Queensland

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THURSDAY, 1 DECEMBER 1870

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LEGISLATIVE ASSEMBLY.

Thursday, 1 December, 1870.

Outrages by the Blacks.—Gold Duty Repeal Bill.—Constitution Act Amendment Bill.—University Bill.

OUTRAGES BY THE BLACKS.

Mr. DE SATGE moved the adjournment of the House, for the purpose of calling attention to the total inadequacy of the native police to repress the numerous outrages which were being committed by the blacks. He had just received a letter from a friend, by which he learned that the blacks had been committing depredations in his district, and that within the last two days an outrage had been committed near Townsville, where a South Sea Islander was not only murdered but cut to pieces and eaten by the blacks. They had also murdered a digger near his station within the last week. These outrages were of frequent occurrence; and it was necessary that some immediate steps be taken to strengthen the native police force all over the colony. He did not know what the Government intended to do, but he could assure them that immediate action was necessary, and that an increase of at least one-third in the present strength of the force, if the funds could be obtained, would be required before it could be made sufficiently effective for the protection of the large extent of country which the outside districts embraced. The settlement of the country could not possibly go on in the outside districts without a large addition to the force. He had no desire to embarrass the Government; he merely wished to point out the necessity of a considerable reinforcement and to prepare honorable members for voting for it. He could assure them that unless the native police force were kept up, the whole of the Belyando District, as well as a great part of the country near Cardwell and Townsville, would be abandoned.

The COLONIAL SECRETARY said it would have been much better if the honorable member had given him notice of his intention to move the adjournment of the House to introduce this subject, as he would then have been prepared to discuss it. He was painfully aware of the fact that the blacks were getting very troublesome; but it was rather singular that these outrages should occur as the population was getting thicker, and especially at the diggings, where there was an able white population. He thought a little too much was asked of the Government. Where there was a white population they ought to be able to defend themselves; it was the thinly populated districts, where women and children would be otherwise left defenceless, that the native police force was expected to protect. The Government were aware that several outrages had been committed lately, and they were doing all they could, with the funds at their command, to strengthen the force in those places where it was most needed. But to reinforce it to the extent the honorable member suggested would involve enormous expenditure. He had just received a telegram sent to the Commissioner of Police, reporting the murder of a South Sea Islander by the blacks, at Waterview Station. He would read it to the House—

"Returned from patrol of Waterview, blacks very bad at that station. Mr. Allingham and one of his men, a South Sea Islander, accompanied me. The islander got away from my party and was murdered by the blacks and eaten by them. The arms were cut off, the chest cut open, and the liver taken out."

This case had been attended to at once by the Commissioner of Police, and the Government had made such arrangements as were practicable to increase the efficiency of the force to meet immediate requirements; and in doing so they were, of course, entirely dependent upon the willingness of the House to vote the money required. He must, however, repeat that a white population with arms in their hands ought to be able to defend themselves; it was in the sparsely populated districts that protection was needed by the settlers.

Mr. MACDEVITT said he thought this question had never received the attention its importance demanded, and he was glad the honorable member for Clermont had brought it forward. The necessity for protection to the residents in the outside districts was far greater than persons who lived at the seat of government realized. He hoped the apprehensions expressed by the honorable member at the head of the Government, that the Assembly might not be willing to place him in a position to afford that protection, would prove to be unfounded. In the North Kennedy District the blacks were very troublesome; the residents in that part of the country had to be continually on the *qui vive*, and in travelling it was necessary that one of a party should be always on the watch. He hoped the Government would recognize the importance of keeping up the present force.

Mr. MILES said he had heard with much regret the outrages referred to by the honorable member for Clermont. They were no doubt very discouraging. At the same time it was utterly impossible that the country could provide a force sufficient to protect every person in the different districts. All the revenue of the colony would be insufficient for such a purpose. He quite agreed with the Colonial Secretary that the settlers

should combine to protect themselves. He had had some experience in these matters, and he had never been compelled to ask for the assistance of the native police force; he had always protected himself. It was monstrous to expect the House to vote the large sums that would be necessary to protect a population scattered over such an immense extent of country. He was very sorry to hear of these outrages, but he thought the parties concerned should pursue the blacks and punish them themselves. The Estimates shewed a very large sum for keeping up the native police force; and if that sum had to be increased, it would be as well to do away with the force altogether. They had been told that the squatters in the outside districts were unable to pay their rents and were abandoning their runs; and if they did not pay their rents how could the country afford to give them protection? He should be obliged to oppose any further outlay than the sum set down in the Estimates.

Mr. KING: The Colonial Secretary in speaking on this question had said that the squatters, and the miners especially, ought to be able to protect themselves; he had, in fact, cast a slur upon them for being unable to do so. Now, he spoke on behalf of the miners and bushmen generally, when he said they would like nothing better than to be allowed to defend themselves. The honorable member for Maranoa had spoken of the duty of the settlers to pursue and punish the blacks; but the honorable member seemed to forget that in doing so they rendered themselves liable to be hanged. He felt quite sure the inhabitants of the northern districts would like nothing better than to have the matter left in their own hands; and if that were done there would be very little more heard about these outrages.

Mr. MILES: The native police force was an illegal force, and had no right to follow and punish the blacks.

Mr. HALY said he could corroborate the remarks of the honorable member for Wide Bay. The settlers did not like to defend themselves, because they could only do so with a halter about their necks. If the country was unable to keep up the necessary police force, they had better leave the squatters to take care of themselves.

Mr. FERRETT said he had suffered a good deal from depredations committed by the blacks, and he had always felt, in protecting himself, that he did so with a halter round his neck. Some years ago, while he was in Sydney, seven men had been hanged for this, and it became necessary for settlers to be very careful in taking their protection into their own hands. The question was not whether the native police force was an illegal or a legal force; it was, could the squatters protect themselves legally? They were placed in a very singular position. The only way they could protect themselves was by following up the blacks and killing them, by which they rendered themselves amenable to the law. With regard to the native police force—and he had had as much experience of its effect as most people—it might be very serviceable in some places, but it had never done him any service; and he must say that, in the case of the Hornet Bank murders, it did no service at all, for it was some eight or ten days after the occurrence before the police visited the scene of the massacre, when he could have gone to it in less than twenty-four hours. It was so difficult to bring the force into operation that he thought either it should be abolished altogether, or there should be some alteration in the present system. He should be very sorry to see any indiscriminate slaughter of the blacks, for he had received a good many services from them; and he had no doubt that, in nine cases out of ten, where they were well treated, they were well behaved. Where instances to the contrary occurred, the native police were very frequently the cause of them.

Mr. FYFE said he had had some experience of the services rendered by the native police in the district in which he had resided during the last ten years. Had it not been for that force in the Clermont, Belyando, and other districts, a good many more outrages would have been heard of. It was more important that it should be increased now, because the blacks were admitted into many stations where they were never admitted before. Besides, the native police were of great assistance in preventing and detecting crime among the white population, and were very useful in capturing horse-stealers and others. As far as the blacks were concerned, the very presence of a native police force in the district was sufficient to keep them quiet.

Mr. SCOTT said he had been an outside squatter for a number of years, and he had found the native police force very useful, more particularly upon the Upper Dawson; and he was quite prepared to state that, without their assistance, he would never have been able to hold his stations. He thought it very desirable that the force should be kept up.

Mr. STEPHENS said that almost every session this question had been brought before the House in some form or other; and on the whole, the continuance of the native police force had been condemned by the majority of speakers. Considering the enormous expense it entailed upon the country annually, it would be very strange indeed if some instances could not be quoted in which it had rendered good service. The honorable member for Rockhampton said that the very presence of a native police camp in a district was sufficient to quiet the blacks; but the honorable member had probably not calculated the cost which it would involve to keep a police camp in every district. It would require nearly the whole of the revenue. He did hope that no further expenditure upon this

force would be sanctioned by the House. It was a question upon which many honorable members felt very strongly; because there could be no doubt the force was an illegal one—it was, in fact, a force of extermination, and could be so employed without danger. How was it managed? One white man was sent out with a number of black troopers; there was only one man in the party whose evidence would be taken in a court of justice, and he, of course, would not criminate himself. It had been admitted by the Colonial Secretary that it would be utterly impossible to establish a camp in every district where there was any settlement; and it was especially impossible to protect those districts in which the population was so scattered that the outstations were frequently seventy or eighty miles away from the head station. Every honor and credit was due to the owners of these stations—the pioneers of settlement, and every one sympathised with them; but it was simply impossible for the country to provide a sufficient force to protect them all. The only way would be to increase the force and to make it avowedly a force of extermination, and so to get rid of the difficulty at once by doing by wholesale what was now being done in detail; and he should be sorry to do that. He thought the best plan would be to let the squatters protect themselves. He might mention, as a proof that the presence of a native police force in a district was not always considered a blessing, that during the time he was Colonial Secretary a settler in this colony, some 250 miles south of Normanton and about the same distance west of Townsville, applied to him to have a police station, with a couple of white police, established near him, as there was no police station within 200 miles of his place; but he said, "Whatever you do, don't send up any black troopers, or we shall get into difficulties at once." What was required was a police station, in order that the laws relating to white men might be carried out. He did hope no further expenditure upon the native police force would be incurred, at all events without the consent of the House.

Mr. ATKIN said he thought the honorable member who had just sat down had spoken very unfairly of the native police force in calling it a force of extermination. He affirmed that it was a protective force, and, with regard to the settlers in the remote districts, he could not agree with the honorable member that they were not entitled to protection. He believed the district in which the blacks were most troublesome was the Broadsound district. He thought it would be undesirable to go to any great expense in increasing the native police force; but, he thought some additional troopers might be sent to protect the stations in the far North. It was not necessary that there should be a camp in each district of the colony. A small force should be continually patrolling, in order to prevent depredations. It was quite a mistake to suppose that great numbers of blacks were slaughtered by the settlers; the blacks very seldom gave them a chance. The honorable member for South Brisbane was for allowing the settlers to take care of themselves, but it was well known that when that had been done a good many more blacks had been killed. He believed a great deal of rubbish had been talked on the sentimental side of this question. In his opinion, the native police force was the best protective force they could have.

Mr. HANDY said he must also raise his voice in defence of the black troopers. Without them it would be impossible to penetrate the interior. Between the Clermont and Mitchell districts there was a large range of mountains, quite unoccupied by settlers. The blacks congregated there in large numbers, and made excursions east and west; and but for the presence of a native police camp, it would be utterly impossible for a settler to live to the west of the range. There were women and children at almost every house in the district, and if that camp were removed, it would not be safe for a white person to be there. A good deal depended upon the officer in command of the force, and a more humane or more judicious officer could not be found than the gentleman who was in charge of the force in the Mitchell district. The consequence was that there were very few complaints of murder or robbery. The troopers were constantly moving up and down the district, and by this means kept it quiet; and he believed, if a similar plan were adopted, the same result would follow in other districts. It was very different where the honorable member for Maranoa lived;—in the Mitchell District the stations were sometimes seventy or eighty miles apart. He thought the native police were a blessing to the outside squatters, and their removal would materially retard the settlement of the country.

Mr. MILES said he had been speaking of the time when he was one of the pioneer squatters.

Mr. THORN said he believed from his experience, that in most cases where the blacks had retaliated and committed outrages upon white settlers, the native police troopers had been the aggressors. He thought the time had now arrived when the force might be done away with.

The motion for adjournment was put and negatived.

GOLD DUTY REPEAL BILL.

Mr. KING moved the second reading of a Bill to repeal the Act 28 Victoria, No. 16, the Gold Duty Act of 1864. There was one argument which he believed would be used against the repeal of this Act, and that was, that as the Act at present returned a large revenue, in moving its repeal he ought to find some other means of making up that revenue. But he did not think that was necessary. He

opposed the tax because he considered it an unjust one. It was simply a produce duty of two and a-half per cent.: it was a tax *sui generis*, there was no other tax which resembled it. It was called an export duty, but he thought he should have no difficulty in proving it to be a produce duty. It was charged upon gold exported from the colony, but as there was no mint here, it was absolutely necessary to send it to Sydney, and no drawback was allowed. The banks sent it to Sydney, but the duty upon it was paid by the miners, who received a proportionately less amount for it per ounce. Another argument in favor of the tax was, that it had been suggested by the miners themselves, as a sort of compromise to get rid of a more oppressive tax. He would call the attention of the House to the actual origin of this duty. When the gold fields were first discovered, in 1851 and 1852, a license fee was levied of thirty shillings per month upon all diggers working on the gold fields. The Governor of Victoria paid a visit to Ballarat and some other fields, and the miners shewed him their workings, and allowed him to wash out several dishes which contained a good deal of gold. The Governor thought that as it was so easily obtained, the Government ought to obtain a larger revenue from it, and the monthly licence fee was levied. It was the imposition of that tax, he believed, which gave rise to the Ballarat riots; and the Government finding it impossible to collect it, put a duty of two shillings and sixpence per ounce upon the gold exported, which the diggers accepted as a relief, but not because they believed in the justice of it. He thought they had a perfect right to ask for the abolition of a tax which he contended was unjust. It was not only unjust, but it pressed unequally upon different classes of gold miners. In the first place the duty was charged, not upon the standard ounce, but upon the gold in its raw state, and that was very different in different places. Even retorted gold from the northern gold fields was subject to a diminution of from two to four per cent., so that the duty was actually paid upon a certain amount of quicksilver and alloy. A good deal of the gold was alloyed with silver. He had seen a sample from the Mariner's Reef, which contained sixty-seven per cent. of silver, and only thirty-three per cent. of gold; and he was informed that on the Gilbert gold fields, a large percentage of silver and other metals was also found in the ore. In some places the proportion of silver was more than one-half. He did not think it would be possible to levy the duty upon the standard ounce, because there were no assayers on the gold fields, except one at Gympie. He could therefore see no way except to abolish the duty altogether. The argument that the duty was only paid by those who could afford it, was not, he thought, a sound one. It was true that when the gold fields were first discoverd, those who found rich patches of surfacing got their money very easily and could afford to pay it; but the miners of this colony were now trying to establish a permanent industry in the country, and the question was whether this tax was unfair towards them or not. He had no hesitation in saying, that if mining were to be permanent, it would not depend upon surface diggings, but upon the introduction of capital and machinery and a proper combination of labor. It would not be in the richness of the deposits so much as the vastness of the operations carried on. There were a great many reefs at Gympie abandoned, because they would only yield about one ounce to the ton, or thereabouts. Yet those reefs were richer than many in Victoria which paid well, and there was no doubt that, if a company were formed to crush thousands instead of hundreds of tons, this very duty of one shilling and sixpence per ounce might make all the difference between profit and loss. He had no hesitation in moving the second reading of this Bill, because he believed the duty to be not only unjust but unequal in its operation, and injurious to the interests of the colony.

Mr. De Satge said he could bear out the remarks of the honorable member for Wide Bay, and he thought the duty should be abolished, if possible—in fact, that was one of the subjects in which his constituents were most interested. This duty was established at a time when the gold fields were in a more prosperous condition, and the returns much larger than they were now. The large yields in Victoria in 1851 and 1852 warranted the Government of the day in putting on a heavy export duty upon gold, especially considering the large amount of protection they were obliged to afford to the diggers. The gold fields of this colony, at the present time, were in a very different condition: the gold was only obtained by the employment of a good deal of capital and labor, and no very large "piles" were now made. The yields at the Clermont gold fields were very precarious: he did not think the diggers averaged more than thirty shillings a week each, and the life of a digger was a very hard one. Although the export duty was paid directly by the bank, it was paid indirectly by the digger, who received a smaller amount in payment. The price of gold in Clermont had been as low as £3 11s. per ounce, which left the banks a margin of six shillings. He thought the gold industry should be fostered as much as possible, and that rewards should be offered for the discovery of new gold fields. He was of opinion that a great deal of good would be effected by abolishing this duty; and, although the honorable member for Wide Bay was not prepared to point out any other mode of raising the amount it produced, he hoped the Colonial Treasurer would find some means of recouping the revenue to that extent. He should support the motion.

The SECRETARY FOR PUBLIC WORKS said he had given a good deal of consideration to this question, and had had a good many conversations with diggers and others on the subject; and he must say he had never heard anyone, who had considered the matter fairly and reasonably, come to any other conclusion than that it was about the best tax for the diggers generally that could be imposed. In the first place, it was absolutely necessary that the Government should derive some revenue from the gold fields, for although they increased the prosperity of the colony, they were very costly. He had mentioned, the other night, that the gold duty was levied at the request of the diggers, and he thought the honorable member for Wide Bay was hardly correct when he said it had occasioned the riots at Ballarat. To the best of his recollection, it was instituted at the request of the diggers of New South Wales anterior to the discovery of gold—at anyrate, to any extent—in Victoria. They objected to the thirty shillings tax upon lucky and unlucky diggers alike, and considered the export duty a fair mode of taxing them, because it was a tax upon the gold actually found, and they could afford to pay it. When it was shewn that the cost of the gold fields was quite as much as the revenue derived from them, he thought the necessity of keeping up this tax would be sufficiently proved. He estimated the cost of managing these gold fields, of preserving law and order, administering justice, protecting the lives and property of the diggers, making roads for them—and that was a very expensive item—as quite equal to the revenue they produced in the shape of export duty, miners' and business licenses, fees of offices, and so forth. For instance, the police expenditure alone, which was absolutely necessary to preserve law and order and protect the diggers, amounted to about £9,000 for this year. Then the Government had to spend some £3,000 or £4,000 annually in keeping the roads to and from the various gold fields in proper repair, and a share of that expenditure would amount say to £1,500 or £2,000. The cost of the department, exclusive of the police, amounted to nearly £5,000 a-year; the proposed geological survey, which he hoped would be carried out, would cost about £1,300; besides minor expenses, such as powder magazines, &c., which made an expenditure upon the gold fields equal, as near as possible, to the revenue derived from them. The total revenue from the gold fields was estimated at £21,500 for 1871, and out of this, £14,000 was calculated as the revenue from the gold export duty. He would, therefore, ask honorable members if it were possible to keep up such a heavy expenditure if so large an addition to the revenue were given up, especially when it was, as he believed, the most popular tax which could be levied. He was quite sure, if the diggers themselves were appealed to, they would unanimously decide that it was about the fairest way of raising a revenue which could possibly be devised. He felt sorry to oppose the motion, and he hoped the time was not far distant when he should be able to accede to the suggestion of the honorable member; but at present the Government were not in a position to do so.

Mr. MCILWRAITH said that the honorable member for Wide Bay, in bringing forward the measure now under consideration, stated that the tax upon the miners was not only an unjust one but also one that was unequally raised. Now, the second ground of objection could be easily met in the way suggested by the honorable member himself. The main ground on which the argument of the honorable member rested was, that the tax was the only export tax that was levied upon any of the products of the colony. The honorable the Secretary for Public Works argued that the tax was a fair one; but the mining community, on the other hand, maintained that it was not a fair tax, inasmuch as it was an exceptional one. Now, he would like to know why the miners should have to pay an exceptional tax; for he did not see that they derived any special advantages beyond those that were enjoyed by other members of the community. The Secretary for Public Works argued that the tax was a fair one, inasmuch as it required that a man should only pay according to his luck—that it was a tax by which the lucky man paid so much, and the unlucky man paid less. Now, if that argument was good as regarded the produce of gold, it was equally applicable in regard to the produce of wool. Police protection had to be provided for the squatter as well as for the miner; and he would, therefore, like to know why the producer of wool should not be subjected to the payment of a special tax, as well as the producer of gold. The Secretary for Public Works also argued, that those honorable members who advocated the repeal of this tax, should be prepared to bring forward a proposition that would make up for it. Now, it was not the duty of private members to do so. Their duty was to endeavor to remove taxes that pressed unduly upon any members of the community—in fact, to obtain the abolition of what was called class taxation—and it was the duty of the Government to devise the means of supplying the deficiency that might thereby be occasioned.

Mr. FYFE said he would support the continuance of the export duty on gold, as he considered that the lucky diggers were the proper persons to pay for the police protection afforded to the gold fields population. Besides, if the export duty on gold were abolished, it would be necessary to impose some other duty to make up the deficiency that would be occasioned by its repeal. The tax, he maintained, fell very lightly on the lucky miner. Though he was prepared to admit that the tax was wrong in principle, it should be remembered that it was necessary

a certain amount of revenue should be raised. When he was a member of the Legislature in Victoria, Mr. Childers brought in a Bill imposing an export duty on gold, and he, Mr. Fyfe, advocated a reduction of the amount proposed; but the circumstances of this colony were altogether different from those of the colony of Victoria at the time to which he referred. When he visited the Rockhampton gold fields, a short time ago, he was asked by the miners if he would vote for the repeal of the export duty on gold, and he told them that he would not, and the reasons he advanced in support of his views seemed to meet with the approval of the miners. He thought the honorable the Treasurer might willingly reduce the license fees for wayside hotels in country districts, if the gold export duty should be maintained; and he thought that such a course would be approved of not only by miners, but by others who had occasion to travel along country roads. If the Colonial Treasurer would do that, he would secure for the Government the unaminous support of the population throughout the length and breadth of the land.

Mr. JOHNSTON said that the only objection he had to the export duty upon gold was that it was the only duty charged upon any product exported from the colony. At the same time he believed that it had had the effect of greatly developing the gold fields, because of its providing the means of special police protection, where such protection was most required, and meeting the expense of geological surveys. For those and other reasons which he need not now specify, he would support the continuance of the duty.

Mr. STEPHENS said it had been admitted by several previous speakers, that the duty on the export of gold was an exceptional one, and that it was wrong in principle; inasmuch as all duties on exports had a tendency to discourage the production and export of the articles on which it was imposed. For his own part, he was prepared to admit that the tax was unsound in principle; and that the only ground on which it could be defended was that of expediency. The tax might operate very fairly, as regarded alluvial diggings; but where a large amount of capital was invested in quartz mining, the tax might very seriously interfere with the profits of the company. It appeared to him that the strongest reason for the continuation of the tax was, that a miner, in virtue of his holding a miner's right, which cost him only ten shillings per annum, had a right to go over the whole colony, and dig for gold on any unalienated land whatever. They could do what no one else could do, for they could dig up the ground wherever they liked, and render the land they entered upon perfectly useless for grazing or agricultural purposes. For his own part, he felt bound to vote in favor of the continuance of the tax, because of the exclusive privileges the digger enjoyed over other members of the community; and, also, because he considered that, at present, the Treasury could not afford to do without it. If the tax were abolished, the best way of meeting the deficiency would, in his opinion, be to reduce expenditure; but, till some sufficient way was shewn to him of meeting the deficiency that would be occasioned by the abolition or reduction of the tax, he should consider it to be his duty to support its continuation.

Mr. MILES said he could not agree with the arguments which had been advanced by the honorable member for South Brisbane. That honorable member had stated that, because the miner, in virtue of his holding a miner's right, was entitled to enter upon any Crown lands, he should be subjected to a special tax. He must say that he did not consider that such was a sound or sufficient argument for the continuation of the tax, because he believed there should not be any exceptional taxation. He considered, however, that an increased amount of revenue should be derived from the gold fields, and he would support the Government in carrying out any reasonable proposition they might bring forward for that purpose.

Mr. HALY said he could not agree with the motion now before the House, because he considered it was only just and fair that the diggers should contribute to the revenue of the colony in a particular way, inasmuch as they had the right of entering upon unalienated crown lands, and cutting them up so that they were rendered almost useless for grazing or agricultural purposes. Besides, miners were not permanent residents in the colony. They extracted the gold from the ground, and when they had served their own purposes in that respect, they went away. It was, therefore, quite fair that they should pay an extra tax. Now, the squatters used the land in a way that was beneficial to the colony. Another reason why he would support the tax was because it was the only way by which any contribution towards the revenue could be obtained from Chinamen. It was well known to everyone that Chinamen chiefly lived upon rice; and, therefore, did not, on their staple article of food, excepting tea, pay anything whatever to the revenue.

Mr. BELL said that no doubt every tax which bore specially on a particular class of the community would be viewed as more or less objectionable, in proportion to the extent to which the particular class might be affected by it. The honorable member for Maranoa, for instance, objected to the export duty on gold, because it was an exceptional tax; but while doing so, he seemed to forget that during a recent session, he himself introduced a Bill of an exceptional nature—namely, the Stations Wages Bill—which was equally objectionable on the ground of principle as the proposition now before the House. While dealing with this question, he thought honorable members should bear in mind that there

was also an exceptional measure in respect to seamen; and honorable members who opposed the export duty on gold, because it was an exceptional tax, and approved of the exceptional measure as regarded seamen, argued most inconsistently. He must say that he disapproved of an export duty upon any of the products of the colony—whether gold, wool, tallow, or anything else; but as it would be necessary, should the export duty on gold be abolished, to impose heavier duties on other articles, he would vote in favor of the continuance of the present export tax upon gold.

Mr. MORGAN said he would vote in favor of the second reading of the Bill, because he could not see that gold miners should be subject to exceptional taxation more than any other class of the community.

The COLONIAL TREASURER said he had not intended to take any part in the present debate; but as the tax had been objected to on the ground that gold was the only product that was subject to an exceptional tax, he would like to say a few words about it. One honorable member had stated that, while on the produce of the miner there was an export duty, there was no such exceptional duty on the produce of the squatter; but the honorable member, in saying so, must have forgotten that the miner left the land in a less valuable condition than when he entered upon it; whereas the squatter opened up the country and improved it. A miner could go over the whole colony, and do what he liked, in the matter of breaking up unalienated crown lands, and when he had taken the gold out of it, he could leave the colony. Well, for such a privilege he was only charged, in addition to the cost of his miner's right, a small duty on the amount of gold he obtained. Now, the miner left the land in a less valueless condition than when he entered upon it; whereas the squatter promoted the occupation of the country and accelerated its settlement. He thought it was quite unfair to complain of the export duty on gold as being an exceptional tax. It might have the appearance of being an exceptional tax, but such was not the case; for the tax was levied because of its being the most convenient form in which the miners could be brought to contribute to the revenue. If he could see that a fair measure of taxation could be obtained from the mining portion of the community, he would have no objection to the abolition or modification of the export duty on gold; but as he did not see how that could be done, he must oppose the proposition now before the House.

Dr. O'DOHERTY said he felt some difficulty in supporting the proposition now before the House. He did not see that any distinction should be made between the case of the gold miner and that of any other member of the community. It was all very well to say that this tax would fall only on the successful digger, but it should be borne in mind that for one miner who was successful ninety-nine out of a hundred were unsuccessful; and he must say that from his experience in connection with gold mining, he considered it would be unfair to impose an export duty on gold. There could be no doubt that this was a class tax and an exceptional one; and bearing in mind that the miner had to pay the duties that fell generally upon the community, including *ad valorem* duties, he did not see that they should be longer subjected to a special, and what had been termed an exceptional tax. He had much doubt as to whether the condition of the colony was such as would enable the colony to bear the abolition or reduction of the duty on gold at the present time; but he must nevertheless say that he would vote for the motion of the honorable member for Wide Bay.

Mr. ATKIN said he could not see that the rent paid by the squatter and the export duty upon the produce of the miner, could be viewed in the same light. He did not believe that the tax exacted from the digger was a fair one; and as he disapproved of the principle of exceptional taxation, he would vote in favor of the proposed measure; especially as he maintained that no class of the community contributed so much to the revenue, either directly or indirectly, as the gold digger did.

The SECRETARY FOR PUBLIC LANDS said he did not think that the arguments which had been advanced against the Bill by several previous speakers could be sustained. The tax, as it was called, could only be looked upon as a payment for certain privileges. It was, in fact, only a sort of rent; and he was sure that farmers and others engaged in agricultural pursuits would be very glad to have the opportunity of occupying the land, for their purposes, on similarly good terms. The gold export duty fell proportionately equal upon all who were engaged in mining pursuits. Those who were fortunate paid more, and those who were not so fortunate paid less; while the digger who was altogether unfortunate had not to pay anything at all. The case of the digger and the case of the squatter had been referred to; now he thought the two were quite different. The digger, having extracted the gold from the land, went away; whereas the squatter remained, and continued, by his industry, to improve the wealth of the colony.

Mr. FORBES said he would support the continuation of the tax, because he not only considered it to be a fair tax, but to be one that, as a rule, fell lightly on the members of the mining community. He would also support the tax on the ground that a certain amount of revenue was required; and the amount so required could not be obtained if this tax were abolished. Honorable members who opposed the continuance of the tax, should be prepared to bring forward a substitute; and unless they were prepared to do so, and to take the responsibility of bringing forward a tax in substitution of the export duty on

gold, they were not, he held, justified in asking for a repeal of the export duty on gold.

Mr. MacDevitt said that several honorable members were in favor of this tax upon industry, while others, though opposing it on the ground that it was an unequal tax, supported it on the ground of expediency. Now the latter course he considered to be a most extraordinary one; and the arguments on which it was based must, he thought, have had their origin in a misconception of facts, for they shewed that because those honorable members who advocated such a policy could not devise some other means of taxation, they would support the continuation of the export duty on gold. The honorable the Minister for Works referred to the amount of revenue derived from the gold fields, and also to the amount of expenditure required for the management of the gold fields. Now, he maintained that the arguments of the honorable gentleman were fallacious, inasmuch as the alleged facts upon which they were based were not correct. The honorable member stated that the revenue from the gold fields amounted to about £21,000, and that the expenditure in connection with them amounted to about £17,000, which left only a small balance for contingencies. But the honorable member failed to take into consideration the large amount of dutiable goods that were consumed by the miners, and consequently the amount which they in that way indirectly contributed to the revenue. He did not mean to contend that the whole of the money raised from the mining community should be expended for their sole benefit, for so much must be deducted for the purposes of general government; but he thought the export duty might be reduced to the amount of the balance, or as nearly so as possible. It had been argued in support of the tax, that it fell only on the lucky digger; but how would that argument be relished by certain honorable members if it was attempted to extend it to the lucky squatter? Now, he could not see why any man should, because of his superiority in intelligence, energy, or enterprise, be subjected to a special tax; and further, he did not see why there should be a tax upon gold anymore than there should be a tax upon other colonial products that were exported. The honorable the Minister for Lands stated that the tax was one by which the digger was required to pay only a small proportion of his profits for the benefits he received; and that it was the only tax he had to pay. Now, such was not the case, for the digger had to pay for his miner's right whether his claim might turn out productive or not; and he had, also, to pay survey fees, and, in case of disputes, commissioner's fees. Further, if he wished to register his claim, he had to pay a considerable sum for that; and, if he wished to go into business, he had to pay a large license fee. It had been said that the diggers rendered the land they occupied unfit for pastoral or agricultural purposes; but he could not see why that could be the case, because auriferous land was, as a rule, unfit for even grazing purposes. The only justifiable reason which he had heard advanced in support of the tax was, that without it the Government would not be able to meet the necessary expenditure upon the gold fields. There was another feature in this question that ought to be considered by honorable members. It seemed to have been forgotten—or to have been purposely overlooked—that, when the Cape River diggings were discovered, many squatters, because of the rush to the district, were induced to remain, though they had previously been making arrangements to leave. Now, that was one of the ways in which the mining community indirectly contributed to the revenue. He also understood that such had been the case at Ravenswood, by the price of cattle being largely increased on account of the diggings discovered in that district. Now, if it were so, it must be evident to everyone that the diggers had enabled the squatters to remain in occupation of their runs, which they would otherwise have abandoned, and that to the detriment of the revenue.

Mr. Haly said that he considered the miner should pay an exceptional tax, because he could go over the whole colony in prosecuting a search for gold. Besides that, he was personally aware of one case where, from mining operations, a most valuable animal was killed by falling down a deserted shaft. He therefore thought that, on account of the special privileges they enjoyed, the diggers should be required to pay a tax in addition to that paid by the other members of the community.

Mr. Edmondstone said he had listened with attention to the arguments that had fallen from preceding speakers in the debate, and, though for a long time inclined to vote against it, he should support the Bill. He moved—

That the debate be now adjourned.

Mr. King, in speaking to the motion for adjournment, said he should take the opportunity of making some remarks in answer to what had fallen from honorable members during the debate. The Minister for Public Works dealt with the question as if the whole cost of police protection on the gold fields, and other charges of the same nature, should be met by a special tax imposed on the gold fields; a proposition which he (Mr. King) could not consent to. The population of the gold fields were a very important section of the population of the colony—one-fifth—and he did not see why they should be called upon to pay a special tax. When a police magistrate was sent to a back settlement, with two or three policemen, the House did not hear of the Government

assessing a special tax to be paid by the residents of the township where the magistrate was stationed. The police on the gold fields should be paid out of the general revenue, the same as in all other cases. He (Mr. King) was not aware that in this colony, whatever they might be in the other colonies, the diggers were such disorderly persons that they required special police protection. He was sure that there were fewer police required on the gold fields than in Brisbane. Another honorable member had said that the export duty fell only upon the lucky diggers, who could well afford to pay it. Well, in many cases, the cost of getting the gold amounted to within a very small fraction of its value; if gold were £3 10s. an ounce, and a man paid £4 for getting it, he was called upon to pay the tax, when obliged to export his gold. Arguments had been used that did not apply to the gold miners, but that would be very good in favor of the imposition of an income tax, if such a tax were to be enforced against all persons. It must be admitted that miners, who paid more for getting the gold than its value when obtained, should not be liable to an income tax. He understood an honorable member to have said that the House should place a tax upon produce, in order to make things square, as they had put an import tax upon potatoes and corn.

Mr. FYFE: I was only chaffing you.

Mr. KING: It had been said that the export duty was to be looked upon as a rent for the ground that the diggers occupied. He was sorry that he had not a miner's right, but he had not anticipated such an argument. The miner's right had been held, in a court of law, to amount to a lease. He maintained that it was wrong, after leasing the land to the miner, to compel him to pay an extra rent in the shape of an export duty. He was convinced that if there were a number of members in the House acquainted with the gold fields, and with the hardships that the miners endured, and the small amount of remuneration they gained, there would not be so much opposition to the Bill.

Mr. THORN regretted that he should have to vote against the Bill, because the time was inopportune for it, after the House had discussed ways and means. If the honorable member for Wide Bay brought his measure before the House on a future occasion, he should have his support. He would suffer no loss by the present Act continuing in force a little longer. As the districts were to have financial separation, the honorable member would have a larger sum to expend on roads in his district, when that came about, than he would if the export duty was repealed now.

The Hon. R. PRING said he had not had the advantage of hearing the arguments on the Bill; but, inasmuch as the question of the abolition of the gold export duty had occupied the attention of a Government of which he had been a member, some years ago, and as he was in favor of the abolition of the duty at that time, he felt bound to give his reasons now for supporting the Bill. At the time the colony of Queensland separated from New South Wales, there were no gold fields in Queensland. He thought he might safely state that when the gold fields were first discovered, the propriety of the export duty on gold was very much questioned; and although it was pretty well admitted that it was a tax which ought not to be imposed, it seemed to be left at rest, principally on the ground that there was no gold to export. Now, as far as he understood it, the question appeared to be, that, inasmuch as the duty was a fruitful source of revenue, it would be injudicious, as the Treasurer had made up his Estimates, to do away with the gold export duty at this particular season. He could not say that he entertained any opinion in accord with any such argument. The Treasurer had made up his Estimates; but he must be prepared, if any source of revenue was abolished which the House considered impolitic, to find some other means of making up the deficiency. The House must not be withheld from doing what they considered right, because the Treasurer did not like it. If it were otherwise, the House must accept the Treasurer's Estimates based upon any system of taxation that honorable gentleman chose to frame; and they would be debarred altogether from discussing any question of taxation that he did not approve of. The reason why he (Mr. Pring) objected to the gold export duty was, that it was a tax upon labor, and it was an unequal tax. It did not follow that because a person was an exporter of gold, that he thereby reaped profit from that article. It appeared to him that many miners might be compelled to export their gold which they had found or raised, or to sell it at a loss. To say that because a man paid a tax, he was, therefore, a fortunate man, was no argument. A tax upon direct labor was not a tax that should be encouraged. He (Mr. Pring) was of opinion that it was unnecessary to tax the gold digger for police protection. Police protection must be afforded to any number of people who formed together a community, in a township, or for any purpose whatever, whether gold miners or not. And, he might say, that a great deal of the police duty was for exporting the gold by ship; and that was paid for by persons who sent the gold from the mines for export. Therefore, he could not agree that the tax was necessary for the support of the police. He could not understand why there should not be an export duty on cotton. Instead of that, for some time, a bonus had been paid upon its production. His opinion was, that as many miners as possible should be encouraged to come here. But as to tax them, the House might as well put a duty on the export of copper, or tax those

who discovered and raised the ore, and who expended their capital in doing so. A great deal of capital was invested in that industry, now; and why not put a tax on copper ore exported? He had seen, at Rockhampton—and the honorable member who represented that constituency could certify to it—square blocks of pure copper, the particular name of which he had forgotten, for export; and the quantities of it shewed the extent of the trade; and why should not that article be taxed per ton, as well as the other mineral product of the colony? The argument would be as good for the copper miners as for the gold diggers. He was not at all convinced that we had seen the end of the gold fields of the colony; he was of opinion that they would be found to abound in every part of the colony. He knew that the diggers disliked the tax very much. He had heard it over and over again objected to. More than that, it led to a great deal of smuggling; and he very much questioned whether the revenue derived any very great advantage from it. He durst say the honorable the Colonial Treasurer was right in his estimate; but the question was, whether the deficiency, in the event of the abolition of the gold export duty, could not be made up in some other way. The suggestion had been made during this present session,—why not pass an income tax, or, a land tax? Surely, those could be collected. Why should there be a tax on labor? He did not believe the best price was ever given for the gold by those parties who exported it; and, consequently, the tax fell on the working digger. For those reasons, he (Mr. Pring) would cordially support the Bill.

Mr. HANDY said he felt disposed to support the Bill, for the reason that it was time that the principle of expediency was abandoned in passing laws. It had been too much the custom in the House to pass an Act one year and to repeal it the next. He would not vote for the Bill now before the House if he thought it was one of expediency; it was one to fix the question for ever, as it ought to be fixed. In Victoria, the fee demanded from the miners was six shillings a-year, and there was no duty payable—or, there was not, before the colony got a mint of its own—upon gold exported either for assay or for coinage. In this case, the principle on which honorable members should vote, was, to remove the mischief of the existing Act. The remedy for that mischief was in the Bill. There was, he maintained, in the Act, a second rental, which was very unfairly charged to the miner. It was not the unfortunate miner who dug the gold out of the bowels of the earth who exported it; it was the banker. But the banker did not pay the duty; the miner paid it. The tax fell upon him, who ought to be allowed to have all his available capital for the development of the gold fields, and the extension of his industry; and it was unfair to add that tax to his license fee, which latter entitled him, for one year, to search for gold in the mines. The effect of the Act was to retard the development of the gold fields very materially. The reward for the discovery of new gold fields was very limited indeed; and it was the duty of the Government and the House to encourage the miner in his important work of developing the resources of the country. There was no tax on sugar or cotton, but their production was encouraged by specially favorable legislation. All the digger wanted was to be allowed to invest both his labor and his capital in the prosecution of his work. He (Mr. Handy) objected to a special tax on one class of the people, to the injury of the colony, for the purpose of raising a revenue. He had read, somewhere, that "some men are born with saddles on their backs for others to ride on." It seemed that the miners were living with saddles on them for the rest of the community to ride on, and in order that the Government might pay the expenses of managing all other classes in the colony. The Bill was a very just one, and he should vote for it.

Mr. MACDEVITT corrected a calculation he had made in his speech on the motion for the second reading of the Bill. Taking the revenue of the colony at £730,000, divided by five, would give £150,000 in round numbers. He had not meant to contend that the miners contributed that sum to the revenue; that would be a wrong result. From it must be deducted the moneys received by the Government for land revenue, and from other sources;—in fact, reducing the amount that they paid to customs duties, which would come to something like £70,000, contributed by the mining population.

The COLONIAL SECRETARY said the honorable member for Kennedy had just saved him the trouble of correcting his figures, which he had been about to do, for he had made a very serious miscalculation. He was not going to take up the time of the House on the Bill. The export duty on gold was a duty which he always disliked extremely, and he thought it was one which, if the revenue was able to go without it, he would even now oppose. But the most unfortunate part of the thing was calling it a duty at all, when, in fact, it was not a duty. If it had been called by its proper name, in the first instance, a royalty on gold produced, he believed none of the objections made to it would have been heard. There was nothing to be said of it. It was no new tax. It was not as if the House were trying to establish a tax on an established industry, which would be a very bad affair. It was a tax which had been in existence ever since Separation. The digger came here and devoted himself to gold digging, knowing that there was a duty on the export of gold. The diggers always knew of it; and this was the first time he (the Colonial Secretary) ever heard of their complaining extremely of it. Of course, all

persons complained of what touched their own pockets. Taxation was not pleasant to those who had to pay it. But the most important part of the question to him was, that the revenue could not do without the export duty. The Colonial Treasurer had framed his whole budget supposing that the export duty would be a valuable asset; and it would very seriously inconvenience the Government if, now, the duty should be done away with. He (the Colonial Secretary) should be very glad, and he durst say all his colleagues would be very glad, too, if the Government could see their way to abolishing the duty. It was called an export duty because it was assessed and collected by the customs, but it was a royalty on the gold raised from the earth. If the royalty was collected from every digger on what he took out of his claim, an army of collectors would be required. By making it an export duty, it was collected at the slightest expense. And it was not a very heavy tax after all: £14,000 was estimated to have been collected, representing an amount of gold produced and exported from the colony, last year, value £700,000. If the pastoral interest was only taxed at the same rate, for the use of the land it occupied, the squatters would be very glad to pay it. Instead of paying £120,000, they would pay only £22,000. That was a matter for serious consideration. He durst say many pastoral tenants would be very happy to commute their rents to two per cent. on the value of their wool. Although all export duties were unfair, and to be avoided as far as possible, the duty on gold was assessed and collected as, and it was, in fact, a royalty.

The question for the adjournment of the debate was put and negatived. The original motion for the second reading of the Bill was also negatived, upon a division, as follows:—

Ayes, 13.	Noes, 17.
Mr. Lilley	Mr. Ramsay
„ McIlwraith	„ Stephens
„ MacDevitt	„ Walsh
„ Morgan	„ Johnston
„ Miles	„ Palmer
„ Handy	„ Wienholt
Dr. O'Doherty	„ Bell
Mr. Edmondstone	„ Moreton
„ Pring	„ Fyfe
„ De Satgé	„ Haly
„ Jordan	„ Ferrett
„ King	„ Cribb
„ Atkin	„ Scott
	„ Royds
	„ Forbes
	„ Thorn
	„ Thompson.

CONSTITUTION ACT AMENDMENT BILL.

Mr. LILLEY said: Mr. Speaker—I move the second reading of a Bill which is very shortly described as a Bill to repeal what is popularly known as the two-thirds clause. I believe, sir, that this clause presents an anomaly in legislation. It has been in force in some few places, I think. In New South Wales, originally, in the old Constitution Act, 18 and 19 Victoria, a similar clause was inserted; but the Parliament have, long since, rid themselves of what I think is a most inconvenient and useless provision in the statute book. Very little can be said, I believe, in defence of the clause. If it is to be retained against what I believe to be the wishes of the colonists generally, it rests with those who advocate its retention to shew that it ought to be kept in the law. For a long time, sir, I am free to confess that I was unwilling to repeal this clause, and I may say that that unwillingness arose not so much from any conviction I entertained that it was either a wise or an expedient provision—at least, not a wise provision—but from some undefined, and perhaps unjustifiable, fear that one section of the House might prove too strong, and, if it were repealed, they might force upon us a law not just—some law affecting the people, not just, and perhaps more favorable to one section of the community than to the colonists generally. But, I have rid myself of that belief, now, and I am inclined to the opinion that neither party in this House, and no section of the community, need hesitate now to repeal this clause. I believe, sir, it will be impossible, and I think it has been proved to be impossible, to get through this House any measure for effecting a reform in the representation of the people, and to obtain the assent of two-thirds of the Assembly to that measure. I think, sir, that we can hazard the repeal of the section. I have no fear myself. I think that popular opinion is sufficiently strong, and the press watchful enough, to guard the interests of all classes in the community; and I say I have no hesitation, now, to repeal this clause. It is probable that some question may be raised as to whether it is competent to the House to repeal the proviso itself, without the consent of two-thirds of the whole number of members. Now, sir, I have no doubt upon that matter myself; and, whatever weight my opinion may have in this House, I am not able to say, but I think it can hardly admit of a doubt that it is competent for the House to repeal this proviso, as well as to repeal the whole Constitution Act. It would not be contended for a moment that it would be essential to have two-thirds of the entire Assembly to vote the repeal of the entire Constitution Act; and, if the entire Act may be repealed by a simple majority, there is nothing in the Act to justify the opinion that the proviso itself may not be. It is a singular omission on the part of those who enacted the constitution itself that they did not carry out by two or three words that it shall not be lawful to prevent, with Bills for certain purposes mentioned in the proviso itself, "any Bill for the repeal of this constitution," unless two-thirds of the members of this House shall assent. It is an omission; and that omission enables this House to repeal this proviso by a simple majority. The honorable member for West Moreton, Mr. Thorn,

whose opinion on law—the honorable and learned member, as suggested, I will call him—whose opinion on constitutional law will be received with the deepest reverence by honorable members of this House, does not seem to concur; but I am quite sure that my honorable friend, if he will listen for a moment to the opinion I will give, if he has not already made up his mind that he will not repeal it, will be disposed to view the question in the same light that I do. There is nothing in the statute that says it shall not be competent to repeal this proviso. There is nothing in the statute, wiser as its framers were in their generation than we are in ours, that fences round that proviso: they omitted to fence it round by a condition to prevent its repeal except by two-thirds. If it is essential to have two-thirds of the House to repeal this proviso, it is equally essential to have two-thirds of the votes of the entire Assembly to repeal the constitution itself. I ask any honorable member, lawyer or not—whether he finds the provision in the statute, or finds none—If you can repeal the whole, can you not also repeal a part? It is as clear as possible. And, I may state that this is the opinion not only entertained by me, but by yourself, sir, when you were not in the chair; and I believe it is the opinion of another distinguished member of this House, the honorable and learned member for North Brisbane; and, also, it is the opinion of all the lawyers in New South Wales—I never heard one express a contrary opinion upon this matter. In fact, it is an omission on the part of the framers of the law. If they intended that it should not be competent to repeal the proviso by a simple majority, it would have so specified. But it would have been absurd to have fenced round this portion of the Constitution Act by such a provision. As it has been well put before, and the line of argument was taken recently by the honorable member for Northern Downs, who said, and well said—and I never heard an answer given to it—that if you can pass laws disposing of and affecting the lives and liberties and happiness of the people in every respect, by a simple majority, why should you require two-thirds to pass a statute affecting these subjects? I will read the provision, and so the House will see how unnecessary it is to place any special or extra requirement around it:—

"Notwithstanding anything hereinbefore contained the Legislature of the said colony as constituted by this Act shall have full power and authority from time to time by any Act or Acts to alter the provisions or laws for the time being in force under this Act or otherwise concerning the Legislative Council."

And so on;—

"Provided always that it shall not be lawful to present to the Governor of the said colony for Her Majesty's assent any Bill by which any such alteration in the constitution of the said colony may be made unless the second and third readings of such Bill shall have been passed with the concurrence of two-thirds of the members for the time being of the said Legislative Council and of the said Legislative Assembly respectively."

And so on. The following applies to this House:—

"It shall be lawful for the said Legislature of the colony by any Act or Acts to be hereafter passed to alter the divisions and extent of the several counties districts cities towns boroughs and hamlets which shall be represented in the Legislative Assembly and to establish new and other divisions of the same and to alter the apportionment of representatives to be chosen by the said counties districts cities towns boroughs and hamlets respectively and to alter the number of representatives to be chosen in and for the colony."

And so on:—

"Provided always that it shall not be lawful to present to the Governor of the colony for Her Majesty's assent any Bill by which the number or apportionment of representatives in the Legislative Assembly may be altered unless the second and third readings of such Bill in the Legislative Council and the Legislative Assembly respectively shall have been passed with the concurrence of a majority of the members for the time being of the said Legislative Council and of two-thirds of the members for the time being of the said Legislative Assembly and the assent of Her Majesty shall not be given to any such Bill unless an address shall have been presented by the Legislative Assembly to the Governor stating that such Bill has been so passed."

That is, a Bill to alter the number or apportionment of representatives in the Legislative Assembly. Now, what is that? Should it be necessary to have two-thirds to pass such a Bill? I have never yet heard an answer to the argument, that as the repeal of every subject of legislation is by simple majorities, so should this be. No other reason has been given for this provision except what I have stated before for a long time affected my own mind. I have hesitated from time to time to assent to the repeal of this proviso, more from, possibly, unjustifiable fear, but certainly fear entertained, whether reasonably or not, that one party dominant in the House might be disposed to force some measure of legislation upon us that was not just—that might trench seriously on the rights of the people; but, I say, I have rid myself of that fear—I do not entertain it now. And I believe that parties are so fairly and equally balanced in the Assembly that it would be impossible for either side to impose on the other an unjust law. I really do, myself, think that the time is come when we may safely repeal this proviso; and I have given my reasons for thinking that it can be repealed—the proviso itself can be repealed—by a simple majority. I have stated my conviction that unless it is repealed, you will never get two-thirds of the House to consent to those measures of reform in the representation which we all admit are re-

quired. The honorable the Colonial Treasurer knows, as well as I do, that you will never get two-thirds of the House to assent to any measure of representation. It is a very large number : it is almost unreasonable to expect that you can get two-thirds of the House, so large a proportion, not honestly disagreeing to any Bill almost that may be introduced. You may get a majority that you can command ;—the present Ministry, I believe, can command a majority in the House for their measures; but you cannot get two-thirds. We are willing, on this side, to endeavor to assist the Government to pass a reasonable, just, and fair measure of representation—to affirm a Bill for the Re-distribution of Electorates ;—I am willing to trust them, even with a majority against me, this proviso being repealed. If we pass a bad law, why then we can agitate for its repeal or amendment. I do not suppose that any law we pass will be so good or so perfect that, in time, with the change of circumstances, we cannot repeal it. We have a Standing Order which seems to have given rise to a misconception as to the Act, as to the scope and power given by the Constitution Act, and through the Constitution Act, and which is worthless. When a certain thing is done, then something else is to be done. This it does not force upon us unless the Constitution Act says that two-thirds are necessary to the thing we do. This Standing Order is at page 34, No. 250 :—

"Whenever any Bill for repealing, altering, or varying all or any of the provisions of the Constitution Act, and for substituting others in lieu thereof, shall have passed its second and third readings in the Assembly, with the concurrence of two-thirds of the whole number of the members of the Legislative Assembly, the Clerk, or other proper officer of the Assembly shall certify accordingly."

There is nothing in that long Standing Order, whoever framed it, which makes it compulsory that this proviso shall be passed by two-thirds. It is within the scope of the Constitution Act itself, that the proviso of section ten can be repealed by a simple majority. We here state facts. I see no reason for the retention of this proviso ; it is of no use whatever, and I have brought in this measure because I believe that, in doing so, I am acting for the good of the majority of the colonists. This question, like every other, should be left to the decision of the Parliament for the time being. I believe that in only one constitution in the world, has this absurd clause been retained, and that is in the Polish Diet. There, it is necessary not only that every law should be passed by a majority of two-thirds of the members of the Diet, but every Act of the session must be passed with a similar majority, and if that is not done, the whole action of the session is swept away. It can, therefore, hardly be wondered at that the Poles are unable to govern themselves. I hope this Bill will be passed. I do not think there is anything to be feared from the repeal of the clause in question ; and the Government need have no fear, because, having a large majority, they can prevent any alteration in the representation which does not suit them, at least so far as their action does not endanger the best interests of the colony.

The COLONIAL TREASURER said he would leave the constitutional part of the question to be debated by those who were more able to do justice to it, and confine himself to a few remarks on the practical bearing of the measure. It was a question to which he had given much consideration for some time past, and upon which his opinions were pledged. He had stated on the hustings that even if his election were at stake, he would rather lose that election than give up the views which he held on this subject. It would, therefore, be seen that he held very strong opinions about it. The honorable member for Fortitude Valley had designated this clause as an anomaly, because it was competent for the Legislature to pass, by a simple majority, measures of the greatest importance, and that, therefore, this part of the Constitution Act was hedged in with unnecessary security. But it might be asked, on the other hand, why should the decisions of juries be required to be unanimous, if matters of such great importance could be decided by a simple majority? There had been instances in that House to which he need not more particularly allude, to shew that simple majorities had acted in a very hasty and tyrannical manner ; one more particularly some time ago, which he was sorry to say had been anything but to the credit of the Assembly. He would not refer to it further, but it had impressed him with the conviction that some such safeguard as this was very necessary. The honorable member said there was only one country in the world where such a precaution was considered necessary ; but surely the honorable member forgot that in that great country, whose constitution was so frequently quoted in that House—he alluded of course to America—before any change could take place in the constitution, it required to be recommended by two-thirds of the members of both Houses, and then to be approved by three-fourths of both Houses of the Legislature. There a still greater safeguard was thrown around the constitution. All that was required in this colony was a simple majority of two-thirds of that House, and two-thirds of the Legislative Council ; and he certainly thought if a change proposed in the constitution of the colony was not of sufficient importance to recommend itself to two-thirds of the members of that House, it was much better to leave it alone. It must be remembered that this was very different from any measure only affecting the laws, which might be repealed and altered from time to time. A measure which altered the constitution

affected the makers of those laws; it struck at the foundation, and not at the superstructure. That was an entirely different thing, and he thought they could not be too cautious in doing away with this safeguard. He was aware that the provision had been done away with in New South Wales, but he had conversed with some of the most intelligent men in that colony, and they strongly advised the people of Queensland to retain it. He did not know that the repeal of the clause would be attended with any special danger; and, if it were done, the present would be a very good time for it, as there was a majority on the right side of the House. But he would rather see it retained, and he thought it quite possible to pass a measure of additional representation by a two-thirds majority. He thought the constitution should remain as it was. It had been framed by one of the ablest men Australia had ever produced. It had been proved and had worked well, and he must confess he could see no necessity for altering it. He would not at this time go further into the subject; and would only say, in conclusion, that it seemed to him absurd to argue that a clause having been inserted in the Constitution Act, which provided that that Act could not be altered except by a two-thirds majority, that clause could be repealed by a simple majority.

Mr. ATKIN said the honorable member who had just spoken had alluded to America, and had pointed out the safeguards with which the constitution of that country was surrounded; but the honorable member seemed to forget the peculiar position which that country occupied from the federal union of a number of large states, and that a provision had been introduced by the framers of the American Constitution which required that every ten years the representation should be apportioned on the basis of population. That was all they wanted here; there it was a part of the constitution, and did not require to be decided by a majority. As the honorable member had cited America as an example, he thought honorable members on his side of the House might bring forward, in support of their view of the question, the great British Empire, where no such restriction was found necessary. He could not see why the constitution of this colony should be hedged round with precautions which were not found necessary at home or in the other colonies. Take Victoria, for instance; there was no two-thirds clause in her Constitution Act, and were not her laws as liberal and as good, and the rights of property as fully recognised there as in this colony, where this provision existed to which honorable members attached so much importance? It had been shewn by the honorable member for Fortitude Valley that it was quite impossible to expect in a small House of thirty-two members to get a majority of two-thirds to agree to any fair and rational system of representation. One Additional Members Bill had certainly been passed, some years ago, but that was only a small measure, which gave six additional members to districts which were almost entirely unrepresented, and could not be brought forward as a fair argument. He could not see what objection the Government could have to the repeal of this clause. They had a majority on their side and could bring in their own scheme of representation; and he would pay them the compliment of saying that he had no doubt that under their guidance a fair measure might be carried. Why, then, should they wish to retain a provision which militated against the common sense of nine-tenths of the whole community? It might possibly suit certain honorable members, who had long enjoyed certain privileges, and for a long time held the balance of power in their hands, to oppose its repeal; but that was a strong reason why it should be abolished, especially when its abolition would facilitate the passing of a liberal system of representation so much required by the country. The argument of the honorable member for Fortitude Valley was unanswerable. If laws affecting the life and property of every man in the colony could be passed by a simple majority, which was the the case in every other country in the world, he could not, for a moment, see why they should not be allowed to amend the Constitution Act of Queensland in the same way. The two-thirds clause was an obsolete provision; he should vote for its repeal, and he thought he might safely appeal to the good sense of the House to allow the Bill to be read a second time.

The SECRETARY FOR PUBLIC LANDS said he approached the question under a pledge to his constituents to oppose the measure before the House. It was said that Ipswich and West Moreton had an undue preponderance in the representation in that House. They possessed six members, but he would point out that Brisbane, North and South, Fortitude Valley, and East Moreton, possessed no less than seven members, and he thought he should be able to shew that in his district they were fully entitled to the proportion they received. The actual number of selectors in Ipswich and West Moreton districts were 2,309, as compared with 2,000 in East Moreton, so that the population was in favor of the former. It was quite a fallacy to suppose that the last census gave any correct idea of the population. At that time most of the people had gone to Gympie, and they had come back since. In addition to that, West Moreton had attracted a considerable share of the population, especially among the Germans from East Moreton. He asserted, without fear of being refuted, that Brisbane and East Moreton had an overwhelming representation in that House, and it was Brisbane that was always crying out for increased expenditure. Brisbane was the place where all the goods came into the colony, and where the immigrants landed, and, of course, most of the money went into

the pockets of the Brisbane shopkeepers. The Brisbane people were in the position of a person taking stimulants—they had had one or two strong stimulants; they felt the depression which followed, and were now, as Mr. Michie said in Victoria, "suffering a recovery," and they wanted another stimulant. Now, he did not see his way to the repeal of the two-thirds clause; he did not see his way to the expenditure of money; and he should not be a party to the borrowing of money on a large scale. To borrow money in a reckless way he looked upon as dishonorable, and imprudence in this way would bring on another crisis in time. The country was not in a position to do so, and past experience should prevent any such course. He deprecated any legislation of that sort—legislation which might be assented to by a bare majority of the House, in whom the speculative spirit predominated. The colony would progress if they would only allow it to do so. Even if they borrowed money it would no doubt progress, although another crisis should occur, so great were the national resources of the colony. Still, they ought to try and live within their means; money easily got was easily spent. There could be no doubt that had it not been for the railway, this colony would now be in a finer position than any colony in the Australian group, and they would have had £100,000 a-year to spare, which might have been expended upon roads and bridges throughout the land. He could see very plainly that, if they interfered with the clauses of the Constitution Act, without due consideration, they would give encouragement to speculative ideas of all sorts. There seemed to be a new idea started almost every day. One day it was a land tax; another day it was to borrow large sums of money for public works; and another day, immigration upon an extended scale. All sorts of disastrous results might follow if the constitution of the country were to be altered by a simple majority. Of course, the way in which his constituents would be affected by the repeal of the two-thirds clause would be in the representation. Now, as he had shewn that there was a preponderance in the representation in favor of a certain portion of the population, he thought it would be very unwise to allow the destinies of the country to be decided by a simple majority, and he was entirely opposed to anything of the sort. In short, he shared in the fear expressed by the honorable member for Fortitude Valley in former days—he was not willing to hazard—he employed the word the honorable member had made use of—the repeal of this safeguard. The word "hazard" had struck him at the time; no doubt the honorable member had spoken in the fulness of his heart, and it expressed volumes. That fear was lessened from the fact that the majority was now on the right side of the House; but it might happen that this Bill, if passed, would be reserved for the Royal Assent, and before it was returned the honorable member and his friends might be again in office, and be ready to borrow money again and construct railways for the benefit of Brisbane only. He could very well see how they might in that way carry out their views. When the large sums of money were borrowed for the construction of these lines of railway, he had predicted the results which had followed; but if there had been a clause in the Constitution Act which prevented the borrowing of money beyond a certain proportion of the revenue, these disastrous results would not have taken place. He was, therefore, unwilling, seeing the political difficulties which had ensued, to consent to the removal of this safeguard. It had been shewn that in America the constitution was hedged round with still greater precautions; and although in Great Britain there was no two-thirds clause, there was a far greater clog upon ill-advised legislation—the clog of an old aristocracy, a fixed landed property, and the clog of a people brought up to hold certain ideas which were not easily set aside. The British Constitution was surrounded with safeguards. In Great Britain there was a greater amount of liberty and a higher degree of civilization than in France or in America with its theoretical constitution. Life and property were not as safe in America as they were in Great Britain. It would be said that there was the safeguard of the press; and that was, no doubt, the case in England. But here the press meant the starting of a newspaper to carry out certain political views, in which one party cried down another, and the paper shifted from day to day to suit the necessities of the times. There was in fact no respectable press here—it was no safeguard at all; he denied that it was a respectable press or any safeguard to the people. It was one thing one day and another the next; one day a person was cried up and was to do everything for the colony, and the next he was a political renegade—there was nothing that could be said that was too bad of him. That was, he thought, a most unfortunate argument, and he thought the honorable member who used it, having suffered from the press of this colony, as much, or more than any one, would have been wise to forego it. The whole question before the House lay in a very small compass. The repeal of the two-thirds clause would virtually lead to a change in the representation, and to a change, not in accordance with the spirit of the Constitution Act, but in accordance with what honorable members opposite chose to set as a standard, and that was a bare majority. Knowing well they could stop any measure in that House by sheer persistency, they might delay the passing of this Bill until they were again in power, in order that they might have the apportionment of representation in their own hands. The honorable member had given the Government some

hope that he would support the Bill they proposed to introduce, but he had stated that he could not decide until he had seen the Bill, and he might alter his opinion. It appeared to him that the comparison between this colony and Great Britain did not hold good at all. In the first place, in a House containing only thirty-two members, there was no room for a proper discussion or expression of opinion so as to give each vote its proper value. In the House of Commons, which comprised upwards of 600 members, any question might be safely left to a bare majority, because, in such a large assembly there was always an opportunity of striking the average opinion, and the question was so thoroughly ventilated that the decision of that majority could be safely received; whereas in such a small House as the Legislative Assembly of Queensland, where a scramble for office was continually going on, a single vote might give one party power to-day and put their opponents in office the next. The parallel, therefore, did not exist. The introduction of this measure was intended, in fact, to override a certain obnoxious party in the House—obnoxious for no reason that he could see, except that they were always to be found in the van of progress, and had the real interest of the country at heart. He should vote against the repeal of the clause.

The Hon. R. PRING expressed his surprise at the speech of the honorable member for Ipswich, who seemed to have exerted himself to rake up old jealousies between the people of Brisbane and Ipswich, which he thought had long ago been forgotten. He was surprised to hear a Minister of the Crown get up and rant upon every subject under the sun, except the question before the House. Perhaps the word "rant" might not be a parliamentary expression, and he would therefore say, "wander" from the subject so completely. He was surprised to hear him get up and make such a paltry speech. Why, he should have thought the honorable member need have no fear that the Government measure which had been so much talked of, and which, he took the liberty of saying, was not based upon population, was likely to interfere with the representation of his own district. As he understood it, it was entirely an Additional Members Bill, and did not comprise a re-distribution of electorates, so as to give an equalization of representation. He could not see what objection the Government could have to the repeal of the two-thirds clause, now that they had a majority at their back; unless, as he was very much afraid, they did not wish to pass any measure of additional representation at all. He had advocated the repeal of this clause on the hustings, but he must confess that afterwards it had occurred to him that if the Opposition pursued the wisest policy, they would not move in the matter at all, but allow the Government to bring in their Bill, which they would not be able to carry, and then wait for an opportunity of introducing their own measure. But, as the Government had a majority, why should they not pass the Bill before the House, and bring in their own measure? The people of the country would compel them to do what was right. The Government ought to consider that the Opposition were doing them good service. He could not help thinking that the Government had no intention of passing their proposed Re-distribution Bill, or that they would put it before the House in such a form that honorable members would be unable to accept. He was not acquainted with its details, but he was pretty sure it was not going to be a re-distribution proper, but only a re-distribution sufficient to allow of certain additional members. That was not the view he took of the Bill that was required by the colony. It should be a measure to equal the representation all over the colony on the basis of population, and therefore, any measure giving only additional representation, did not go far enough. Each district should be represented in accordance with its population, and therefore, while there was an increase made in the representation of one district, there would have to be a diminution in another. That was the kind of re-distribution which he advocated; that would be a fair and impartial measure. But he could not understand the opposition of the Government to the repeal of the two-thirds clause, unless it was that they proposed to bring in a Bill for additional representation which honorable members would not be able to accept, to throw upon the Opposition the onus of not allowing them to pass it, and to have no Bill at all. This was a very important question which had now arisen for the first time since Separation, and should be settled for some time to come. It might be argued in favor of an Additional Members Bill that the system of re-distribution he advocated would necessitate a dissolution, but there would be no immediate necessity for that; the question could be discussed, and the dissolution might take place in a year, at the end of the session. In any case, if a dissolution were necessary, it could not be helped. It would be a dissolution not based upon any want of unity in the Parliament, but in order to form a properly constituted legislative body who should represent the interests of the whole community, and that would be a boon which would be cheaply obtained, even at the risk of a dissolution. He did not believe it was intended that the two-thirds clause should be retained in the Constitution Act. It was inserted to prevent hasty legislation at a time when the colony contained few inhabitants, and the principles of government were but partially understood, by putting a check upon any alteration of the constitution; but it was never intended that the Legislature should have no power to consider when it should be done away with. It was a grave question, and a question which should be fully discussed,—whether

the time had now arrived when it might safely be repealed. The clause was an obsolete one, as far as other countries were concerned; and, looking to the benefits which would arise from its repeal, and to the fact that the whole spirit of the country was aroused to the necessity of doing away with it, so as to ensure an equitable representation on the basis of population, he should support the Bill before the House. The two-thirds clause, he believed, was inserted for the purpose of fencing in the constitution; but he had no doubt that it might be repealed by a simple majority, notwithstanding the advice that had been given to His Excellency on the subject.

The SECRETARY FOR PUBLIC WORKS observed that the honorable and learned member for North Brisbane had charged the Government with being afraid to repeal the two-thirds clause because it would then be necessary to increase the representation. Now that was exactly what would enable the Government to carry out their proposed measures of reform. He had no hesitation in stating that the course he would pursue in respect to the proposed Bill was that he would oppose it. He did not blame the honorable member for Fortitude Valley for bringing forward the measure, because he believed the honorable and learned gentleman had been urged to bring it forward to prevent the power hitherto exercised by the constituencies in the metropolitan districts being taken away by the increasing power of the northern and western constituencies. Honorable gentlemen opposite, no doubt, wished to return to office, in order that they might be in a position of carrying out a lavish system of expenditure for the benefit of Brisbane. The prosperity of Brisbane depended upon a lavish expenditure of the public money. The two-thirds clause was, he considered, one of the strongest safeguards of the constitution; and he believed that the principal reason for the introduction of the Bill for its repeal was to enable the honorable member for Fortitude Valley and other honorable members on the Opposition side of the House to revive their waning popularity. There had been no demand made by the country for the repeal of this clause; and he knew that the northern constituencies were opposed to its repeal. Now, he would remind honorable members that it was likely there would soon be a large increase to the French and German population of this colony; and, even on that ground, it was, in his opinion, necessary the clause should not be abolished, because the French and German portion of the population had recently shewn that though naturalised by law, they did not seem to consider themselves altogether subjects of Britain—and, very naturally so. If there had been a demand made by the public for the repeal of the two-thirds clause, and a good measure of reform had been introduced in accordance with such demand, he would have supported it. Hitherto, the honorable and learned member for North Brisbane, Mr. Pring, had spoken against the repeal of the two-thirds clause; but, on the present occasion he had spoken in favor of the Bill proposed by the honorable member for Fortitude Valley for the repeal of the clause. The two-thirds clause was the only safeguard the weak possessed against the strong. It was the only pillar of strength which the North possessed against the South. The object of the metropolitan members in seeking for its repeal was, solely to weaken the political power of Ipswich and West Moreton, and thereby increase the power and influence of Brisbane and East Moreton. One honorable member had stated that the spirit of two-thirds of the population of the whole colony had been aroused upon this subject. Now, for his own part, he did not think there was ever a question of a political nature brought before the colony which had been treated with so little consideration by the inhabitants of the colony. He ventured to say that the constituents of the honorable member for Fortitude Valley would never have thought about asking for the repeal of the clause had they not been worked up about it. The question had been used as an election cry; and the only expression of opinion given upon it by any constituency had been elicited by candidates during the recent elections. The constituencies throughout the country had not themselves asked for the repeal of the clause. He would support the retention of the clause, because he believed that in doing so he would only be doing his duty to the colony. It had never operated as a hindrance to useful legislation; and he hoped the House would not consent to the second reading of the Bill now before the House. He considered it would be unwise, and grossly unjust to the majority of the constituencies of the colony, if they were to repeal the two-thirds clause. The present Government proposed to bring in a Bill for the purpose of largely extending the franchise and increasing the number of members; and the people, he thought, should, under the circumstances, have an opportunity of expressing their opinion on the subject before any measure for the abolition of the two-thirds clause was proposed. The whole of the people of the colony, he maintained, should have an opportunity of expressing their opinion through their representatives on the subject before the clause was done away with.

Mr. JORDAN said he thought the honorable the Secretary for Works had advanced the strongest possible argument that could be urged in favor of the abolition of the clause by the admission he had made to the effect that the people were not at present fairly represented. He was confident from past experience that the people would never be fairly represented in the Legislative Assembly until this clause was re-

pealed. The House, he considered, had been rather hasty in giving the Government credit for an intention to bring in measures of much liberality either as to political reform or other matters. He could not bring himself to believe that the Government intended to bring in measures of a really liberal nature, and such as would satisfy the country. He did not believe that the Government had any more intention of carrying out the large measure of reform they had promised than they had of providing immigration on a large scale. The Government, it seemed to him, were opposed to progress; at any rate, in the sense in which he understood the term. He was satisfied that it was not their intention to provide for an addition of twenty members to the House; and for this reason, that he did not think they could do so unless the two-thirds clause of the Constitution Act were repealed, in the first instance, and the Government opposed the repeal of that clause. The honorable member for Fortitude Valley had very clearly proved that the clause could be repealed by a simple majority, as well as that laws affecting life and property could be carried by a simple majority. Parliamentary reform was imperatively demanded, and he considered the condition of the House was perfectly hopeless unless they had Parliamentary reform, because it had been found to be impossible, under the existing state of things, for either side to obtain a working majority. If by any measure of reform that might be introduced, the distribution of additional members was put on a fair basis, he did not see that any objection could be offered to it. He and other members on the Opposition side of the House would like to see introduced as perfect a measure of reform as possible; but, under present circumstances, he would rather accept of a less perfect measure than have none at all. He had only to add, that he would support the Bill before the House for the repeal of the two-thirds clause.

The motion for the second reading of the Bill was then put and carried, on a division, as follows:—

Ayes, 15.	Noes, 12.
Mr. Handy	Mr. Ramsay
„ McIlwraith	„ Thompson
„ Jordan	„ Moreton
„ Lilley	„ Palmer
„ Edmondstone	„ Cribb
„ Pring	„ Johnston
„ Fyfe	„ Forbes
Dr. O'Doherty	„ Ferrett
Mr. Stephens	„ Haly
„ MacDevitt	„ Royds
„ Bell	„ Walsh
„ Atkin	„ Thorn.
„ King	
„ Morgan	
„ Miles	

The Secretary for Public Lands objected to the decision the House had come to, inasmuch as he considered that it was contrary to the provisions of the Constitution Act, which required that there should be a two-thirds majority for the passing of such a measure.

The Speaker said that the House would have another opportunity of dealing with the provisions of the Bill. He desired, however, to state that, in his opinion, the two-thirds clause could be repealed by a simple majority.

UNIVERSITY BILL.

Mr. Lilley moved the second reading of the University Bill, and, in doing so, said that it was intended by the measure to provide a higher class of education for the youth of the colony, and enable them to obtain degrees without having to go home for that purpose, and be subjected to the hazards young men were exposed to when absent from the control of their parents. Some time ago, he proposed bringing in a measure for the establishment of a university in Queensland; but having before him the example of the neighboring colonies, and knowing the great expense such an institution would incur, he had since come to the conclusion that it would be better to have a system of local examinations, of such a nature that those who passed creditably might be entitled to receive degrees from the London University, and other universities at home. He had communicated with Mr. Herbert, formerly Colonial Secretary here, upon the subject, and through that gentleman's good offices and his perseverance in the matter, he had succeeded in getting the Council of the University of London to consent that young men in the colony, passing examinations to the satisfaction of a body of regularly appointed examiners, should be entitled to receive degrees from that University; and he would take the present opportunity of expressing his warm thanks and gratitude to Mr. Herbert, for his services in this matter. He did not think that the measure would, if carried into law, involve an expenditure to the colony of more than £100 per annum, for many years to come, because the fees the students would be required to pay would be sufficient, almost, to meet all necessary expenses. But, further, it was probable that Parliament would never be asked to vote a single penny for the carrying out of the provisions of the Bill. The important University of Dublin also agreed to the propositions contained in the Bill; and he thought, that such being the case, honorable members should not object to it. He now moved,—

That the Bill be read a second time.

The Colonial Secretary said that, as far as he could see, he found no objection to the Bill, and he should have no indisposition, if the House were willing, to let it go to its second reading. But as the Bill was put on the table only this afternoon, and honorable members had not had an opportunity of reading it, he thought the committal of it should stand over for a week. It was creditable to the honorable and learned member for Fortitude Valley that he proposed to do so much for the colony in obtaining the acquisition for students that he had mentioned; and he (the Colonial Secretary) hoped that

honorable members would not find fault with the Bill.

Mr. LILLEY concurred in the suggestion of the Premier, and stated his willingness to defer the committal of the Bill to any convenient time. He should like that the second reading should be agreed to, at once; as he was desirous to communicate to Mr. Herbert that the work he so much desired was commenced by the Bill.

Dr. O'DOHERTY said he could not gather from the terms of the Bill whether it would apply to students in his profession. If it was intended so to apply, honorable members would agree with him that it would be a very acceptable measure. He had purposed for some time to bring in a short Bill, with the view of enabling students to avail themselves of the opportunities for studying the profession of medicine in this colony, by appointing a small corps of examiners, and providing other advantages for study and examination to young men who might choose to enter the profession. Before the university was established in New South Wales, a board of examiners existed, and medical students in the colony who were enabled to prepare themselves by the course of study and instruction required by the university at home, could present themselves before the examiners, and, if they passed, they received a sort of degree which enabled them to practise in the colony. This seemed to be a considerable advance on the existing arrangements; and it would be of the greatest advantage to the colony. He believed that young men had greater facilities in this colony, at all events in Brisbane, for studying the medical profession, than for studying any other of the learned professions. They had, in the Brisbane Hospital, one of the finest institutions in the colonies, and there were gentlemen here capable of giving them as good a course of instruction as they could obtain at home. He had no doubt whatever, that if an enactment of the kind desiderated was passed, it would enable young men, who, at present, were at an entire loss what to do with themselves—parents, at all events, were at a loss what to do with their sons—to get an excellent groundwork of instruction in his (Dr. O'Doherty's) profession; and, if they could thus entitle themselves to obtain degrees from the London University, it would be one of the greatest boons that could be granted to the rising generation of Queensland.

Mr. THORN said he should oppose the Bill, although unwillingly. He could see no practical result from it. If the Bill passed, the expense it would entail upon the colony would be of some consequence. Why should Brisbane alone have the benefit of such a measure? Why should not Cardwell and Bowen have the advantages of it? Examiners would have to be paid; and, if they had to go to distant parts of the colony, that would involve still greater expense; or, if the students had to come to Brisbane for examination, there, likewise, would be expense, either to the country or to themselves. He objected altogether to the conferring of degrees unless the students went through the regular *curriculum*. It was not the examination that made them useful, or that was advantageous to students in their after-life; it was the course of study and instruction, as laid down for them, and the discipline of academic life, which were held to be so advantageous to students on whom degrees were conferred. But what kind of degrees in sciences and arts were to be conferred under the Bill? It did not mention or describe them. The Bill savoured too much of centralisation, and he should oppose it.

The SECRETARY FOR PUBLIC LANDS said he did not see any great objection to the Bill. If persons chose to put a value on a certificate which they might get under it, he did not see why they should not do so. He could not see that it would do much good; it was only a certificate. Students would not have the advantage of the *curriculum*, even if they obtained a degree. One advantage it might confer. Attorneys obtaining this degree would be called to the bar without being subject to certain examinations now prescribed. But as he intended, some day, to abolish the distinction between the two branches of the profession of law—he should have his Bill carried before long, he hoped, and the honorable member for Fortitude Valley would join him in supporting it—that did not matter. If it were intended to keep up the old Tory distinction, to call one member of the profession a "learned gentleman," and the other not, there might be something in the proposed degree; but he thought the common sense of honorable members would shew them that there was no distinction between the two branches of the profession. While they were about it, they might as well stick in Australian universities, as that might be a means of letting in attorneys to the bar of Queensland who might not be willing to wait for his (the Secretary for Public Lands') Bill.

Mr. MACDEVITT said he was sure that honorable members would duly appreciate the enlightenment received from the distinguished gentleman who came from the environs of the Athens of Queensland! The honorable member for West Moreton, Mr. Thorn, could not see what good would come from the passing of the Bill, or what use it would be when it became law. It was a subject of regret that he could not see it. He would greatly improve himself if he could bring himself to realize its advantages. If he could not, so much the worse for him! If passed and properly worked, such an enactment would be of great advantage to the colony. Gentlemen who availed themselves of it, and took degrees, would be equally distinguished in any walk of life with the honorable "and learned" member

for West Moreton; and the degrees, considering that they would be conferred by the University of London, would be fully as valuable as those obtained elsewhere. It had been asked, why not extend the Bill to the universities of the Australian colonies? There was a very good answer to that. The London University was established, not only for giving education, with all the advantages of an academic course, on the spot, but, also, for assisting, by affiliation, the students of other schools and colleges who had arrived at distinction, by conferring on them degrees in arts and sciences. The London University, under its constitution, made provision for granting degrees under the circumstances contemplated by the Bill. That was why the measure was introduced to the House, and he (Mr. MacDevitt) felt thankful to the honorable and learned member who had introduced it; for he was sure it would be of great value to the rising generation of this colony. He trusted that the honorable member for West Moreton would not indulge in that most odious practice, the practice of monopoly—because the honorable member had a monopoly of colonial degrees in the House at present—but that he would enable some of his fellow-colonists to be put on a par with him: there were very few who could arrive at that.

The SECRETARY FOR PUBLIC WORKS said he thought the Bill was being hurried through the House unduly. He had not heard sufficient yet to make him think it would be a great boon to the colony. He might state at once that he was decidedly opposed to the introduction into this colony of anything like "Brummagem," or sham distinctions. He was not aware that the degrees would be of any value; in fact, there was something wanting entirely in the Bill, to shew what was really meant. The honorable gentleman who introduced the Bill did take an interest, sometimes too much, in the education of the youth of this colony; but he thought that in this present matter he had acted hurriedly, and without consulting persons older and wiser then himself. He could easily understand that if the Bill passed, it would be an encouragement to young men in the other colonies to come up here to get degrees; and Queensland would get a very bad name for "Queensland degrees"—cheap degrees. No doubt the honorable gentleman had acted from good motives; but no scheme was laid down for those students who were to be so favored, to undergo any superior or definite course of examination. He (the Secretary for Public Works) did anticipate that instead of the thing working well, it would work injuriously; and he should be very sorry to see Queensland get such a name as some universities.

An HONORABLE MEMBER: Sydney.

The SECRETARY FOR PUBLIC WORKS: He went beyond Sydney.

Mr. THORN: London.

The SECRETARY FOR PUBLIC WORKS: A name for cheap degrees. That was the real question. He had yet to learn that the confiding institutions in Great Britain and Ireland would be led into what he feared would prove a great error. If from no other motive, the honorable member who brought in the Bill, ought to have deferred proceeding with it, because of the authority on which he relied for the univerities conferring the degrees. He was sure that the letter received by the honorable member from the astute Mr. Herbert would bear two meanings; that it had been written designedly to puzzle him as to the way it should be construed. As for the Bill itself, he feared that if it were sent home, its construction might prove that preliminary studies were required, far from those meriting a degree in sciences and arts. Of all things, he deprecated shams. Let not the colony attempt to run before she could walk. Let us advance slowly and steadily and not delude ourselves into the belief that we were cleverer than the rest of the world; but follow, in this matter, that valuable advice given by the honorable member for South Brisbane, "rest and caution."

Mr. FORBES moved the adjournment of the debate.

Mr. THORN supported the adjournment.

Mr. LILLEY, in reply, said he could not understand the opposition to the Bill by the Minister for Works; and, at the same time, it moved him that an intelligent Bachelor of Arts, like the honorable member for West Moreton, Mr. Thorn, should misunderstand the Bill. If the honorable member took the trouble to read it, he might see that it was not intended to apply to the Sydney University for degrees for the youth of Queensland. He (Mr. Lilley) was not encouraged by the example before him to induce the youth of this colony to obtain Sydney degrees;—that was why he had left out Sydney. The students' course of study would he laid down, and their examinations prescribed by the University, and strictly enforced; all the subjects for matriculation and degrees would be communicated from home, and changed every year by the University. He (Mr. Lilley) was sure there would be nothing like a "sham" or "Brummagem" about the proceedings, which would be conducted under stringent regulations. He deprecated the tone of the debate—there was a want of dignity about it. He had been sorry to see his honorable friend, the member for West Moreton, Mr. Thorn, indulging in a vein of untimely pleasantry, of which he, as a special authority, should not have been the examplar. He had thought the honorable member would have given his warmest support to the Bill, and that no unworthy jealously in respect of his own great school in Sydney would have entered his mind.

Mr. HALY said he had great pleasure in supporting the Bill, the more so as it had been brought forward by the honorable mem-

ber for Fortitude Valley, who had shewn to every one the great interest he had in promoting education in the colony. If that honorable member had shewn remarkable consistency and persistency in one object more than another, it was in the promotion of education; and all he did, like the present Bill, was for the advantage of the colony.

The motion for the adjournment of the debate was, by leave, withdrawn.

The original question was then put and passed.