

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 16 DECEMBER 1870

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LEGISLATIVE ASSEMBLY.

Friday, 16 December, 1870.

Specimens of Gold and Auriferous Quartz for the London Exhibition.—Petition of Jeremiah Kelliher, of Gymple.—Free Library and Museum in Brisbane.—Mr. A. C. Kemball, late Police Magistrate at Maryborough.—Water Supply for Northern Rockhampton.—School of Arts, Rockhampton.—Country Public Houses Bill.—Marriage Law Amendment Bill.—District Courts Act Amendment Bill.—Savings Bank Bill.

SPECIMENS OF GOLD AND AURIFEROUS QUARTZ FOR THE LONDON EXHIBITION.

Mr. KING moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause the sum of £1,000 to be placed on the Supplementary Estimates for 1871, for the purpose of buying specimens of Gold and Auriferous Quartz from the Queensland Gold Fields to be sent to the Exhibition in London.

He begged to say in explanation—as there appeared to be some little jealousy existing from the fact that two Bills in favor of the gold mining interest had been passed through the House—that the gold fields would derive no special benefit from the passing of this resolution. The benefit would be to the whole colony. Mr. Daintree had lately made a collection of minerals and geological specimens for the Exhibition in London; and there could be no doubt that that collection would attract the attention of scientific men, but it was not calculated to give

uninstructed men an idea of the mineral resources of the colony. He believed this colony would be greatly benefited if the miners and capitalists at home were properly instructed in the mineral deposits in this colony, and he should therefore like to see such a collection of minerals and specimens as would be likely to attract and instruct that class of persons also exhibited in London. He thought the sum of £1,000, judiciously expended in purchasing specimens from the different gold fields, taken in connection with Mr. Daintree's geological collection, would do more to attract a population to Queensland than even the Emigration Office in London, which they were told cost £800 a year. He would not take up the time of the House any longer. He thought he had sufficiently shewn the object of his motion. It was not for the benefit of the miners, but for the colony at large; its effect he believed would be to draw the attention of a great number of persons to the gold fields of this colony. He would just mention, before sitting down, that the specimens could be bought on the gold fields for the price of the gold they contained, and they would always sell in London at that price, if not at a higher rate; and therefore the loss to the colony would only be the interest upon £1,000 for some six or seven months. The assayer at Gympie, Mr. Josephs, had undertaken to assay free of charge any specimens the Government might wish to purchase, and to ascertain their correct value.

Mr. ATKIN seconded the motion. He quite agreed with the honorable member for Wide Bay that if the specimens were bought with a due regard to their value and appearance, there need not be the slightest loss to the colony. They could be re-sold for quite as much, if not more than cost price. The argument used by the honorable member, that they would draw attention to the resources of the colony had been practically illustrated by the result of the Exhibition of 1862, when the specimens from Queensland had been a very great attraction, and had been the means of causing many emigrants to leave England for this colony. Similar exhibitions from Canada and the Cape of Good Hope had been the means of attracting shiploads of emigrants to those colonies. He should certainly support the motion, as he believed a good deal of benefit and no loss to the colony would result from it.

The SECRETARY FOR PUBLIC WORKS said he believed that a judicious selection of gold specimens sent home, if they could be exhibited in London, would have an advantageous effect upon the colony. As an individual he heartily agreed with the honorable member; but as a member of the Government he was obliged to look at these things with caution, and to pause before taking any step to swell the Supplementary Estimates. The proposed expenditure was for a good cause, but it was not absolutely necessary. The Government would, however,

throw no impediment in the way, but he must point out that there was some doubt whether minerals would be admitted at all to the Exhibition. The Government had, however, taken steps, by communicating with the Agent-General and the Commissioners, to obtain information on that point. He did not anticipate any loss in a commercial point of view. He believed, that with the assistance of the assayer at Gympie, Mr. Josephs, the Government might be able to lay out the money to advantage; and in connection with this question he might say that the Government had anticipated some such motion, and were in correspondence with the commissioners on the different gold fields on the subject. The Government were also making arrangements to enable the Agent-General in England to exhibit some specimens of this kind in his office; and it had been arranged that Mr. Daintree should leave in Mr. Douglas' hands duplicates of his geological specimens for exhibition. That would help to render this colony more attractive, and would materially further the success of that gentleman's mission. If the money were voted, the Government would do all that lay in their power to promote the object in view; and if minerals were not admitted to the exhibition, the gold specimens could be exhibited at the office of the Agent-General.

Dr. O'DOHERTY would gladly support the motion, because he felt sure it would be productive of great good. Even if it were not considered judicious to sell these specimens in London, if they had the effect of encouraging immigration to this colony, the sum expended in purchasing them would be money well laid out. He rose principally to refer to a remark made by the honorable Secretary for Works—that Mr. Daintree had been instructed to deposit for exhibition in Mr. Douglas' office, duplicates of his geological specimens. Now, he had a motion on the paper for the formation of a museum, and he thought it was of great importance that specimens of that character should be retained in the colony for exhibition.

Mr. JORDAN said he should heartily support the motion. The sum of £1,000 would, he was sure, be wisely and economically expended in this way. He knew the benefit which he should have derived while he was Agent-General for Immigration if he had had anything like a collection of this kind to exhibit in his office, and he knew the advantage which the colony had derived from the specimens which had been sent to a previous Exhibition in London. He did not, however, quite agree with the honorable member for Wide Bay that the display of a collection of gold specimens would do a great deal more to attract immigrants to this colony than the efforts of the Agent-General. He thought that was going rather too far, but he believed the colony would be greatly benefited by it.

Mr. DE SATGE said he quite agreed with the resolution, but he thought it would be possible for Mr. Daintree to borrow specimens of auriferous quartz from the owners of them for exhibition at home; he believed many persons would gladly lend them for such a purpose. In that way the thousand pounds, which the country could ill-spare at the present time, would be saved.

The question was put and passed.

PETITION OF JEREMIAH KELLIHER,
OF GYMPIE.

Mr. KING moved, pursuant to notice—

That a Select Committee be appointed, with power to send for persons and papers, and to sit during any adjournment of this House, to inquire into the petition presented to this House on 23rd November, by him, from Jeremiah Kelliher, of Gympie,—such committee to consist of Messrs. Bell, Groom, Thorn, De Satgé, and the Mover.

The petitioner was an immigrant who came out to Keppel Bay in the "Sultana" in 1866, paying a portion of his passage money. He had been under the impression, and had been led to believe, that he would not receive an £18 land-order, but that having paid a portion of his passage-money he would be entitled to a £12 land order after two years' residence in the colony. It was discovered, however, that an alteration had been made shortly after he sailed, which gave him no land order at all. Similar cases, he believed, had been taken into consideration by the House. A petition of a like character had been received in 1869, and the petitioner had obtained his land-order. He hoped, therefore, this petition would be referred to a select committee in order to ascertain whether the allegation it contained were true, and whether the petitioner were entitled to redress.

Mr. FYFE said he had a similar case which he intended to bring under the notice of the House, in favor of Colonel Mackenzie, and if a select committee were appointed he hoped this case would be included in the inquiry.

Mr. THORN said he believed there were several other cases last session which would no doubt be brought forward again. He would move as an amendment, the insertion, after the word "Gympie," of the words—

"As well as the cases of all claimants for land orders whose claims have not been recognized by the Government."

Mr. JORDAN thought it would be better for the committee to go into one case, and the determination at which the House would arrive upon that case would virtually determine all the others. To carry out the amendment of the honorable member for West Moreton would be simply an impossibility.

Mr. KING said, if the House gave permission, he should have no objection to include in the inquiry any other cases specially named, but he should hardly care to undertake the task of inquiring into all

cases of immigrants who had not received land orders. He hoped that some time next session there would be a general inquiry into the land order system. He had been told that some of the immigrants who came to this colony *via* Sydney, and had been staying some time there, had received land orders; while others, who had also come by way of Sydney, but had left within forty-eight hours for Brisbane, had not been able to obtain them. He thought they should all be treated alike, and that some inquiry into the working of the system was necessary.

Mr. ATKIN pointed out that he had a motion on the paper for the appointment of a select committee to inquire into the working of the land order system, and he thought it would be much better to amalgamate the two inquiries. The case which the honorable member now brought under the notice of the House would naturally come within the province of the committee of which he had given notice.

The COLONIAL SECRETARY said he thought it would be well if the honorable member for Wide Bay would accede to this proposition. It would be much better to inquire into the whole question, than to pick out particular cases. There were a good many applications of this sort, and they had given him a great deal of trouble. With regard to the refusal to give land orders to those who did not come direct to the colony, the wording of the Act was very clear. The land order was only to be given to those who came out in ships sailing direct to Queensland, and who produced a warrant from the Agent-General in London. The House could alter the Act if they chose, but while it was in force it would have to be complied with. He suggested that the honorable member should withdraw his motion, and bring the case it referred to under the notice of the committee to be asked for by the honorable member for East Moreton.

Mr. KING said, as the feeling of the House seemed to be in favor of that course, he would withdraw his motion.

Motion, by leave, withdrawn.

FREE LIBRARY AND MUSEUM IN BRISBANE.

Dr. O'DOHERTY moved, pursuant to notice—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering an address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1871, the sum of £300, to initiate the formation of a Free Library and Museum in Brisbane, in accordance with the resolution of the House passed in June, 1869.

He said it would be in the recollection of honorable members who were in the late Parliament, that in June last year resolutions were brought before the House by the present Minister for Works, on the subject

of mineralogical and geological surveys. The question was then fully entered into in the course of an elaborate debate, which resulted in the passing of a resolution—

"That it is desirable to establish in Brisbane a museum in connection with the aforesaid departments, for the purposes of collecting and exhibiting all minerals and soils forwarded to the institution."

He had considered it his duty last week to ask the Government what steps they had taken to carry out that resolution; the answer he had received was that no steps had been taken. Under these circumstances it appeared to him that no further time should be lost, and that the House would not object to vote a small sum for this purpose. He might mention, in addition to the strong arguments put forward in support of this undertaking by the Minister for Works, that since that time a large collection of minerals had been made by the Government Geologist, Mr. Daintree, and no place had yet been fixed upon for them. Many honorable members had probably had an opportunity of examining that collection, and they would agree with him that it would form a good nucleus for a future museum, and that the money he now asked for would not be thrown away. When this question was first discussed, it was observed that there were plenty of rooms in the Parliament buildings, one of which might very well be applied to that purpose until a more suitable building could be provided. He would suggest that the large room over the library, at present only used as a lumber room, would answer very well. He did not think it was necessary to take up the time of the House by commenting any further upon this resolution. It had received the approval of the House on a former occasion and there were stronger reasons for it now. He had made a slight addition to the previous resolutions by proposing to establish a free library in connection with the museum. He did not think that would be objected to, because in connection with a museum there was always some sort of library. He believed he had authority to state that in addition to the collection of minerals made by the Government Geologist, the collection of the Philosophical Society would be available, as also the botanical collection by Mr. Hill with the botanical library attached to it. He thought every honorable member would agree with him that nothing would be more valuable than an institution of this kind. It would form a branch of education for which, hitherto, no provision had been made, and the importance of which could hardly be overrated. He hoped the House would grant the sum he now asked for.

Mr. JORDAN seconded the motion. He thought it very desirable to establish a museum in Brisbane, and the proposal to connect a free library with it was, he thought, a very good one.

THE COLONIAL SECRETARY said the only objection the Government could possibly have to this resolution was, that it was getting in the thin end of the wedge, and increasing the Supplementary Estimates. If honorable members would keep adding to the expenditure in this way, those Estimates would assume very formidable dimensions. He admitted that the formation of a museum was very desirable, but he thought it might be done without the expenditure of £300, and that if both Houses were willing that the room up stairs should be used, a very good collection might be made in a short time at a very small expense. He had no doubt that some member of the Civil Service would undertake to look after the collection. He did not think they were in a position to establish a free library. He should like to see one, but it should be formed upon a proper basis, and £300 would be a mere drop in the bucket for such a purpose. With regard to the museum, there could be no doubt that it was desirable to establish it. The collection of minerals by Mr. Daintree, now in the Surveyor-General's Office, had already been of great service to miners who visited Brisbane. He did not, however, think any great expense should be gone into. As long as there was a room to put them in, plenty of specimens could be obtained from the commissioners and from the miners themselves. He was sure they would be happy to send them down. Taking it for granted that the room up stairs could be had, or one of the committee rooms on the ground floor, which would be better—as persons visiting the museum would not then pass up and down the members' staircase—he thought the sum of £100 would be quite sufficient, and the Government would not object to that amount.

Dr. O'DOHERTY said that he had originally placed the sum of £500 in the resolution, but upon consulting with the Secretary for Works he had taken his suggestion and reduced it to £300. He really thought that was the minimum amount that would be required.

THE SECRETARY FOR PUBLIC WORKS: As the honorable member for North Brisbane had stated, he had brought forward last year, a resolution on this subject, and it was with much regret that he had answered the honorable member's question the other day, by telling him that no steps had been taken to carry out that resolution. When the honorable member had called upon him and stated his intention of bringing the subject forward again, he had cordially promised him his support. He did think it was disgraceful that no institution of this sort had been started in the colony, and that the public could actually obtain more information, and see more specimens of the valuable productions of this colony by going to Melbourne, than they could in Queensland. In fact, he believed there was a far better collection of Queensland products in Melbourne. And when his own resolution

was so cordially agreed to by the House, he did hope that by this time there would have been a flourishing museum in existence. He was quite sure that the money expended in forming an institution of this sort would be well spent. His honorable colleague was quite right in protesting against the repeated additions to the Supplementary Estimates, but in this case he thought the House would be justified in furthering the object of the resolution.

Mr. FERRETT hoped the honorable member, Dr. O'Doherty, would accept the suggestion of the honorable Premier, to make use of a room in the Parliamentary Buildings. It would be, however, necessary to find some gentleman to take charge of it.

The COLONIAL SECRETARY: The Parliamentary Librarian.

Mr. FERRETT: In that case, there would be no difficulty, and he thought the arrangement would be a very good one.

Mr. EDMONDSTONE said he thought the time was hardly ripe for the establishment of a museum and free library combined. A free library, he thought, should be established in a more central position than the Parliamentary Buildings afforded. He thought they might commence by collecting materials for a museum, and he would suggest that a small addition to the funds of the School of Arts, would enable the trustees of that institution to open their library to the public. They possessed already an excellent library, and the position was in every way suitable.

Mr. MORGAN supported the motion.

Mr. JOHNSTON said that as no permanent arrangement could now be made to establish an institution of this kind, he thought the suggestion of the Colonial Secretary was a very good one. It was very desirable that a sum of money should be placed on the Estimates for the erection of a proper building, in a more suitable position, but until that could be done no great expense need be incurred; £100 would, he thought, cover all necessary expenses.

The COLONIAL TREASURER moved, as an amendment, that the sum of £300 should be struck out, with the view of inserting £100 instead, and also, that the words "free library" should be struck out. What he thought was required was a mineral museum, for the benefit of the mining community. In his opinion, it was premature at present to think of a free library, though it might be well to have such an institution some years hence.

Dr. O'DOHERTY said he would accept the amendment on the principle that it was better to have a small loaf than no bread.

The COLONIAL SECRETARY suggested an addition to the amendment, to the effect that the museum should be under the charge of the President of the Legislative Council and of the Speaker of the Legislative Assembly. He also thought that one of the committee rooms might be set apart for the purposes of

the museum. That, he thought, would be preferable to having the museum in the library.

The motion having been amended as suggested, was agreed to.

MR. A. C. KEMBALL, LATE POLICE MAGISTRATE AT MARYBOROUGH.

Mr. ATKIN moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the year 1871, the sum of £216 10s., for the purpose of re-imbursing the late Police Magistrate of Maryborough, Mr. A. C. Kemball, for the costs incurred by him in defending, in his capacity of Police Magistrate, a malicious and groundless action for false imprisonment.

He was quite well aware that this was an unpopular sort of motion; still he felt it to be his duty to bring it forward, because he considered that a public servant, in a responsible position, should be re-imbursed the expenses he might be put to in the performance of his duties. The circumstances of the case were, that a man was brought before Mr. Kemball, as police magistrate, and was sentenced to be imprisoned. Subsequently, he brought an action against Mr. Kemball for false imprisonment; but Mr. Kemball, though the jury returned a verdict in his favor, had to bear the expense of the action, which amounted to £216 10s. Mr. Kemball asked the opinion of the Attorney-General of the day, the Honorable Mr. Pring, as to whether he thought his conduct in the case was correct, and the answer he received was one of approval. The jury before whom the case was tried also expressed their opinion that Mr. Kemball had acted quite properly. If Mr. Kemball had not acted in the case in question, he would have been liable to be dismissed; and he ought, therefore, the more particularly to be re-imbursed the amount of loss he had sustained in performing a public duty. It was well known to honorable members that in several cases the Sheriff had been re-imbursed for expenses incurred in the performance of his duties as a public officer; and all he now asked was, that a similar measure of justice should be extended to Mr. Kemball.

The COLONIAL SECRETARY said he did not see how the House could assent to the motion without some evidence being produced in support of it. If the honorable member would move for a committee of inquiry in the first instance, he might have no objections to it when the report and evidence was produced. No application for re-imbursement had ever come before him; but he knew that to the previous Government, at the head of which was the honorable and learned member, Mr. Lilley, an application was made on the subject, and refused. That being the case,

he did not think there could be much grounds for the claim. It was quite true that Mr. Kemball won the action brought against him, but still the opinion of the public was that he exceeded his duty in the case referred to. If the motion were pressed to a division in its present form, he would feel it to be his duty to oppose it—though, as he had already said, he would not oppose a motion for a committee of inquiry.

Mr. ATKIN said he was willing to accept the proposition of the honorable the Colonial Secretary; and therefore would, with the permission of the House, withdraw the motion; with the view of bringing forward a motion next session for the appointment of a select committee of inquiry into the facts of the case.

The motion was then, by leave, withdrawn.

WATER SUPPLY FOR NORTH ROCKHAMPTON.

Mr. FYFE moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1871, the sum of £200, for the purpose of erecting a dam at Moore's Creek, North Rockhampton, in order that the inhabitants in that locality may be provided with fresh water.

He believed it would be found that this work would not, in reality, cost the Government anything, inasmuch as it would greatly enhance the value of the land in the district, and that to an extent by which the expenditure would be fully re-imbursed. But, besides that, it was absolutely necessary such a work should be carried out, for there was no proper supply of fresh water for North Rockhampton, except such as was obtainable from the swamps, which were situate at a distance of about two miles.

Mr. ATKIN seconded the motion, and in doing so said that, as the honorable the mover was so much given to protesting against any expenditure, he must be prepared to meet with considerable opposition in this case. It was, however, his intention to support the motion, as he was fully acquainted with the locality, and the necessity for the work. A vote was passed lately to provide a supply of water to Dalby; and he could assure the House that there was as good reason for the motion now before the House being carried.

Mr. WALSH said he knew very little about this matter beyond what honorable members had told him about it. He had been told that the construction of a dam at Moore's Creek would provide a sufficient supply of water to the inhabitants of North Rockhampton, and would also greatly enhance the value of land in the district. He thought, however, that a smaller amount than that asked for would be sufficient; and if the honorable member would amend his motion

by a reduction of the sum named to, say £120 or £150, he would not object to it.

Mr. BELL regretted to have to say that hitherto the Government had set their backs against motions for grants of money; but he was pleased to learn, through the Secretary for Works, that they were disposed to accede to a vote for so necessary a work as the one referred to in the motion now before the House. He hoped the honorable member for Rockhampton would accept the proposition of the honorable the Secretary for Works; and if he did so he would support him.

Mr. THORN said he thought it would be very wrong for the Government to assent to such a motion. If it were assented to, he would apply that provision should be made for a permanent supply of water to several places in West Moreton. The inhabitants of Goodna, for instance, obtained their water from a chain of waterholes which during long droughts became completely dry. He thought it would form a very bad precedent if the Government assented to the motion; and he hoped the honorable member for Rockhampton would withdraw it, and trust to the Government putting a sum sufficient for the purpose on the Estimates-in-Chief for 1872.

Mr. DE SARGE said he was fully confident that the honorable member who had just sat down knew nothing whatever of the locality for which this vote was asked; otherwise he could not with any reason have opposed the motion. He himself knew the locality, and he was satisfied that the amount asked for was not too much.

Mr. HALY said he considered the honorable member should withdraw the motion, and that the Government should next session bring in a measure providing for a general means of irrigation throughout the colony. The course proposed by the motion was, he considered, a paltry way of throwing away the money of the colony. The Government should come down with a large vote next session for general irrigation purposes. He could inform honorable members that, in the Madras Presidency, the extensive system of irrigation introduced had been found to pay well; and not only that, but to be very profitable. In France, in Spain, in Italy, and in India, the construction of works for the purposes of irrigation had been found to be very profitable. He was sure that the benefit the revenue would derive from a large and general system of irrigation would far more than meet the interest on the amount required; but £200 on a small work like this would only be thrown away, and would never be recovered.

Mr. SCOTT and Mr. JORDAN supported the motion, and expressed a hope that the sum asked for would be voted, because of the great necessity for the work.

Mr. FYFE said it was clear to him that the honorable member for West Moreton knew nothing at all whatever about the locality; otherwise he could not have opposed the

motion. He had no objections to a modification of the wording of the resolution. It was not his desire that any greater sum should be expended than was necessary for the work, and therefore he would amend the motion to the effect that a sum not exceeding £200 should be voted for the purpose. Of course, if the work could be done for less than £200, it would not be necessary to spend the difference.

The motion, as so amended, was then agreed to.

SCHOOL OF ARTS, ROCKHAMPTON.

Mr. FYFE moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1871, the sum of £300, towards the erection of additional buildings at the School of Arts, Rockhampton.

The honorable member, in moving the resolution, said he thought that the members of the School of Arts, at Rockhampton, had a good claim for a vote of this kind, inasmuch as he believed that it was the only School of Arts in the colony that was efficiently conducted. The people of Rockhampton had subscribed £1,500 towards its maintenance in excess of what had been contributed by the Government. The additional buildings he asked the sum for, would be appropriated to the purposes of class rooms and a museum, where practical miners might have the opportunity of examining valuable mineralogical specimens. There was a large collection of specimens at present in the School of Arts at Rockhampton, but there was no suitable place for exhibiting them; and besides that, Mr. Daintree had promised to make extensive and valuable contributions. As proving the necessity for the vote, he thought it would only be necessary for him to state, that a short time ago he took some miners to the School of Arts and shewed them some valuable mineral specimens, which they met with almost every day, but they did not know what they were, or what was their worth. He hoped that under those circumstances the House would agree to the motion.

The COLONIAL SECRETARY said he would not object to the motion if it was not that he foresaw it would, if carried, open the way to claims being sent in for a like purpose from every town in the colony. At present he had applications for votes for Schools of Arts at Maryborough, Warwick, and Bowen, and he thought also from Toowoomba. He hoped the honorable member would not press his motion. If the vote asked for would not lead to motions of a similar kind, he might support it; because no very large sum had ever in this way been extended to Rockhampton. However, as he believed that it would lead to applications of a similar sort all over

the colony, he must oppose the motion. They had not gone the length of the late Government—they had not put up their backs and said they would oppose every motion for adding to the Supplementary Estimates; but, when it was absolutely essential, and necessary for the comfort of the inhabitants of a town, as in the last vote taken by the honorable member for Rockhampton, that money should be expended, the present Ministry bowed to necessity. The object of the motion now before the House might be looked upon in the light of a luxury. The honorable member had a wish, no doubt, to see the building completed; but he had given the House no reason to suppose that this matter had been pressed upon him by the people of Rockhampton. At any rate, it had never been submitted to him, though he (the Colonial Secretary) was in communication with many persons in Rockhampton; he had never been asked to support it, though it had been on the notice paper a long time. Indeed, his private letters said that persons in Rockhampton were afraid the honorable member was asking for too much money. He would put it to the honorable member to say, in reply, if he had been urged by the committee of the institution to ask for the money; or, whether it was not simply a wish on his own part to get as much as he could for his constituents, that caused him to make this motion. The feeling of the Government was, that if the vote were passed, it would lead to an enormous amount of similar applications, which the revenue could not stand. The Government must not only oppose the motion, but any motion for a reduced amount. He did not think it was at all necessary for Rockhampton. The people had a very good School of Arts, excellently managed, and, as had been observed, they did not want assistance. It would be better if they went on in the same way, and continued to set such a good example to the rest of the colony.

Mr. KING opposed the motion, for the reasons given by the Colonial Secretary: if £300 was granted to supplement the fees of the Rockhampton School of Arts, other places would want, and in common fairness should have, assistance. The House had not been illiberal to the honorable member for Rockhampton. No objection had been made to the vote for water supply, though other places wanted it badly. The School of Arts had always been a credit to the town, and it was a good institution. A grant had been made for the first building, supplemented of course by private subscriptions; then, a large grant of land was made to the School of Arts, from which the institution now derived a considerable revenue; and the institution was, also, down in the Estimate for the yearly endowment of £100, which it had had for years past. He (Mr. King) thought the House voted that sum, the other night, in the Supplementary Estimates. With such

resources, it said very little for the management of the Rockhampton School of Arts, if it could not find the necessary funds for an addition for the exhibition of mineralogical specimens and for class rooms for members. If the motion were passed it would be an encouragement to the people of the colony to come to the House as beggars rather than to depend on their own exertions.

Mr. DE SARGE said he had listened with much pleasure to the honorable member for Rockhampton, pleading the cause of his town with great fairness; but he should oppose the motion, nevertheless, on the ground that there were many inland towns of importance which were debarred from having schools of arts at all—he mentioned Copperfield—and which would be glad to obtain the necessaries of life, and chiefly water. Rockhampton had been fortunate, he considered, in obtaining the grant for water which had just been moved; but it was too much, now, to ask for the luxury of the grant for the School of Arts. There was a good building there, and the institution was well endowed. He hoped the honorable member would withdraw the motion.

Mr. FYFE, in reply, expressed his surprise at the opposition to this motion. When the honorable member at the head of the Government spoke of some of his constituents as having said that he asked for more money than his constituency required, he might say that those to whom the honorable gentleman referred were not the friends of Rockhampton. The honorable gentleman had asked if this matter had been pressed upon him, or was it a suggestion of his own. He (Mr. Fyfe) answered that the committee of the institution had moved him to ask for the vote. He called upon the Colonial Secretary some time ago, and told him that the President and the ex-President of the Rockhampton School of Arts and some other members of the committee, had waited upon him in that town, and entrusted to him a petition for presentation with especial reference to this subject. He certainly had not presented the petition, having mislaid it somewhere;—he had left it behind at Rockhampton, he thought. However, the motion contained the substance of the petition; and the honorable the Colonial Secretary had promised to accede to it. He thought he was justified in referring to the circumstance. He recollected well, when he made application to the then Government of Victoria for a grant for the School of Arts of Geelong. The Colonial Treasurer looked upon it with contempt, and many members regarded schools of arts as places for none but demagogues and stump orators, and said the people did not want them. Now, every town in that colony had its school of arts, and many of them had free libraries; and they were all properly provided for by the Government. It was not that he objected to other towns than Rockhampton getting votes for such an

object—every town in the colony should be similarly provided, and he would vote for such provision—but he was now advocating a local want, to promote which was to confer benefit on the public generally. He would vote cheerfully for the establishment of such institutions over the colony, and for the Government to provide for them: they were for the education of the people. There was a Bill before the House providing the advantages of a University for the middle class; if that were worthy of support, then the Government should give a generous support to such motions as the present; and they would do well to study and follow the example of such enlightened nations as America and Prussia, in all that tended to the promotion and popularising of education. The result would be that society would reap the advantages of such liberality, in additional happiness, and in intelligence and refinement, thereby conferred. He did not wish to make a long speech in reply, because it was hardly in order; but he must say that he was disappointed at the behaviour of the Government, who, he had thought, would have carried out the promises they had made. If the Colonial Secretary would consent to a vote of two hundred pounds, he (Mr. Fyfe) would guarantee that the people of Rockhampton would raise the other hundred pounds.

The SPEAKER: The honorable member could not deal with the motion in that way.

Mr. MACDEVITT moved, by way of amendment—

That the question be amended by the omission of the figures “£300,” with a view to the insertion in their place of the words “two hundred pounds, on condition of a like sum being raised by private subscription.”

Mr. BELL said he had listened with some degree of pleasure to the honorable member for Rockhampton, who had advocated his motion with so much earnestness and cleverness; and, if he had been at all wanting in determination to give it his hearty support when he first read the motion, he was now satisfied that it was the duty of the House to support as far as possible by expenditure of public money such institutions as that under notice. He admitted the inconvenience of forming a precedent, as it had been put by honorable members, by voting either the original amount or that named in the amendment; but, notwithstanding that it might induce many similar motions before the close of the session, it was incumbent on the House to throw aside the anticipation of that difficulty, and deal with the present question on its merits. It would be unwise to reject the motion, while it was a duty to affirm it on the broad principle laid down by the honorable member for Rockhampton. If it should induce the expenditure of more money in other towns, it would all be for a good purpose, and should be regarded as a portion of that enlightened system of education which it

was a characteristic of the House to promote in this country. He should support the amendment, and should gladly have supported the original motion if the honorable mover had adhered to it.

Mr. JORDAN said though he saw the force of the Premier's objection to granting the money asked for, yet, not on principle, but under the circumstances of the case, he could see his way clear to support the vote. He should like to see institutions like the Rockhampton School of Arts established everywhere, even if they involved a considerable expenditure. The result would be most beneficial to the community at large. Honorable members should be glad to see the native-born youth have every advantage in an educational sense—everything should be done to promote in them studious habits, to lead them to acquire knowledge. It was a credit to the Australian born that they were more temperate in their habits than young men who came from the mother country to these colonies. That had been frequently stated, and he had seen it borne out by facts. He was very anxious to see our young men grow up in habits of industry and habits of reading for the cultivation of their minds; and he thought the Government should give every facility for the advancement of the rising generation in the colony. He thought that his fellow colonists in the North had hitherto received a scant measure of justice from the Government and from the people in the South. He felt great pleasure in supporting the motion for £200.

Mr. MILES said he should support the motion on the simple ground that it was their own money that the northern people wanted to spend; and that as financial separation was to be brought about shortly, nobody could be affected but themselves. The honorable member for Rockhampton got up night after night and protested so much for "justice to the North," that the cry was eternally ringing in his (Mr. Miles') ears; and, no matter what motion that honorable member made, he should support it. Rockhampton got money for a water reservoir when it was asked for; but the people of Dalby were not dealt with fairly in a similar matter.

The question—That the figures proposed to be omitted stand part of the question—was put and negatived. The amendment was then put and negatived, on a division:—Ayes, 11; Noes, 15.

Mr. ATKIN then moved—

That the words "one hundred pounds, upon a like sum being raised by private subscription," be inserted in place of the words omitted.

The SECRETARY FOR PUBLIC LANDS said he wanted to know, whether it was not true that the School of Arts at Rockhampton had not received a grant or endowment of land, from which it derived the magnificent rent in these times of £100 a year; and, whether there was not £100 on the Estimates, this year, for that institution?

Mr. FYFE said he was not aware whether the Rockhampton School of Arts endowment was £100 a year, or whether it received any more than other institutions of a similar kind in the colony. He was desirous of contesting this vote; and he was very disappointed with the Government. He had been promised the vote by the Government.

Mr. JORDAN argued that the possession of an income by the School of Arts was no reason why the House should not sanction the expenditure proposed. It was an old saying that "Providence helped those who helped themselves;" and, as the Rockhampton institution had the advantage of good management, he should support the grant.

The question was put—That the words proposed to be inserted in place of the words omitted be so inserted—and the House again divided:—

Ayes, 10.	Noes, 15.
Mr. Scott	Mr. Ramsay
" Jordan	" Palmer
" Atkin	" Moreton
" Morgan	" Walsh
Dr. O'Doherty	" Royds
Mr. MacDevitt	" Thompson
" Handy	" Forbes
" Miles	" Wienholt
" Fyfe	" Ferrett
" Bell	" King
	" Stephens
	" Haly
	" Thorn
	" Johnston
	" Mellwraith.

Mr. FYFE said, although there was time to move another amendment, yet, having been beaten twice, he should like the Colonial Secretary to give in.

COUNTRY PUBLIC HOUSES BILL.

The COLONIAL SECRETARY moved, pursuant to notice, the second reading of a Bill to regulate the License Money payable by Country Publicans. The honorable member said there was no reason whatever to doubt that the practice of sly grog-selling had prevailed to an enormous extent in this colony; and since the distillation on sugar plantations had been allowed, it had gone on hourly increasing. The revenue police had been on the look-out for some time throughout the various districts, but with comparatively little success. There was always a great difficulty in bringing home the offence to the actual perpetrators; and on several occasions, when quite sufficient evidence had been collected to prove the crime, convictions had not always followed, and where they had, he was sorry to say the sentences had been very light. No real effort seemed to be made to put down this frightful practice; he used the word advisedly, because the system of sly grog selling was ten times more demoralising than licensed spirit selling. He had had a great deal of experience in the bush, and he could safely say that the appearance of one sly grog seller near a station did more harm than half-a-dozen licensed public houses. He could not altogether explain the reason, but he knew for a fact, that when a

man went to a shanty or sly grog shop he got drunk, as a rule, whereas he could go to a public house and take his glass without being the worse for it. He knew that when a public house had been opened within three or four miles of his station it had done more good than harm; but when the men got grog from the sly grog sellers, they seemed to think it incumbent upon them to sit down and finish it on the spot, and the consequence was that they got drunk; and instead of attempting to put down this practice by severe sentences, the country benches usually inflicted the most lenient punishment. He had been told by persons who had been engaged in this practice of sly grog selling, that they would willingly pay a small license, but that they could not afford to pay £30. He had also conversed with one of the District Court judges, who had agreed with him that if an opportunity were offered to these persons to take out a small license—say at a minimum rate of £10, they would take advantage of it, there would be much less drunkenness, and that they would far sooner do in the light of day that which they now did illegally. In this way the revenue would be increased, while the immorality, which was an inseparable concomitant of this crime, would decrease proportionately.

Mr. ATKIN observed that the Bill before the House was one which previous Governments had often promised to bring in. He believed it would prove a most advantageous measure in every sense. There could be no doubt that the practice of sly grog selling was most demoralising in its effects. He believed there were not less than fifty sly grog shops in the East Moreton District alone. The honorable Premier had not touched upon the question of revenue, but he believed this Bill would be of considerable advantage in that direction. He must say he foresaw some little difficulty in the granting of these licenses by the country benches, as he feared a good deal of injustice would ensue. He had endeavored to frame a sliding scale, but he had found it impossible to do so. There appeared also to be no provision made for the gold fields, but that could be remedied in committee. He thoroughly concurred in the principle of the Bill, and should support the motion for its second reading.

Mr. MORGAN cordially supported the motion. He believed the Bill would have the effect of doing away with the shanties altogether, and so promote the morality of the community. Such a measure had been wanted for some time, and he was glad to see the Government had taken steps to remedy the evil.

Mr. DE SATGE said he felt sure this Bill would be hailed with great satisfaction by the country publicans. He thought the distance of ten miles from any municipality or corporate town was too great, and might be reduced to five miles, or that the Bill might even come into operation outside a municipality.

Mr. EDMONDSTONE was also in favor of a reduction in the distance. He thought five miles would be more appropriate.

Mr. KING said he approved of the Bill, but he thought it might be improved. At present, when a publican applied for a license, the license fee had to be paid into the Treasury in Brisbane, but it was customary to allow him to sell spirits as soon as his application had been approved by the Bench. The consequence was that many persons, on the strength of their applications, continued to sell, and never sent in the money. He would therefore suggest that the license fee should be paid to the local bench of magistrates, who should, upon receipt of it, give a permit to sell to the applicant.

Mr. FYFE said he should certainly support the suggestion to reduce the distance to five miles. He did not see why a shorter distance should not be named so long as the municipalities were not interfered with. Half-a-mile outside the boundary he thought would be sufficient.

Mr. HALY was of opinion that five miles was a great deal too near a town or municipality. There would be no chance of a publican in a small inland town being able to pay a £30 license. He thought ten miles was a very fair distance.

Mr. JOHNSTON said he should like to know whether it was intended in these cases to insist upon the provisions of the Publicans Act, in reference to the amount of accommodation for travellers. If not, he thought the country would be injured rather than benefited by the increased number of licenses.

Mr. MILES thoroughly agreed with the last speaker. Unless the usual accommodation were insisted upon, there would only be an additional number of shanties of the same character as those which now existed illegally. He hoped the Government would not ask the House to go into committee upon the Bill, that evening; he thought a little more time should be allowed to consider it.

Mr. HANDY said the object which it was sought to attain by this Bill was certainly to be commended. He thought, however, it would be better to fix the licenses upon some sliding scale—for instance, at £30 in corporate townships, £20 in proclaimed townships, and all other licenses at £10.

The question was put and passed, the Bill read a second time, and, on the motion of the Colonial Secretary, the House proceeded to consider its details in committee.

MARRIAGE LAW AMENDMENT BILL.

The COLONIAL SECRETARY, in moving the second reading of a Bill to amend the law relating to marriages, said this Bill had been handed over to him by the late Premier. Doubts had arisen as to the power of registrars, or assistant registrars, to perform marriages; and this Bill was framed to set the matter right. The Bill was perfectly harmless in the effect it would have upon any

persons, and it was very desirable that it should be passed at once. He had been requested to ask that as little notice of its passing as possible should be taken by the press, so that the feelings of persons who had been married by these registrars, about whose power there seemed to be some doubt, might be spared. The object of the Bill was simply to set those doubts aside, and he was sure honorable members would join him in passing the Bill through the House as quietly as possible.

The question was put and passed.

DISTRICT COURTS ACT AMENDMENT BILL.

THE SECRETARY FOR PUBLIC LANDS, pursuant to notice, moved the second reading of a Bill to amend the District Courts Act of 1867. The honorable member said this was a measure of an entirely technical character, and more for lawyers than anyone else. He would, however, explain its provisions, and honorable members would have no difficulty in understanding it. There was one provision which ought to be passed, and that was contained in the first clause. When the Acts were consolidated the District Courts Act previously existing was repealed, and the Act was re-enacted apparently in very much the same form as before; but the effect of the re-enactment in the 2nd and 4th clauses was this—that although the Governor in Council had power under the consolidated Act to alter the courts and their time of sitting, yet under the old Act he had no such power, because the wording was not altered so as to include the District Courts created under the old Act. That difficulty would be remedied by the first clause. The second clause referred to the plea of cross action. It provided that all matters which at present were, or might be made, the subject of a cross action, should be pleadable in a district court by way of set off. The 3rd clause gave power to compel the attendance of witnesses before arbitrators. No such power previously existed, and the provision would be found a very useful one. The 4th clause referred to the costs of witnesses, and depended upon the preceding one. Clause 5 set at rest what had been a moot question for a long time. It repealed the 35th section of the Small Debts Act of 1867, and provided that in all cases of appeals from the Small Debts Courts above £10, notes of evidence should be taken by the clerk of the court and sent to the Registrar of the District Court to which the appeal was directed, and should be the only evidence received upon such appeal, unless both parties consented to the reception of fresh evidence. The Petty Debts Act gave a certain power of appeal to the District Courts, and it had always been a question whether fresh notes of evidence should be taken. Some of the District Court judges were opinion that the case should be gone into *de novo*. This clause settled the question. Clause 6 gave

the judge a discretionary power to allow fees to barristers and attorneys, where the sums sued for did not exceed £10. That might be said to be a clause on purpose for the lawyers, and honorable members could accede to it or not. It would, however, be seen, that although the issue of a case might only involve £10, it might embrace matter of the greatest importance, and it was thought necessary to allow the judge some discretionary power in determining these fees. The 7th provision was one which he pressed strongly on the attention of the House. If a man sued another in a District Court, and the court found afterwards they had no jurisdiction, the defendant under this clause would be able to recover costs. This clause remedied a very injurious state of the law. Clause 8 limited the expenses of witnesses in the District Courts. The experience of District Court judges was that each side tried to swell the expenses against their opponents. If the plaintiff was successful, he made them as heavy as possible for the defendant, and *vice versa*. He had no doubt this clause would be of great advantage. The 9th clause gave the judges of the District Courts the same powers to compel the attendance of jurors which were now held by the judges of the Supreme Court, and allowed them to inflict fines if necessary. The 10th clause empowered registrars to act as deputy sheriffs, and the 11th related to fees for service of summons and subpoena to be paid to the bailiff. He believed this Bill would be found a very useful one, and work very well. It had gone through several hands, and had been given over to him in its present perfect state. It had been framed, he believed, by the previous Government, and he thought it would require little or no amendment.

MR. HANDY said he quite agreed with the honorable Minister for Lands, that a Bill of this description was quite necessary; but he did not entirely agree with its provisions, especially with that contained in the 5th clause. If the evidence taken in the court below was the only evidence upon which a case was to be decided in the District Court, a stop would virtually be put to all appeals.

SAVINGS BANK BILL.

THE COLONIAL TREASURER moved the second reading of a Bill to authorise the investment of the moneys deposited in the Government Savings Bank in certain securities, and to amend the Government Savings Bank Act of 1864, and the Government Savings Act of 1864 Amendment Act. He said the object of this Bill was, not to give any additional security to depositors, but to place the Government in a better position in the event of any sudden run upon the Bank. It enabled the Government to meet any such emergency by dealing with the funds in the following way:—Two third-parts would be invested in the purchase or on the security of Queensland

Government debentures, or Treasury bills, and the remaining portion retained by the Treasurer for carrying on the ordinary business of a Government Savings Bank, and deposited to the credit of an open account, in his name, in one of the Brisbane banks. The Government debentures and Treasury bills, so purchased, would be invested in three trustees, viz., the President of the Legislative Council, the Speaker of the Legislative Assembly, and the Colonial Treasurer. The interest of these debentures and Treasury bills, and moneys on deposit, would be received by the Colonial Treasurer, and paid into his open account at the Government bank, or deposited by him, upon securities which were more easily available than those which were in the hands of the trustees. In this way it was not likely that the debentures invested in the trustees would be required. The Government debentures and Treasury bills so deposited could not be disposed of without the express authority of the Governor, in writing, accompanied by a certificate signed by the Under Secretary, to the Colonial Treasury, and countersigned by the Auditor-General, certifying that the proceeds were absolutely to meet payments on account of the Savings Banks. The Bill also provided a half-yearly inspection and audit of these debentures and Treasury bills, by the Auditor-General. It was also proposed to alter the rate of interest payable to depositors. The interest would now be, on deposits not exceeding, in the whole, the sum of £200, at the rate of £5 per cent. per annum; exceeding £200, but not above £500, £5 per cent. on £200, and £3 15s. per cent. on the remainder; and no interest would be paid on sums over £500. Those were the changes in the present system, contemplated by the Bill before the House; and he thought they would be better discussed as each separate clause was brought forward. He would not trouble the House with any further remarks, but would simply move, that the Bill be now read a second time.