the confidence reposed in them, they should not accept that as a vote of want of confidence. It seemed to him that public opinion would at all times have a powerful effect on the proceedings of the Assembly, and he took it that though, as the honorable member for North Brisbane had proved, there had been a large increase to the population of the colony since the present House was elected—and to that extent the honorable member was entitled to use that argument in his favor—yet he did not think it was a strong one; for though they had people arriving here in large numbers almost every day, he was not aware they took much interest in public matters. He was not aware, indeed, that if they were called on to exercise the franchise to-morrow, they would be able to declare who was the best man to represent them, even though the honorable member for North Brisbane were to come forward as one of the candidates. But the objection he took to the Bill was the very objection that had been urged by the honorable member for Port Curtis, and that because he could not see there was the slightest difficulty, as the law now existed, to honorable members going as often as they pleased before their constituents. There was no doubt that if they had triennial parliaments, in this country such a system would interfere to a great extent with the exercise of the right of dissolution. No doubt if such a principle were in operation in the colony, if it were the law of the land, no Government almost would dare to interfere by attempting a dissolution. To have such a dissolution would render the Government liable to be brought up by a motion of want of confidence for attempting to do anything of the kind, for they would, in fact, be impeaching the law of the land, and so far would be blameable. As he had already stated, public opinion would always have considerable effect upon the proceedings of the House, and they had not yet had any representations from the constituencies that they were not properly represented, or that the parliaments were too long. Now the



question before the House by this Bill was virtually an interference with the constitution of the country. He was not prepared to say, on that account, that it required a certain number—a two-thirds majority—to vote in favor of it before it could pass a second reading, but it did interfere materially with the relations that existed between the House and the country; and as he did not see the slightest urgency for the measure, he would consider it his duty to oppose it. He would do so, because there was another reason as strong as the one he had urged, and it was this—that if they had triennial parliaments in this country with sessions of only four months duration, honorable members would not in three years have acquired a knowledge of their duties, and of the rules and practices and forms of Parliament, before they would have again to go to the country for re-election. Now, that was a fact; and, therefore, as he did not see any urgency for the measure, and found no expression of opinion from the country in favor of it, he would feel bound to vote against it, and in order to test the opinion of the House on the question, he would now move, as an amendment, that the Bill be read a second time that day six months.

Mr. TAYLOR opposed the Bill, as he did not consider they should have triennial parliaments, and also, because he did not think that any other parliaments would last longer than three years. When any great reforms were desired by the country, it was usual for numbers of petitions to be sent in praying for such reforms, but he had not heard of any petition being presented to the House in favor of this Bill; and he could assure the House that the constituency he had the honor to represent, had never asked that there should be an alteration made in the existing law, and therefore he must vote against the measure, though he should not feel very sorry whether it was carried or not.

Mr. BROOKES: Sir, I rise to make a few remarks on the question before the House, as I do not wish to give a silent vote upon this occasion. I think the honorable member who has advocated the passing of this measure has done so in a most injudicious way; and that, had he introduced it in a more philosophic and argumentative manner, he would have obtained more votes than he is likely to do. In my opinion, sir, a Bill of this nature, affecting the constitution of the country, should be calmly and deliberately discussed, and not treated in a hasty and jocular spirit. I should have been glad, and I think the House would have been glad, to hear the opinions of honorable members upon a measure of so much importance. I believe that when it was last introduced, the honorable member at the head of the Government did not treat it with the consideration it deserved—as if it scarcely merited the serious attention of the House. I think, sir,

that is hardly the proper position which a Bill of this sort should occupy. The honorable Secretary for Lands and Works alluded, as I think somewhat unfairly, to the political apathy of new-comers. Well, I affirm that the way to cure that fault is to give them frequent opportunities of exercising the franchise. But I do not believe that to be the case; I believe that every educated man, as soon as he arrives in the colony, applies himself keenly and ardently to the subject, and that every day he lives among us he is adding to his knowledge, so that when an election comes on, he may be in no difficulty in deciding upon the best man. Now, sir, it is an undeniable fact that five years is so long a period for the duration of one Parliament that there will be members of that Parliament who do not in any valuable sense represent the wants of their constituents. Those constituents may be doubled, trebled, or quadrupled in number, and may entertain opinions which are anything but a reflex of the state of things when their representative was returned; so that a large number of the electors may become virtually disfranchised. The honorable member for Port Curtis has alluded to the danger of dissolution. I will just read the opinion of a great man upon this point, which, I think, will be admitted to be a very forcible answer to the remarks of that honorable member. I quote from Sir James McIntosh, who says upon this head:—

“The prerogative of dissolution, being a means of defence on a sudden emergency, is scarcely to be limited by law. There is, however, an indirect but effectual mode of meeting its abuse: by shortening the duration of parliaments, the punishment of dissolution will be divested of its terrors. While its defensive power will be unimpaired, its efficacy as a means of influence will be nearly destroyed. The attempt to reduce parliaments to a greater degree of dependence will thus be defeated, due reparation be made to the constitution, and future ministers taught, by a useful example of just retaliation, that the Crown is not likely to be finally the gainer in struggles to convert a necessary prerogative into a means of unconstitutional influence.”

Those words sink into my mind with great weight, and I must say that I do not think the Ministry have taken a proper view of this very important question. Before honorable members hastily accept the amendment of the honorable Secretary for Lands and Works, I hope they will fairly consider the matter. I think we may safely assent to the second reading of the Bill, as it will have to be discussed in its further stages. But let us act as a deliberative body, and not rashly come to a conclusion which at some subsequent period we shall perhaps have reason to regret.

Mr. MILES said he should support the motion for the second reading of the Bill, as he believed that in all new countries it was desirable that there should be a frequent change of parliaments. Considering the

progressive state of this colony, he thought five years was too long for the duration of one parliament, and he could not see why honorable members who did their duty to the country should be afraid of appearing before their constituents. If they did their duty they would be re-elected, and if not, the sooner they were sent about their business the better.

The question was then put,—That the words proposed to be omitted stand part of the question, and the House divided.

Ayes, 8.		Noes, 11.	
Mr. Pugh		Mr. Herbert	
„ Forbes		„ Macalister	
Dr. Challinor		„ Bell	
Mr. Miles		„ Watts	
„ Brookes		„ Fitzsimmons	
„ Stephens		„ Royds	
„ Blakeney	} Tellers.	„ Taylor	
„ Walsh		„ Wienholt	
		„ Coxen	
		„ Douglas	} Tellers.
		„ McLean	

The amendment,—that the Bill be read this day six months—was then put, and the House divided again.

Ayes, 12.*		Noes, 3.	
Mr. Herbert		Mr. Pugh	
„ Macalister		„ Miles	} Tellers.
„ Bell		Dr. Challinor	
„ Watts			
„ Douglas			
„ Royds			
„ Coxen			
„ Walsh			
„ Wienholt			
„ Fitzsimmons			
„ Taylor			
„ McLean			

\* No Tellers marked in list

And the division shewing that there was not a quorum present, Mr. Speaker adjourned the House until to-morrow at three o'clock p.m.