

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 16 OCTOBER 1867

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LEGISLATIVE COUNCIL.

Wednesday, 16 October, 1867.

Personal Explanation.—Principles of Government.

PERSONAL EXPLANATION.

The Hon. ST. G. R. GORE asked the indulgence of the House for a few minutes, in order to make a short personal explanation. He held in his hand the copy of a letter addressed to Mr. Clark, M.P., by Mr. D. M. Sinclair, the Police Magistrate of Warwick, which, with the permission of the House, he would read :—(*Vide Hansard of 2nd October, 1867.*) It was perfectly plain from the reports in “Hansard,” which honorable members had seen, although he had not an opportunity of revising them, that Mr. Sinclair was asked to sit upon the bench. The next assertion was that he (Mr. Gore) had stated that Mr. Kingsford was a bad character. Now, he did not mean to affirm that he had not said something which might have borne that interpretation ; but when a charge was brought against him the words which he had used should be quoted as they were delivered, so as to bear their proper construction. It was a very different thing to say that Mr. Kingsford was a person of bad character, from saying that his license was objected to an account of his character. However, he should not take further notice of that than to say that the words he had made use of were not correctly quoted. Mr. Sinclair went on to say that “it was he who offered to sit with me.” Of course, Mr. Sinclair gave that as a piece of information, but he thought he should be able to prove that the statement was incorrect, for on a previous occasion, in the course of some remarks he had made in that House with regard to the Police Magistrate at Warwick, he had stated that he should not know Mr. Sinclair anywhere except on the Warwick Bench, and therefore that gentleman’s informant was entirely in the wrong. In the first place, he (Mr. Gore) had been engaged for

several months in his duties in the House, and, generally speaking, he had been for a great portion of the year absent from Warwick. He would not advert to the debates which had taken place elsewhere when the letter he had referred to was read, and he was perfectly prepared to allow honorable gentlemen to entertain any opinion they chose, so long as it was based on correct premises; but he thought that he had shewn that the principal portion of Mr. Sinclair's statement was founded upon a mistake. Mr. Sinclair had gone on to say, in reference to a subsequent conversation, that he (Mr. Gore) had "pooh-poohed" his opinion. But he had before shewn, and still maintained, that notwithstanding the Publicans Licensing Act, some discretionary power was vested in the bench to decide whether or not a license should be granted.

PRINCIPLES OF GOVERNMENT.

The following message from the Legislative Assembly was received and read:—

"MR. PRESIDENT,

"The Legislative Assembly having agreed to the following resolutions, viz. :—

"1. That the inhabitants of every part of Queensland are fully entitled to claim and enjoy equal political rights and advantages.

"2. That it is the highest duty of the Parliament of Queensland to assimilate its functions, as far as possible, to those of the Imperial Parliament, and to provide that the Government of the country shall be carried on, as in Great Britain, upon well defined and easily understood fundamental principles, ensuring equal justice and fair taxation to all persons under its rule.

"3. That in the application of taxation to Queensland, the same principles which have for so many centuries been successfully applied in Great Britain should never be lost sight of—especially that which requires all burdens for public works or local improvements to be made a direct charge on the property improved by them, while it forbids the imposition on the industrial classes, whether laborers, miners, artisans, manufacturers, or dwellers in towns, of taxes for the improvement of any property, that may be hundreds, or even thousands, of miles away from them, in which they are in no way interested.

"4. That whilst this House, for the protection and consolidation of the general interests of the colony, fully recognises the necessity of keeping under its own control the construction and maintenance of statute laws, the administration of justice, the customs, and other departments concerning the colony as a whole,—it is equally ready to recognise the undoubted right of all British subjects in the different districts of this vast colony to direct and control, through elected local authorities, all their own local affairs, as well as their right to progress as rapidly as the natural peculiarities of the different districts may allow, without being held in check or kept back by the slower progress of their fellow settlers in other places.

"5. That as money paid for rents, or purchase of waste lands, is in reality a form of land tax that occupiers or owners pay to supply funds for opening up the country by roads, bridges, railways,

or other local improvements, as well as providing labor by immigration for working such lands, without imposing taxes for these purposes on those who have no right to bear them,—this House declares that land revenue should be classed as local revenue, so soon as circumstances, in the wisdom of this House, will admit, to be expended for local improvements and immigration within those districts of the colony that produce it.—Beg now to transmit the same to the Legislative Council for their concurrence.

"GILBERT ELIOTT,

"Speaker.

"Legislative Assembly Chamber, Brisbane, 2nd October, 1867."

The Hon. W. WOOD: I trust I shall be able to persuade the House to concur in these resolutions, and that honorable gentleman will admit, with the other branch of the Legislature, that the time has come when a greater measure of justice should be accorded to the north, and a different mode adopted of applying the revenue to that which has hitherto prevailed. I have great pleasure in moving the adoption of these resolutions, because I feel that the north has always been badly treated. The northern districts of the colony have never been represented in this House. I have for years endeavored to obtain a larger share of the northern element in it, but have never succeeded, having always been met with the argument that it was utterly impossible to find northern gentlemen who would find seats in this House. I have mentioned to different Government the names of at least five gentlemen who would have accepted seats, but it appears to have been always the object of the Ministry to find men who would assist in getting all the expenditure for the south. I do not think that for years we have had a member who has been interested in the north. We have now one member, who has not yet taken his seat; and we have also one member from the west, a portion of the colony which has hitherto been equally unrepresented. I trust that in future we shall see that equal justice is done to all parts of the colony; and I believe these resolutions, which have been introduced in another place by the honorable member for Kennedy, embody those principles of government which are most likely to secure that result. There can be little doubt that the separation of Queensland was entirely attributable to the treatment she received from New South Wales; but I think I may say that the northern members, although they have every reason to complain, do not wish for separation. If justice be done to the northern and western portions of the colony, which are so far removed from the seat of Government, owing to the unfortunate circumstance that the capital has been placed in one corner of the colony, and the complaints of northern members are calmly and temperately considered, that disastrous result will be averted. For separation would be alike disastrous to the

north and south. I do not know whether honorable members have taken the pains to read the very able paper which has been put forward by northern representatives, shewing the amount of revenue, according to present estimates, produced by the northern portion of the colony, and the way it is proposed to expend it. I believe that the estimates made by those gentlemen are perfectly correct; the calculations are correct, and there is no reason whatever to doubt them. The amount of money which is going to be spent next year in the south, over and above the revenue contributed by that portion of the colony, is something like £65,000. In the north, the amount going to be spent next year is £60,000 less than the general revenue from the north. In other words, the south is to have the benefit of £60,000 expenditure of revenue produced in the north. This is entirely irrespective of the expenditure for purposes of general government, for northern members do not desire for one moment to say that the whole of the revenue from the north is to be expended in the north. They are perfectly willing to allow a very large margin for the expense of general government, and they have no wish either to repudiate their liability to pay a fair proportion of the interest on loans. They have no idea of shirking that responsibility; and it is irrespective of that, that there is something like £60,000 of northern money to be expended in the south. Now, I can bear testimony to the fact, that in the Dawson district, where I resided for some time, a large revenue was raised, but we had not a decent road or a bridge, and could not get one shilling expended in the district, though the Government were quite ready to take our rents and assessments. Of course, these resolutions can only be looked upon as abstract propositions, very proper to carry out, though hardly applicable to the present state of the colony; but I think honorable members will agree with me, that if these principles are affirmed now, there may be a chance at some future date of embodying them in certain measures which will have the effect of meting out equal justice to all parts of the colony, and preventing all those heartburnings and jealousies which must otherwise end in that extreme measure, separation. The first two resolutions do not require much comment: they merely affirm the necessity of laying down some fundamental principles to ensure equal justice and fair taxation to all persons under the Government of the country. The third resolution goes a little further, for it states that the principles applied for so many centuries to Great Britain should not be lost sight of, especially that which requires all burdens for public works to be made a direct charge upon the property improved by them. And I think honorable members will agree with me, that it is not fair to tax the inhabitants of districts at a remote distance from the work, for a railway which only benefits those

through whose property it runs. No doubt our southern railway benefits certain people who live in the neighborhood; but, I think, if the residents in the Darling Downs, who got up so much pressure in favor of it, could have foreseen what was going to happen in this country, there would have been more than three men found to sign the protest against it. But they have their railway now, and must pay for it, and I cannot see why other persons who have not benefited by it should bear the expense. We do not object to pay the interest on the loan, but we object to these railways in future. We say, deduct from the amount of our revenue our share of the expenses of general government, and leave us to spend the rest as we like. Let us spend our money as we choose, and do not expend it upon things which do us no good whatever. That is what the third resolution means, and I think honorable members will agree with me, that it is unjust to tax persons for improvements who live hundreds of miles away from them, and do not benefit by them in the slightest degree. The fourth resolution is very similar to the third, but it is to this effect, that while the general administration of the colony, as a whole, should be under the control of this House, and provided for out of the general revenue, the right of all British subjects in this large colony to regulate their own local affairs, through local authorities, is recognised, as well as their right to progress, without being kept back by the slower progress of their fellow-settlers in other places—that is to say, that every district should be allowed to spend its own money as it likes without being responsible to anybody; and, I think, if half the revenue derived from any district be reserved for the purposes of general government there should be no objection to allow a local expenditure of the remainder. It may be said that these provincial councils have given great dissatisfaction, and I think there may be some way of remedying this. I believe notice has been given in another place for leave to introduce a Bill having this object in view. I could point to more than one instance where the Government have prepared estimates of a most elaborate character for works in country districts, which could have been carried out by the residents in that district at one-tenth of the price. This remark will apply even to the railway, for we find that in many cases where there was plenty of timber on the spot, iron bridges have been constructed, and that wooden bridges have been built where the timber had to be carted for a number of miles. The fifth resolution has been altered in the other House, at the suggestion of the Attorney-General, by the insertion after “this House declares that land revenue should be classed as local revenue,” of the words “so soon as circumstances, in the wisdom of this House, will admit”—that is to say, that the purchase money for waste

lands is to be applied, not to the general revenue, but for the purposes required by the provincial government. I think the amendment was a just one, and the Attorney-General was quite right to point out that, at present, the land revenue must be applied to the redemption of the general liabilities of the colony. I cannot see that this House should entertain any objection to the passing of these resolutions. I am quite willing to admit that the first use to which the money that goes into the Treasury should be put is the payment of the interest on loans; but I think the time is now approaching when we shall be in a position to apply this fund to its legitimate purpose. I have always objected to the doctrine that revenue derived from the sale of land should be devoted to the purposes to which it has hitherto been applied. I have always considered that, if you take any portion of this sum from its legitimate use—that is to say, to make roads and improvements in the district, it should be applied for the purposes of immigration. I think honorable members will agree with me, that these resolutions are a step in the right direction. They will serve to shew that the colony at large is represented, and that the Legislature is prepared to do justice to the more distant portions of the colony, and to give them a fair share of the revenue they contribute. For it is absurd to say that a squatter who employs a large number of men does not contribute his quota to the general revenue in the shape of customs duties and otherwise; and it is not fair to ask him to pay for works which do not benefit him in the slightest degree. I hope and trust that a new era has dawned upon the colony, and I believe northern members have been listened to with more attention than has hitherto been accorded to them; and, therefore, as the other branch of the Legislature has passed these resolutions, I trust this House will affirm the principle of according equal justice to all parts of the colony, provided that the general revenue has been recouped sufficiently to meet the expenses of general government; and when that has been done, each district shall be entitled to a fair share of local expenditure in proportion to its revenue receipts.

The question having been put,

The POSTMASTER-GENERAL said he had no doubt honorable members would concur in the resolutions, for, as the honorable gentleman who introduced them had remarked, they embodied principles, the truth of which could not be denied. He was glad to hear from the honorable gentleman that some action was likely to be taken in connection with provincial councils, so that when the debt of the colony was paid, some system of local expenditure in each district might take place. He hoped the time would soon arrive, for he believed a great deal of money had been wasted, which would not have been the

case if provincial councils had been established. When the measure to which the honorable gentleman had referred came before the House, he should take an opportunity of expressing his opinions more fully on the subject.

The Hon. ST. G. R. GORE said he feared that, if the principles contained in the resolutions were not carried out until the colony was out of debt, honorable members would not live to see it. However, if the northern members were satisfied, he should be very sorry to offer any opposition to principles which, in themselves, were undesirable, whatever his opinion might be of their utility at the present time. He quite concurred in one part of the speech of the honorable mover, in which he stated that those persons who benefited by the railways should pay for them. He was a gainer himself by the Southern and Western Railway, in the decreased expense of carriage for his wool and supplies, and he thought, if the Government had made an addition of ten per cent. upon the old charges, they would have afforded a great deal of benefit to the inhabitants; considering the great advantage of railway carriage, the tolls were far too low. If the lines could be made to pay, it would be worth while to cover the whole country with a network of railways, but not otherwise; for it was perfectly clear that the interest on the debentures must be met some way or other.

The PRESIDENT said the resolutions, affirming, as they did, certain general principles, appeared to him hardly to admit of argument. They affirmed that the Parliament of this country was inclined to equalise the burden of taxation which resulted from the heavy expenditure upon public works in the proportion that each district in the colony benefited by that expenditure. That was a principle to which he had no doubt the House was prepared to give a ready assent. It appeared to him, however, that the third resolution contained an assertion more difficult of proof than the others. It stated—

“That in the application of taxation to Queensland, the same principles which have for so many centuries been successfully applied in Great Britain should never be lost sight of—especially that which requires all burdens for public works or local improvements to be made a direct charge on the property improved by them, while it forbids the imposition on the industrial classes, whether laborers, miners, artisans, manufacturers, or dwellers in towns, of taxes for the improvement of any property that may be hundreds, or even thousands, of miles away from them, in which they are in no way interested.”

Now, that proposition was certainly a just one, and was, no doubt, applicable to the old country, where all the land was private property. But in a young colony like Queensland, wherein far the largest proportion of the land belonged to the State, it might be found

difficult to apply the same principle. He thought there was sufficient doubt about its application to the present condition of the colony, to warrant the House in not agreeing to it. Of course, in concurring in the resolutions, the House would be bound to a certain extent to act up to the principles they embodied in any future legislation; and it would be wise, therefore, to become fully satisfied in reference to them, before passing any resolutions which might hereafter prove inconvenient, if the question should come before the House again. The fourth resolution also seemed to require a slight verbal amendment, which the honorable member would perhaps agree to. He would suggest the substitution of the words "the Parliament" instead of "this House" in the first line, and instead of "under its own control," under the "control of Parliament." A similar alteration would be found necessary in the last resolution. He thought the House having affirmed the resolutions, should not forget that their too strict application might cause inconvenience at some future time. In reference to the very districts which now complained of injustice, he could not forget that he himself landed in that part of the colony when there was not a single white man there, with the exception of those who formed his party, and that for some years. The general expenditure required for the settlement of that territory was borne by New South Wales, and had, since Separation, been a heavy charge upon the general revenue of the colony, until those districts became productive. That fact should not be lost sight of as an instance where it was of advantage to the colony as a whole to expend money from its general resources upon one portion of it which yielded no return at that time. So far, it seemed to him that there was a limit to the adaptation of the general principles enunciated in the resolutions. He was not prepared to offer any opposition to them, but would suggest the propriety of making the alteration he had suggested.

The Hon. W. WOOD said he felt obliged to the honorable the President for his suggestions, which he should be glad to adopt. In reply to an observation made by an honorable member, he wished to say, that he did not mean that provincial councils should not be established until the colony was free from debt, but that they should be established and contribute their share towards the general expenditure of the country, but not receive any of the revenue for other purposes until the debt of the colony was paid. It was true that Queensland was in a very different position to the old country where the land was all private property; but still he could not see why the residents in the extreme north and west should be compelled to pay for railways in the south. He had been glad to hear the remarks of the

honorable member, Mr. GORE, on the subject of railway traffic, and he hoped the honorable Postmaster-General would take the hint and increase the tariff.

The Hon. D. F. ROBERTS said he hoped the honorable mover of the resolutions would understand that if the House allowed the resolutions to pass, it would be on the understanding, that the carrying them out would depend upon future legislation on the subject. He looked upon them as so much waste paper. If provincial councils were considered necessary, a Bill should be brought in to establish them, instead of attempting to introduce them by a side wind.

The Hon. W. THORNTON said he certainly could not agree with the honorable gentleman who had spoken last—that the resolutions were only so much waste paper. He thought they had been very wisely and very properly introduced by northern members, as they would pave the way to the introduction of the measures they shadowed forth. No one would object to the principles they embodied, and it would have been a fortunate thing if responsible government in this colony had been inaugurated upon those principles. If local expenditure had been conducted under local superintendence, he believed there would have been much less log-rolling than had taken place hitherto. No doubt it would be a long time before the colony was out of debt, but he was not at all of opinion that nothing could be done to give the resolutions a practical shape until that time. The debt would be very lightly felt if good laws were enacted, and a large population introduced to bear it. He could not see why the system of provincial councils should not be introduced next session. Very material changes might take place before then. He saw no reason to object to the passing of the resolutions, with the trifling verbal amendments suggested by the honorable the President.

The question as amended was then put and passed.