

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 21 DECEMBER 1870

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ERRATA.

Page 280, column 1—Pilotage Rates Bill—for “COLONIAL SECRETARY,” *read* “COLONIAL TREASURER.”

Page 290, column 1, line 30 from bottom, *between* the words “Downs” and “and,” *read* “in order to leave out his own station.”

Page 306, column 1, line 18 from top, for “two hundred,” *read* “fifty-two;” line 19 from top, for “four hundred,” *read* “five hundred and twenty-eight.”

LEGISLATIVE ASSEMBLY.

Wednesday, 21 December, 1870.

The Attorney-General.—Suspension of the Standing Orders.—Pilotage Rates Bill.—Lien on Crops Extension Bill.—Payment of Members.—Line of Telegraph from Roma to St. George.—Brisbane Town Hall Debentures.—Rewards for Discovery of Gold Fields.

THE ATTORNEY-GENERAL.

Mr. GROOM moved the adjournment of the House for the purpose of putting a question to the honorable member at the head of the Government. He had put the same question three or four weeks before; he had then asked the honorable member what steps he intended to take with regard to the seat of the Attorney-General, and the answer he had received was, "none at present." He presumed that was because the petition of that gentleman was being considered by a select committee, and if they had declared in his favor, he would have been entitled to a seat in that House. The report of that committee had been laid on the table of the House on Thursday last, and he thought that if the Attorney-General had had a proper sense of the dignity of his office, he would, considering the position in which he was placed, have tendered his resignation. His present position was not at all satisfactory to the public outside. They looked upon the office of Attorney-General as an honorable and important office—one which, in the neighboring colonies, was only filled by barristers of the highest standing and ability, such as Sir William Manning and Sir James Martin. The position of the Attorney-General of this colony was a most deplorable one. First, they found him occupying a seat in the Legislative Council. Then, in consequence of action taken by the Lilley Administration, he resigned that seat and contested the Burnett constituency with the honorable member for North Brisbane, Mr. Pring, by whom he was defeated. Then they found him occupying the position of Attorney-General and going to the Mitchell District, where he was rejected; and again they found him contesting the same electorate and again disappointed in obtaining a seat in the Legislative Assembly. Then they found him taking what he (Mr. Groom) considered a most disgraceful step in trying to stir up animosity between two religious bodies, by presenting a petition against the election of the sitting member for the Mitchell on the ground that that honorable member had, some ten years previously, been a Roman Catholic priest; and there again he was defeated. He wished to know whether they were to have a gentleman foisted upon them as Attorney-General whom none of the constituencies would have. Not a single constituency would have him, and yet he was found occupying the position of a responsible Minister, but responsible to no one. The office of Attorney-General in a representative government was always held by a representative of the people.

Every member who had occupied it hitherto in this colony had been a member of this House, but the present Attorney-General, though a member of the Executive Council, possessing more power than any honorable member except the members of the Government, had no seat, and was responsible to no one. Such a position was derogatory to the dignity of the gentleman himself and that of the Government, and he thought the House ought to know what steps the Ministry intended to take with regard to it. The Press throughout the country had condemned the action of the Attorney-General in sending in that extraordinary petition, and he repeated that, with the report of the committee lying on the table of the House, if that gentleman had any regard whatever for the dignity of his office he would tender his resignation and relieve the country from the false position in which he had placed it.

Mr. FYFE said he knew for a fact that in Victoria the Attorney-General had been for nine months without a seat in the House. There might be an opportunity for the Attorney-General to get returned by another constituency; besides which, it was not necessary according to the Constitution Act that he should have a seat in the House. He thought it was rather unfair to bring these charges against a gentleman who was not present to defend himself. He liked to see fair play, and he did not like to see a gentleman occupying the position of Attorney-General and member of the Cabinet Council attacked in this way in his absence.

The COLONIAL SECRETARY said he thought it would be a sufficient answer to the honorable member for Drayton and Toowoomba to say that so long as the Government were supported by a majority of that House, with the Attorney-General out of it, there was no great necessity that he should have a seat in it. He admitted at once the propriety of every member of the Government being a member of the House, but under certain circumstances the absence of one of them was unavoidable. In the present case it was only through a chapter of accidents that the Attorney-General was not now the sitting member for the Mitchell, for if the holders of certain votes which he could have commanded had not been absent from the district the result of the election would have been exactly reversed. It was, however, quite sufficient for the Government to feel that their action had been approved by the House, and he denied the right of any honorable member to say that the Attorney-General must of necessity have a seat in that House—he might be in the other House. The honorable member for North Brisbane, Mr. Pring, had occupied a seat in the Council as Attorney-General, and the Government could have placed the present Attorney-General in the same position if they had seen any necessity for doing so. But the Government business being so well conducted in the

other Chamber by the Postmaster-General, they did not wish to cram the House by putting him in it. He had no hesitation in stating the intentions of the Government: they had no intention of making any change in the office of Attorney-General during the present session. It would be a farce to attempt it under present circumstances, and it would not be desirable. When the House met again, the action of the Government would speak for itself, and he should not have to explain it.

Mr. MILES said it was a fact that during a period of nine months, during which this office had been in the hands of the present Government, they had never met the House with an Attorney-General. He was quite ready to admit that it was not at all necessary for that gentleman to have a seat in that House, but at all events he should be in the other. With regard to the remark of the honorable the Colonial Secretary, that it was owing to a chapter of accidents and the absence of his supporters that he was not returned for the Mitchell, he would beg to point out that it was not the first time that gentleman had contested the election for that district—it was the third time. How did it happen that his supporters were absent on all those occasions? Surely there could not have been a chapter of accidents in each case. The honorable the Premier said, that so long as the House approved of the action of the Government, it was all right. But he objected to the absence of the Attorney-General: he was wanted to explain the law to honorable members, for he (Mr. Miles) would think twice before he took the opinion of the honorable member at the head of the Government on a point of law. Perhaps he might be told that the honorable the Minister for Lands was a legal practitioner, but that honorable member belonged to the lower branch of the profession. He thought it was a pity that the honorable member for Drayton and Toowoomba should have moved the adjournment of the House on this question. The proper course would have been to bring a vote of want of confidence against the Government, and let them answer it. No doubt the honorable Premier said it was all right because he knew he was backed up by a large majority. He did not blame the Government so much as the Opposition. The Government did as they pleased, and his attempts to check them had not been seconded by honorable members on his side the House. He would, however, have another opportunity of expressing his opinion when the Appropriation Bill came before the House. He thoroughly agreed with the honorable member for Drayton and Toowoomba that it was derogatory to the Government to have an Attorney-General who had been rejected by one constituency after another, and was unable to obtain a seat.

Mr. DE SARGE said it was well known that it was owing to a chapter of accidents that the

Attorney-General was not in the House that evening. He did not wish to detract from the exertions of the honorable member who had been returned for the Mitchell District, nor did he object to see him in the House; but he repeated that it was an accident that he had not been defeated. The question had been discussed for some years—whether the office of Attorney-General should be a political or non-political one. As far as his judgment went, he did not conceive it necessary that it should always be a political office. The duties of the Attorney-General were to a great extent chamber duties in connection with Bills introduced by the Government. He thought if the Government could do without that gentleman in the House, it was a strong proof of their stability; and, for his part, he did not see that it was at all necessary for the Attorney-General to have a seat in either House.

Mr. ATKIN said lawyers were particularly cautious, and the few words which had fallen from the honorable member at the head of the Government, at the close of his speech, were sufficient to explain the reticence which members of the legal profession had shewn in speaking on the subject. It was evidently the intention of the Government to take some steps in this matter during the recess. It would, of course, be absurd to expect that any new appointment should be made during the last two days of the session. As a matter of constitutional practice it was never considered that a gentleman holding the office of Attorney-General should be so long absent from the House. He could not, however, agree with the honorable member for Drayton and Toowoomba, that the Attorney-General should be put into the other House. He thought it was quite enough for him to be defeated three times in his attempt to get returned to the Legislative Assembly, without inflicting a severer punishment upon him and sending him to that secluded retreat. He thought the remark—that not a single constituency would accept that gentleman—was made in very bad taste. Many other honorable members had been treated in a similar way. There could be no doubt that, according to constitutional practice, a person holding such an important office should have a seat in the House, and the argument of the honorable Colonial Secretary—that because the Government had a majority they could do as they like—was simply absurd. That gave them no right to depart from the usual constitutional practice. If precedents were sought to confirm the action of the Government, he believed they would be found extremely rare, and generally given as examples to be carefully avoided. He had no doubt that when the House met again, arrangements would have been made which would satisfy the House and the country. In the meantime it was useless to continue the discussion. They had not felt the want of the Attorney-General so much this session, because they

had had an able lawyer sitting on the Government benches; and he had no doubt that when the measure which that honorable gentleman had introduced, to amalgamate the two branches of the profession, came into operation, they would not feel the want at all.

The Hon. R. PRING said, as the question seemed to have resolved itself into one of constitutional practice, he would not allow the debate to pass without expressing his opinion. In doing so, he wished it to be understood that his remarks would not apply to the gentleman who had been referred to; he should only address himself to the question of constitutional practice. He did not care for the precedents which had been quoted. They had followed a good many bad precedents from the other colonies, and he thought it would be well to keep clear of them altogether for the future. When the first Governor of Queensland landed in this colony, the Colonial Secretary and Colonial Treasurer had been appointed, and their salaries fixed by the regulations attached to the Order in Council, but His Excellency had received instructions to appoint him as Attorney-General. Now, he had no hesitation in saying that the Attorney-General being a member of the Cabinet had always been considered a political officer under the Constitution Act. At the same time the Royal Instructions enabled the Governor to call together certain honorable members to advise him under the form of an Executive Council, and they must be considered, to a certain extent, political officers, because they formed a Government to administer the affairs of the country during the recess. If that were the right view of the question, the present Attorney-General holding a non-political office, and having a portfolio, would seem to be occupying a position not warranted by the Constitution Act. The only precedent he knew of was that of Sir William Manning, in Sydney, who performed the duties of Attorney-General, but his office was not a political one, and he held no seat in the Executive Council. As far as his own appointment was concerned, Parliament was not called together until sometime after His Excellency had intimated to him that he had the power to appoint him Attorney-General, and he was then informed that if he did not get elected he would have to return his commission to the Governor. He did not make these remarks with the object of condemning the action of the Government, but, because the question was one of constitutional practice, which ought to be well considered.

Mr. GROOM said the object he had in view in moving the adjournment of the House was, simply to ascertain from the Premier the course he intended to take, and the concluding observations of the honorable gentleman had supplied that information. It was rumored out of doors that the Government intended to take a prominent member of the Opposition, and make him their Attorney-

General, and it was now clear that there was some truth in the rumor. His own impression was—as had been observed by the *Queensland Times*—when it was suggested that one of the members for Ipswich should vacate his seat in favor of the Attorney-General—that that gentleman should have relieved the Government from the difficulty by resigning his office. The honorable member for Rockhampton had told him that he ought not to speak of a person in his absence, but he thought it was the duty of every representative to express his opinion when he thought there was anything wrong. He did not hesitate to express his opinion, and he believed it was the opinion of many persons out of doors, that the present Attorney-General was not competent to undertake the important duties of Attorney-General. He had heard it said by persons out of doors, that they would not entrust the Attorney-General with a brief in the District Court, far less with the important duties of his present office; and when he heard these remarks circulated, he considered it his duty to ask the intentions of the Government in the matter. His object had now been attained, and he would withdraw his motion.

Motion, by leave, withdrawn.

SUSPENSION OF THE STANDING ORDERS.

Mr. LILLEY moved—

That with a view to the despatch of business, the Standing Orders of the House relating to the passage of Bills be suspended during the remainder of the session.

Mr. MILES wished to know if the honorable member had moved this resolution on behalf of the Government. He objected to the suspension of the Standing Orders for the remainder of the session, just to allow the Government to pass the Appropriation Bill, and send them all about their business. If the honorable member had moved that the Standing Orders be suspended, to enable him to get the Brisbane Bridge Bill passed through all its stages, he would have made no objection. There was another Bill on the paper of equal importance, the Wages Bill, and if the Government would promise to pass that Bill through the House that evening, he would withdraw his objection. The present session had been one entirely for spending money. He said it distinctly; it had been one of the most rotten, barren sessions which had ever been held in Queensland. They had done nothing but borrow large sums of money, and pass a Pension Bill, which saddled the country with another £400 per annum. It was disgraceful, but there was little use in him to stem the current when he saw the support the Government had at their back, and when he saw the members of the Opposition deserting their posts; but he must join the honorable member for Rockhampton in protesting against the course the

Government and the House were pursuing. What had they done in the way of legislation of any kind? He could not see why, because Christmas was at hand, they should not go on and give the country increased representation. Of course, the honorable member at the head of the Government could do just as he pleased; and he could only say that if he were in that honorable gentleman's place he should say, "Give me the Appropriation Bill and I will not call you together until November next." Where were those honorable members who protested against hasty legislation?—where were those who protested that the interests of the North had not been considered?—they had not a word to say for themselves now. He repeated that this session had been the most rotten, barren session possible, and if he were to consult his own wishes, he should leave at once. A day of reckoning would come sometime or other. There had been a rumor outside, that the honorable member for Fortitude Valley was to be the Attorney-General, and, of course, when he found there were traitors in the camp, it was quite useless for him to protest. However, if the Government would undertake to pass the Wages Bill through all its stages that evening, he would withdraw his opposition. There would then, at any rate, be one good measure passed through the House.

The COLONIAL SECRETARY said it was impossible for him to promise that the Wages Bill should be passed through committee that evening, because, perhaps, the committee might not agree to pass it, but when they come to it in the proper course it would be considered. He believed he had carried out the programme of the Government very fairly, and had introduced all the Bills he had promised to introduce, and he was prepared to go on with the business. As to the prorogation of Parliament, he believed they would be left without a House on Friday, and the honorable member himself would be one of the first to go. He believed, if the time of the House was not wasted, they would get down to the Wages Bill that evening.

Mr. HALY hoped the honorable member for Maranoa would withdraw his opposition. He was also anxious to go home for Christmas, and was thinking seriously of leaving on Friday; but he was prepared to go on with the business of the country, and he should be glad to have a morning sitting, to-morrow and Friday, and he would remain for them. He thought the Government had got on very creditably, and that they would have done still better if they had not been interfered with by the continual objections on the part of the Opposition. It was expected that this would be a short session. Honorable members did not care to come down at this time of the year, and he was quite certain the honorable member for Maranoa was as anxious to get away as anyone else.

Mr. FYFE said that, so far as protesting against the hurried way in which the Government were rushing Bills through the House, he certainly enlisted himself in the ranks of the Opposition. He was, however, prepared to give them independent support, though he did not sit upon the cross benches; because, in consequence of the acoustic properties of the House, he could not in that position hear what was said by the members of the Government, and he believed the reporters had the same difficulty. He was prepared to give the Government an independent support; but he thought that while all these measures were being rushed through the House, the Government ought to give some expression of opinion upon them for the benefit of the country. He again protested against this hasty kind of legislation. A Bill was laid on the table of the House; some honorable member would get up and say a few words which he could not hear; and it would be passed before he had an opportunity of reading it. He did not wish to obstruct legislation, but he thought the Government might postpone several measures to allow them to receive more mature consideration. They had already adopted a protective policy which neither the Chamber of Commerce nor anyone else agreed to, and which was like other measures—hasty and ill-advised. He would ask the honorable member at the head of the Government to pause before he attempted to thrust such a number of Bills through the House.

The question was put and passed, on division, by a majority of 22 to 3.

PILOTAGE RATES BILL.

The COLONIAL SECRETARY moved the second reading of a Bill to establish a scale of pilotage rates for the several ports of Queensland. The honorable member stated that the Bill at present in operation in this colony was the same as had been in operation in New South Wales before Separation, and it was not found well adapted to present requirements. New South Wales, as honorable members were aware, possessed great advantages in the number and navigation of her harbors. There the greatest distance which a ship had to be piloted was seven miles, while in Queensland a pilot was often required for fifty miles, yet the charge for pilotage was the same. The Bill before the House proposed to remedy that irregularity, and to charge pilotage in proportion to the work done. The Bill had been carefully drawn up by the Portmaster, had passed the Marine Board, and received the approval of merchants and others interested in shipping in this colony, and it was now brought in as an instalment of a larger measure which was under consideration, but which there was not time to introduce this session. Some improvement upon the present system was, however, deemed necessary. It did not increase the rates in any material degree.

The rates for larger vessels were slightly increased, but not for smaller vessels. The difference in the charge for vessels coming up to Brisbane was only from sevenpence to ninepence per ton; that was the outside. The Bill would speak for itself, and he should be ready to offer any further explanation of any of its clauses in committee.

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

Mr. MILES protested against going into committee upon this Bill at once. It contained thirteen clauses, and he thought it was only fair to give honorable members time to consider it. It was, however, hardly worth his while to protest against this hurried style of legislation. The Bill had only just been introduced, then read a first and second time, and the House was asked to rush it through committee without even time to master its provisions. It had but just been put into his hands, and it was utterly impossible for him to express an opinion upon it.

The COLONIAL TREASURER said it was very desirable that the Bill should be allowed to pass. It had received every consideration from those who were most competent to judge of its merits, and he should be glad to offer any further explanation as to its details in committee.

Mr. FYFE said he did not rise to oppose the Bill, although there was probably no member in a better position to throw light on the subject. He thought the Bill should have been in the hands of honorable members for a week or two, so that they might have had time to form some opinion upon it. He supposed they must take it for granted that it was all right, for these Bills were thrust through the House at such a rate that there was no time to consider them.

The question was put and passed, and the House went into committee of the whole, to consider the Bill in detail.

LIEN ON CROPS EXTENSION BILL.

Mr. ATKIN moved the second reading of a Bill to extend the operation of Preferable Liens upon certain Crops. He said this measure had become necessary in consequence of the increasing operations of the sugar growers and cultivators of that class. The Bill explained itself. Its object was to allow the extension of a lien upon any sugar-cane or other crop which was in an immature state, for any further period not exceeding one year. It was found to be very necessary, as the sugar-cane especially took a longer time to mature than crops of ordinary produce. He believed there could be no possible objection to the Bill, and that it would be of great service.

The question was put and passed.

PAYMENT OF MEMBERS.

Mr. FYFE rose to move the following resolutions:—

That this House will, at its next meeting, resolve itself into a Committee of the Whole, for

the purpose of considering the following resolutions:—

1. That it is expedient to provide adequate compensation to members of the Assembly for loss of time and expenses incurred as representatives.

2. That a Bill be brought in to provide compensation, at the rate of per annum, for every member, from the commencement of the ensuing session of the Legislature, and that members shall not be at liberty to renounce such compensation as may be determined.

He said this question in Victoria had been considered of sufficient importance to warrant a call of the House. He would not risk the losing of these resolutions by pressing them upon the House at this late period of the session. The question was one which required great thought, and should be considered by a full House; in fact, its importance would fully justify him in occupying the attention of the House for two or three hours. Under present circumstances, however, he would only say a few words, for he felt that he should not be able to elicit a general expression of opinion on the subject. He felt convinced that there would never be anything like a thorough representation of the interests of the colony until members were paid, either by their constituents or by the House. He was prepared to shew the impossibility of providing proper representation of the outlying districts in any other way, and to adduce statistics in support of his view of the case. As, however, the House did not seem inclined to go into the merits of the question, and he would probably have to engage their attention for an hour or two, he would withdraw his resolutions sooner than allow them to be shelved, and would bring them forward again that day week.

Motion, by leave, withdrawn.

LINE OF TELEGRAPH FROM ROMA TO ST. GEORGE.

Mr. MILES 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 £5,600, for the construction of a line of telegraph from Roma to St. George, *via* Surat.

He did not think there would be any objection to this motion, after the admissions made by both the Colonial Secretary and Colonial Treasurer, when they asked for £10,000 for the construction of telegraphic communication the other day, that telegraph lines ought to be constructed wherever they would pay. He could assure honorable members that this line would be of great benefit to the country, and he confidently relied upon the support of those members who had voted for the lines from Clermont to Springsure, and Allora to Goondiwindi, especially the honorable member for West Moreton, Mr. Ferrett, who had promised that if he brought

forward such a resolution, he would support it. This line was quite as much needed as the lines he had mentioned, and he hoped the honorable member at the head of the Government would not oppose the motion.

The COLONIAL SECRETARY said the Government were quite as anxious as the honorable member, that telegraphic communication should be extended throughout the colony, and as soon as they saw their way to make further extensions, they would come down to the House and ask for funds. He must say, however, he did not think this was an opportune time for the honorable member to bring forward his motion, or for the honorable member for Warrego to second it with a motion for £8,000. The Government had, during this session, obtained funds for the construction of telegraph lines to Goondiwindi in the South, and Springsure in the North, and although they did not adopt the motto of their predecessors—"rest and be cautious"—they must draw a line somewhere; and, considering the great opposition which had been made to that vote, and the long debate it had given rise to, this, he repeated, was not an opportune time to bring forward such a motion. The Government would be prepared to give every attention to the subject, and to make inquiries in order to ascertain whether the line would be likely to pay the interest upon the outlay and the working expenses; but without any facts before them as to these points and the probable cost of construction, they could not accede to the motion. No doubt the honorable member had put it on the paper with the very best intentions, and he could assure him the Government would give the subject proper consideration, as they felt, every one of them, that it was very desirable to extend telegraphic communication to every part of the colony, where there was a reasonable prospect of the lines being self-supporting. But for the present they were obliged to oppose the motion.

Mr. ATKIN said this extension was asked for to one of the most important stations on the southern border, and as the Government were about to establish a system of collecting border customs duties, it was very desirable that they should have communication with the capital. He believed this would be the most available route for connecting the southern line of telegraphs. He thought it was hardly fair for the honorable Colonial Secretary to say that the vote for telegraph extension had met with so much opposition; because every member who opposed it, did so, not because he was not in favor of telegraph extension, but because the amount was asked for in the form of a small loan for a special work.

Mr. BELL said that if the mover of this resolution pressed it upon the House he should consider it his duty to support it. But he was induced to hope the honorable member would withdraw it for the present. It opened up a very important question, and he thought the honorable member might be

satisfied in having ventilated it. He had no doubt that if it were brought forward again next session, and fuller information were obtained, it would be acceded to by the House; and, in the meantime, the Government would take the matter into their consideration. He would also counsel the honorable member for Warrego to take the same course. He had no doubt that the proposed line from Roma to St. George and Surat, if it did not supersede the line started by the Government to Goondiwindi, would run side by side with it, and be of equal benefit. The district through which it would run was a very important one, and he had no doubt it would yield a sufficient revenue to allow of its being joined to the New South Wales line. The subject, however, required to be well considered, and it would be time to bring it forward next session.

Mr. MACDEVITT said he would take the opportunity of pressing upon the attention of the honorable Colonial Secretary the propriety of also extending telegraphic communication to Ravenswood. There was at present a line along the coast which could be connected with this gold field at a small cost; and he believed that such a branch line would be as remunerative as any line in that part of the colony. He took the liberty of suggesting that the Government should take this into consideration, with other proposed lines, during the recess.

Mr. FERRETT said, as the honorable member for Maranoa had referred to him, he must say he had promised to support the motion, but it was upon the condition that the line in question should be connected with the New South Wales line. He had since been led to believe that the line to Goondiwindi would supersede this line. If the means could be found, he thought it would be quite desirable to establish a second; but he hardly considered himself justified in supporting the proposition at the present time.

The COLONIAL SECRETARY: The honorable member had better withdraw the motion.

Mr. MILLS said he did not approve of the practice of bringing resolutions before the House in order to withdraw them. He thought the honorable member should give him some pledge that he would take this subject into consideration before next November, for he did not expect Parliament would meet again till then. He could assure honorable members that this line was of much more importance than the line to Springsure or that to Goondiwindi. He should press the question upon the House, even if he were alone in the division; and he should certainly claim the vote of the honorable member opposite, Mr. Ferrett, who had given him a distinct promise that he would support him.

The question was put, and lost, on division, by a majority of 15 to 10.

BRISBANE TOWN HALL DEBENTURES.

Mr. LILLEY moved that the petition of the Brisbane Corporation, presented by him on the 9th instant, be printed. His purpose in bringing the motion before the House was, that he might have the opportunity of explaining the nature of the petition. The explanation was this:—In 1864 the Corporation of Brisbane was empowered, by Act of Parliament, to issue debentures to the amount of £20,000, for the erection of the Town Hall. The debentures so authorised were issued, and the hall was accordingly erected. The interest on the debentures was at the rate of seven per cent.; but the building cost £26,798, instead of £20,000, as originally computed. Now, it was well known that, since the commercial crisis that occurred in 1866, the value of property in Brisbane had steadily declined. On that account, the amount of revenue at first expected to be received from the letting of portions of the building had not been received. Even the amount necessary to meet the interest on the cost of erection had not been received. Now, in addition to that, the general revenue derivable from rates had decreased nearly one-half since 1864. Notwithstanding both those circumstances, the corporation had continued punctually to pay the interest on their debentures. They felt, however, that they were now unable to raise the £10,000 required to meet the balance of the first issue of debentures, and therefore they proposed to make another issue of debentures by way of renewal of £10,000 worth of the former issue, which would bear the same rate of interest. The Joint Stock Bank, he understood, was willing to accept the proposition of the corporation, on condition that a guarantee was given by the Government against loss. It was expected that the new debentures would be accepted by the holders of the former, so far as they had not been redeemed. The petitioners therefore submitted that the risk of the Government in complying with the prayer of the petition would be merely nominal. He hoped there would be no objection to the motion.

The motion was seconded and agreed to.

REWARDS FOR DISCOVERY OF GOLD FIELDS.

Mr. MACDEVITT moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering the following resolutions:—

1. That it is expedient to encourage miners and others in prospecting for new gold fields.
2. That, for this object, the geological survey of the colony ought to be continued, and liberal rewards offered for the discovery of new gold fields.
3. That an Address be presented to the Governor, praying that His Excellency will be pleased to cause provision to be made upon the

Supplementary Estimates of 1871, for the purpose of carrying out the foregoing resolutions.

The resolutions, he said, were of importance to the whole colony, and he very much regretted that owing to the late period of the session, they could not be fully discussed. He had placed the resolutions on the notice paper because he knew that the proclamation offering rewards for the discovery of gold fields had been of great benefit to the colony, and because he understood that the proclamation had been withdrawn. He could assure the House that it was owing to the proclamation in question that the Ravenswood gold fields were discovered. The withdrawal of the proclamation had been universally condemned by those most interested in the development of the resources of the mining districts of the colony. Now, during the late general elections it was made a special condition that no candidate should be returned who would not demand the restoration of the proclamation. The proclamation might have been too liberal in its terms; still it was through it that the Ravenswood diggings were discovered. Now, he maintained that the revenue had derived as much, because of the proclamation in question, as had been expended on the gold fields; and, therefore, the Government was not justified in withdrawing it on the ground of loss. Referring to the second resolution, he was glad to find that the Minister for Works had, since the resolutions were placed on the paper, consented to a sum of £1,300 being voted for the continuance of the geological survey. He hoped the honorable gentleman would be as liberal in respect to the propositions of the other resolutions. It was hard to say how much injury had been done to the colony by the withdrawal of the proclamation to which his resolutions referred. He believed that its restoration would have a most beneficial effect, especially as regarded the Kennedy District. It was only necessary to refer to the case of the discovery of Gympie to shew how much good had resulted to the colony on account of the provisions of the proclamation. For the reasons he had but briefly urged, he hoped the House would agree to the resolutions he had proposed.

The SECRETARY FOR PUBLIC WORKS said that the Government agreed with the resolutions to some extent. They considered especially that the geological survey should be continued; and they also agreed with the proposition set forth in the first resolution. Such being the case, he thought that the honorable member might, at this period of the session, withdraw those portions of his resolutions. In some instances prospectors sent in applications for special grants for the discovery of a gold field before a commissioner was appointed. In the meantime, other applications were sent in, and the consequence was that much dissatisfaction was occasioned on account of those rival claims

springing up. As far as his experience went, there was great difficulty in determining as to who were the real discoverers of any new gold field. Hardly two men ever agreed as to who was the original discoverer of a gold field. When he came into office, he found that the proclamation which had been issued by the previous Government was a most unwise one. For instance, he found that from a dozen to twenty persons sent in claims for the discovery of Gympie, and the greatest difficulty was experienced in coming to a determination as to who was the actual discoverer. That, of course, was chiefly because of the offer of the money grant for the discovery of gold fields. Now, he believed it was possible to encourage the discovery of gold fields without offering money grants. There had hardly been a claim sent in for the discovery of a gold field that had not been disputed, except in the case of Gympie. All these disputes had to come through the commissioner to the Government, and had to be referred back to him for his report, and returned to the Government for final decision; and that decision had then to be forwarded to the commissioner. Now, it must be evident to honorable members that there was great delay and intricacy occasioned by such a course. For his own part, he had come to the conclusion that it was only the commissioner who was resident on the spot that could properly settle any such claims. What he would propose would be that the local commissioner should have unlimited power to determine who was the original discoverer; leaving it to the Government to determine the amount of the reward that should be given. For his own part, he considered that the reward might very properly consist in granting a larger extent of ground than was at present granted to the discoverers of new gold fields; and also granting them certain exemptions. For instance, he considered that Mr. Nash, who discovered the Gympie Gold Field, deserved to receive a larger extent of ground than he received. The ordinary digger was liable to certain conditions; but he would recommend that the discoverer of a new gold field should be relieved from those conditions for a certain length of time. Hitherto, under the proclamation that had been revoked, large sums of money had been awarded for the discovery of reputed gold fields that, in a few months afterwards, were deserted. What he wished was that it should be known throughout the colony that the discoverer of a new gold field would, in the first instance, have unusual advantages, and that, if at the end of twelve months the gold field was found to be such as was likely to be of great importance—as in the case of Gympie—let there also be a money reward granted. He hoped that after the explanation he had given the honorable member would withdraw his resolutions. He must say that, except in the case of

Gympie, the operation of the proclamation had never given satisfaction. In every other case, he believed, it had caused great dissatisfaction.

Mr. MACDEVITT: What about the Cape Gold Fields?

The SECRETARY FOR PUBLIC WORKS said he was glad the honorable member had reminded him about the Cape Gold Fields. The honorable member could not have cited a more unfortunate instance in support of his resolutions. The fact was that £1,000 was granted to the discoverer of the Cape Gold Fields, which were now literally deserted.

Mr. KING said he thought that the knowledge the honorable the Secretary for Works possessed with respect to gold mining would have been sufficient to satisfy him that there was enough to justify the demand made by the resolutions now before the House. The honorable gentleman based his opposition to the resolutions on the ground that there had always been disputes as to who were the original discoverers of gold fields. Now, he did not think the honorable gentleman was correct in making so sweeping an assertion; for, according to his experience while holding the office of gold commissioner, he had not found that many disputes had arisen. The honorable gentleman instanced Gympie as an exception. Now, he must add that he thought there were no disputes as to the discovery of Kilkivan, or Jimna.

The SECRETARY FOR PUBLIC WORKS: There was.

Mr. KING: Well, he was not aware of it; and, as the honorable gentleman knew, the applications for rewards must have come through him as being the local commissioner for the district. However, he knew that there were many claims sent in that were not well founded; still, where there was a permanent gold field discovered there should be a good reward offered; for the discovery of a good gold field might be more valuable to the revenue than to the individual miner. The sum of £1,000 did not represent the amount of labor gone through and of expenditure incurred in the discovery of a gold field. As to the Cape Gold Fields, he had been informed that at one time there were 5,000 persons resident there, and that the amount of revenue derived from them through the customs was somewhat considerable. And not only that, but the value of runs had been greatly increased; so much so that many of them which would otherwise have been deserted had been retained, in consequence of the price of stock being increased by the local demand. Now, he thought it was not right that because of the first abandonment of a gold field, it should be regarded as finally abandoned. It must be borne in mind that miners were a migratory class, and that, if they left one place to-day, they were likely in a few weeks or months to return to the place they had left. He believed that when

sufficient machinery was placed on the gold fields, there would be a large increase in the population, and also that there would be much more gold obtained. He believed that it was an excellent policy to offer rewards for the discovery of gold fields. One of the objections raised to the resolutions by the honorable the Secretary for Works was to the effect that no rewards should be issued until a commissioner was appointed. Now, if that was to be the policy of the present Government, he would recommend that the honorable gentleman should go a little further, and propose that the Government should not ask that the export duty on gold should be collected until a commissioner was appointed.

Mr. LILLEY said he believed he was mainly responsible for the proclamation which had been referred to. When he was in the colony of Victoria some years ago, he ascertained from the Commissioner of Mines that there was in that colony a scale of rewards for the discovery of new gold fields; and that the system was attended with a beneficial effect. Well, such being the case, he introduced the system here by proclamation; and he must say that he believed there would not have been so many gold fields discovered in the colony as had been discovered but for the special rewards offered in the proclamation. Now, he had no hesitation in saying that he took some pride to himself in issuing the proclamation in question. He hoped soon to see some return to the system embodied in the proclamation, but with perhaps somewhat more perfect provisions. He thought that the reasons advanced against the resolutions by the Minister for Public Works were, to say the least of them, very weak. It was no sufficient argument against those money rewards to say that in some instances they had given rise to dissatisfaction, and that money had had to be paid for the discovery of reputed gold fields which had afterwards been abandoned. Now, if miners under the Land Act which had been proposed had been enabled to settle down in the occupation of the lands in the neighborhood of the gold fields they had assisted in developing, how much better would it have been for the prosperity of the colony?—and he would take the case of Gympie alone as an instance. It was his opinion that they should return as soon as possible to the policy of money rewards for the discovery of gold fields; and he had, therefore, great pleasure in supporting the resolutions.

Mr. DE SATGE said he would support the resolutions now before the House. He considered that a geological survey was more necessary than a money reward for the discovery of new gold fields. He could assure the House that such was especially the case in the mineral districts of the Peak Downs, from which the average returns in gold alone had been about a thousand ounces per month. He certainly considered that the

services rendered by Mr. Daintree in the geological survey of the northern districts fully justified the expenditure that had thereby been incurred. It was, in his opinion, very bad policy on the part of the Government to allow Mr. Daintree to go home, in order that he might superintend the exhibition of colonial products, at the approaching exhibition. Whatever might be gained by the exhibition of his mineralogical collection at home, the country would lose greatly from the want of his services. He thought it would be better to spend £20,000 in the geological survey of the colony, than to spend the same amount on immigration. He considered that the colony had greatly benefitted by the geological survey. He had the honor of representing a gold fields district; and however small it might be esteemed at present, he believed it would yet be found that there was gold scattered all over the district; which extended for a distance of upwards of a thousand miles.

Mr. FYFE said he thought the resolutions before the House would meet the approval of the majority of honorable members. He believed in the grants of extended areas, and the exemption, to a reasonable extent, from ordinary regulations, to the discoverers of new gold fields; but he also believed in giving a money reward. He did not think the promise of extended areas of land alone would induce miners to search for new gold fields. He thought that if even £20,000 per annum was required for this purpose, it would be a judicious expenditure, for nothing could contribute more to the prosperity of the colony than the discovery of new gold fields. If there were 500 or 1,000 miners on a gold field for a certain length of time, he thought the discoverer ought to be well rewarded.

Mr. MACDEVITT, in reply, said the honorable the Colonial Secretary, in commenting upon the statement he had made, had remarked that he had given a pledge on the hustings to bring forward this resolution. He admitted that he had done so. At that time some agitation had been created by the withdrawal of the proclamation, and candidates were required to state their policy in connection with this subject. He had given an expression of opinion on a question which closely affected the interests of the constituency whose votes he was canvassing. It had been suggested that the district would not return to the Government a revenue which would equal this expenditure, but the amount paid for miners' rights alone doubled the amount. The miners' rights, together with the receipts for business licenses at the Cape River Gold Field, amounted to somewhere about £10,000 during the first year of its existence, and lately it had yielded the largest return from a quartz reef which had yet been given. It should also be borne in mind by the honorable Minister for Mines that unless some means were taken to satisfy

miners who discovered new gold fields, the House would have to consider petitions for rewards from these persons; for there could be no doubt they were entitled to such rewards, and if they did not get them from the Government, they would appeal to the Parliament. With regard to extended claims, he believed they were very properly granted under the present regulations; but if they were so extended as to satisfy the reasonable expectations of the discoverers of new gold fields, they would be very unpopular. New gold discoveries were often confined within a small area, and a large extent of ground given to one man would be unsatisfactory to the other miners. He had not anticipated much opposition when he had introduced these resolutions, and he was glad to find that the honorable Minister for Mines had not opposed the spirit of them. He drew that conclusion from the remarks of the honorable member, who had also advocated, on all occasions, geological surveys, which he had embraced in his second resolution. Considering the late hour of the night, and the amount of business remaining to be done, he would not take up the time of the House with any further remarks. He would, however, read a portion of a letter from one of his constituents, in reference to a party of men who were engaged in prospecting.

"A party of five men, having fifteen pack-horses, started from here on the 21st of this month, intending to prospect the head waters of the Albert River and its tributaries for gold. It seems that the person who organized this expedition is a man who was out with Mr. McIntyre, while he commanded the Leichhardt search party; and he states that Mr. McIntyre found some splendid specimens in a certain place, and he promises to take the party to the ground. Surely such men deserve well of the country."

He believed that men who exerted themselves in that way did deserve well of their country. They encountered risks from the blacks and the risk of starvation, and had a great many hardships to undergo; and as they incurred these dangers in developing the resources of the country, he thought they were fairly entitled to be rewarded for their efforts. He could bring forward many other arguments in support of these resolutions, but he hoped he had said enough to induce the House to accede to them.

The question was put and passed, and the resolutions, as amended, were agreed to.