

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 17 MAY 1871

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LEGISLATIVE COUNCIL.

Wednesday, 17 May, 1871.

Omission in the Journals.—Days for Despatch of Business.—Commission on Brisbane and Ipswich Railway.—Land Orders Bill.—Acting Chairman of Committees.

OMISSION IN THE JOURNALS.

The CHAIRMAN, referring to the discussion on the second reading of the Kerosene Bill, said that it did not appear on record, that, after the House had resolved upon the omission of the word "now" from the original motion, he had put the question, "That the words proposed to be added be so added"; and he wished to explain that he did put that question, which, he was sorry to say, had not been recorded. He thought this explanation due to himself, and necessary, in order that the record might be corrected.

The Hon. ST. G. R. GORE, in confirmation of what had been stated by the Chairman, was understood to say that though he had not heard the words of the question put, in the confusion resulting from the division, yet when he returned to his place, the honorable gentleman asked him at the desk if he had put the question too quick for him, then referring to the second question.

The CHAIRMAN said he felt great pleasure that the honorable gentleman, Mr. Gore, was able to corroborate his statement, that the question had been really put.

The Hon. ST. G. R. GORE desired it to be understood that he did not wish that the Clerk should have any aspersion cast upon him in his position.

The Hon. G. ELLIOTT moved—

That the entry be amended, and the Minute of the 10th May printed accordingly.

He said he thought that what had fallen from the honorable the Chairman was perfectly satisfactory to the House. It was very simple now to have the business paper corrected to that extent, for which purpose he made the motion.

The Hon. G. HARRIS said he thought it would be just to the Chairman to put the motion of the Honorable Mr. Elliott. If that was done, the matter would be made right at once, and be in accordance with the sense of the House.

Question put and passed.

DAYS FOR DESPATCH OF BUSINESS.

The POSTMASTER-GENERAL said he had been informed since he had given notice of motion to amend the Sessional Order appointing the days of meeting for despatch of business, that several honorable members who resided in the country desired that he should alter his motion, so as to make the days of meeting Wednesday, Thursday, and Friday, instead of adding Tuesday to the present sitting days.

The Hon. C. B. WHISH: Friday morning.

The POSTMASTER-GENERAL: He had no objection to make an alteration; but he would leave it to be decided by the House for their own convenience. Meanwhile, he moved formally—

That the Sessional Order of the 13th April be rescinded, and that this House will, unless otherwise ordered, meet for the despatch of business at three o'clock on Tuesday, Wednesday, and Thursday in each week.

The Hon. ST. G. R. GORE said he should move an amendment which would give the House three sitting days, which appeared to be the object of the motion; but he desired to substitute Friday for Tuesday, so that the Council should meet on Wednesday, Thursday, and Friday, at the usual hour. He had been assured by honorable gentlemen who lived in the country, and to whom it mattered considerably—and he was one of those affected—that, if the House should meet on Tuesday, they would be obliged to leave their homes on Monday morning in order to reach town in time to attend to their Parliamentary duties. Honorable members who left town for their homes at the end of the week, could rest themselves on Sunday, have Monday untouched for business at home, and leave on Tuesday morning so as to be in time for the Council on Wednesday. Of course, there were conflicting interests. It did not so much matter to honorable members who lived close to town, what days were appointed for business; they could attend on any days. There was, however, a considerable number of country members in the Council who attended to their duties at a greater sacrifice than those living in the neighborhood; and, as the Postmaster-General was willing that the utmost convenience should be extended to them, he hoped honorable members would entertain his amendment in

a cordial spirit. There was another advantage, a collateral advantage, which might arise from the Council sitting on Friday afternoon; it was, that, as the Assembly generally sat on Friday morning, any Bills which the other House passed could be laid before the Council on the same afternoon and advanced a stage on that day, instead of waiting until the next week.

The Hon. L. HOPE moved that the hour of meeting on Friday be ten in the morning.

After some deliberation, and by consent, the amendments were withdrawn, and the motion was presented in this altered form by the POSTMASTER-GENERAL:—

"That the Sessional Order of the 13th April, in reference to the days of meeting of this Council, be rescinded, and that the following be the Sessional Order for the remainder of the Session:—That, unless otherwise ordered, this Council will meet for the despatch of business at half-past two o'clock on Wednesday and Thursday, and at ten o'clock a.m., on Friday, in each week.

Question put and passed.

COMMISSION ON BRISBANE AND IPSWICH RAILWAY.

The Hon. H. G. SIMPSON said: Honorable gentlemen—I may say I am sorry that the Postmaster-General is leaving the House after having postponed the orders of the day of which he has charge in favor of the consideration of the resolutions which I am about to bring forward, and which I hold are second in importance to nothing in the whole public business of the country. Perhaps honorable members are right who have suggested that what has occurred in another place renders our decision upon the report of the Commission on the Brisbane and Ipswich Railway of no importance; but I do not agree with them. More than that, I have the opinion of honorable members in another place, who entirely dissent from the Postmaster-General, and, I believe, that if we, in this House, after fair discussion, come to a decision in favor of the desirability of continuing the railway, we shall materially strengthen the hands of those gentlemen in another place, who are bent upon the same object as I have in view now. I intend, first of all, with the permission of the House—I will not take up much time—to point out, as far as I can, the manner in which the resolutions I have to move, are borne out by the evidence taken before the Commission. I will go to the gist of the matter at once. In asking honorable members to agree to the report, I am perfectly prepared for it to be criticised outside, as well as inside, the House; and I am willing to admit that it is luke-warm, milk-and-watery, and everything else that is absurd; no one is better prepared to say that of it than I am myself. But there is no question whatever, that the minutes of the proceedings of the Commission, with especial reference to the proceedings of the Minister for Works

and the Postmaster-General, explain to every one what is the reason that such a report was brought up; because it was only by the ghost of a possibility, the barest chance, that we brought up a report at all. It is my firm belief, that but for an accident, we should never have had a report before Parliament at all. A certain sort of a report would have been agreed to by the two members of the Government, and those who voted with them, and that was—the honorable gentleman who represented the Government will not contradict me—that the figures should be put down, and we should report that at some future time, not now, the railway should be continued from Ipswich—somewhere!—but to no place named—neither time nor place named, but leaving it entirely to our imagination where the railway was to go to. Now, my own opinion is—or, in the exercise of my imagination, it appears to me—that the intention was, that the railway should go from Ipswich to Maryborough; so that this wicked Brisbane should be cut off altogether from the Darling Downs, and that all the traffic should come down to that immaculate town, which has the honor of being represented by the Minister for Works. That is the stamp of the report which the members of the Government on the Commission, and those who voted with them, were prepared to carry out. That is the report which would not, in my opinion, do, and which I, and those who agreed with me, were totally opposed to. Look at the protests which are recorded, here. Are they not sufficient to shew, as I said before, the reason of the report being such a luke-warm, milk-and-water production, which I admit it is? Here is one:—

"I disagree with the above report, because, like too much of the evidence taken, it is drawn mainly from one view of, and apparently but from one desire on, the important question entrusted to the Commission; and I accordingly protest against the adoption thereof.

"WILLIAM HENRY WALSH."

Now, it is rather difficult to understand that; but so far as I can understand it, the gist of it is this, that the honorable gentleman was not satisfied with the evidence brought forward. Perhaps he had reason not to be satisfied. But why? From the commencement of the Commission, from the first sitting, there was one system established—that every member of the Commission should call whatever evidence he thought proper, and at any time he thought proper, after giving notice thereof. After sitting for three months, we were, at the last moment, after a resolution had been passed by the Commission that they would close on a certain day, in order to give me, as chairman, time to bring up a proper report; after that, down comes the Minister for Works, with a list of, I think, eighteen witnesses; and that was supplemented by the Postmaster-General

with half-a-dozen more—making four-and-twenty witnesses, as far as I can remember, within a fortnight of the time we had to send our report in to the Colonial Secretary. They complained—or, rather, I cannot say that the Postmaster-General complained, but the Minister for Works did, and he most decidedly made a great point of it—that those witnesses were not examined. How did they bring that about? He and his colleague evidently agreed that they would allow all the other Commissioners to run the length of their tether, and that they would then come down at the last moment and upset them altogether. And it would have been so, if they could have carried their plan; but, fortunately, they could not do so. That was, I may say, their little game. It was seen through a long time before, by me, although I had no communication with other members about it; I understood it myself, and for a long time I thought, as I now think, that they were a little too clever; and it recoiled upon themselves. There was not one of the Commissioners in favor of the railway who had the slightest objection to hear the evidence, and to have it taken down, as far as I know; but there were certainly, and I think properly, several members who did absolutely object to have those witnesses crowded in during the last week, after every opportunity had been given to the honorable gentlemen to have chosen any number of witnesses during the three months before. There is another matter which it may be as well for me to take notice of. It is a personal matter. My name has been brought up in another place in connection with certain little affairs that have taken place on the Commission; and it has been stated that the Minister for Works was personally discourteous, and that he otherwise misbehaved to me. This is a mistake. I never received any mark of discourtesy from that honorable gentleman. At the same time, there is no doubt that, by the unscrupulous use of the voting power at his command, on a certain occasion, he did, in a most unceremonious manner, confute and overrule my decision in such a way that, as chairman, I was compelled to resign my position. It was not done discourteously, but by the mere use of a certain voting power which he had in his hands. I considered myself bound, on that occasion, to hand in my resignation on the Commission; and I should have insisted upon it, only that, after the whole matter was thoroughly investigated, it appeared that the Commission would fall through if I withdrew, and upon that ground, and that only, I resumed the chair. Now, that is a mere personal thing. Had it not been alluded to in another place, I should not have said a word upon it. Having made these few remarks, I will just go into the report itself. First of all, it deals with the "Present traffic between Ipswich and Brisbane." With regard to that, I may state, now, that this has been put down at the

lowest estimate, as honorable gentlemen will find, if they will look. Wool is put down at one-and-sixpence a bale, and tonnage is put down at six shillings; it was done to have everything at the lowest, so as to try to disarm, if possible, the strong opposition to the report. Again, this ten per cent. added to the traffic ascertained to exist on the river is, I consider, very low indeed; but I put it down for the same reason, although I consider that twenty per cent. would have been justified. Now, we come to the coal traffic. It has been stated that no coal will come by rail. Very good. I will turn to Mr. Moody's evidence, page 44. He reads a statement that he has prepared about the Redbank establishment, and he therein states:—

"The colliery turns out from 7,000 to 8,000 tons of coal per annum. It is capable of indefinite extension, the district being all carboniferous, and, in my opinion, the best seams of coal are not yet developed. At present our coal is transported by water. We supply the Southern and Western Railway, delivering the coal at the railway wharf at Ipswich. Our coal has been pronounced excellent for locomotive purposes. It is also much approved by the A. S. N. Co.'s steamers, trading to Brisbane, which use considerable quantities. There is, likewise, a demand for our coal in Brisbane, it being considered better and cheaper than wood for domestic purposes. It costs us about 3s. 6d. per ton for transporting our coal from the pit to Brisbane, using our own steamers and craft for that purpose."

He further goes on to say—as coal and timber are, to a certain extent, put together, I will put them together here:—

"The saw-mill at Redbank is very complete, it being capable of cutting very large logs. At present, we do not cut more than supplies our own wants, and a small local demand; but our plant is capable of cutting much more, if we had facility for transportation. The district to the back of Redbank contains abundance of excellent hardwood, suitable for ship-building purposes, railway sleepers, &c. Hitherto the want of means of transportation has been the barrier to the development of the timber trade in this district. The cooerage is carried on only for the manufacture of casks for our own use. We get our supply of staves by water. If a railway were constructed from Brisbane to Ipswich, and passed in the neighborhood of our premises, so as to afford us the opportunity of having sidings to the pit and the works, it would very much facilitate our operations; and we should, doubtless, contribute largely to the support of the line."

As I have got so far about the timber—I think I may be excused for mixing them—I will refer to Mr. Pechey's evidence, page 69:—

"By Mr. Johnston:—At what charge per ton would you be placed in a position to forward your stuff from Highfields, so as to compete successfully with Brisbane, supposing the extension of the railway was made? I think about 9s. a ton from Murphy's Creek to Brisbane; it would be about the rate now charged on the line, perhaps

less. I may state that I had a special rate, but it was a very small reduction, if any. If I was allowed a similar reduction from Murphy's Creek, it would pay me to send certain classes of timber to Brisbane, as I have a great variety round my establishment."

In another place he is asked, with regard to timber:—

"Do you think it would pay you to go into the market at Brisbane? I do. I had an offer of a contract to supply a large quantity of sleepers for one section of the railway of New South Wales; but I was not able to come to an agreement, owing to the number of agents there would be between me and the railway, and the severe expenses of transhipment.

"Then you think, if the line were direct to Brisbane, it would pay you to send your timber and compete with the Sydney market? Yes; I think so.

"It is solely the want of the connecting link that prevents you from going into those matters? Yes; from trying, at any rate.

"Do you think it would pay you to compete with Pettigrew? I cannot say, until I knew to what extent they would cut me down."

So far as to timber. Mr. Moody, further, in regard to coal, says, here:—

"By Mr. Scott: With regard to coal, you said, a little time ago, that it cost you three shillings and sixpence a ton to take it down by water; am I to understand that that is from the pit to the vessel, or to Brisbane? To Brisbane.

"Supposing you had a siding from the railway, and trucks were loaded at the mouth of the pit and taken to the shoot at South Brisbane, and supposing the railway charged reasonable fares, would it not pay you better to send it down by rail than by water? Yes, if the railway kept punts to send it to North Brisbane.

"I understood you kept punts to keep the coal afloat; now, would it not answer your purpose equally as well to send it down by railway and keep it there? That depends upon the freight by railway.

"Do you know the price obtained in Ipswich for other goods per ton? No.

"What is the distance of your place from Brisbane by land? About sixteen miles.

"Supposing you could land your goods at South Brisbane for two shillings and sixpence per ton, would it cost you one shilling from there to the side of the vessel per ton? It would.

"How much does it cost you usually? Three shillings and sixpence, which includes everything.

"What would be the cost to you from the shoot at South Brisbane to where you wished to deliver the coal? About sixpence a ton.

"So that that would in reality be a saving on the present cost of about sixpence a ton? Yes.

"Do you think that if a railway was continued to South Brisbane, that the freights by river would not be brought down a little more than that sixpence? Really, that is a question I have not considered.

"I suppose there are other boats on the river besides the A.S.N. Company and your boats, which carry freight? Yes.

"Do you not think that they would cut down the freights? No; I do not believe they would,

as I think the people who are now employed are making but a very poor living at the present rates."

If we go from that to the experience of the Hunter River, we shall find that the greater portion of the coal comes down by the railway, in spite of the river traffic. But I will not dwell upon that; I will go to the traffic by the road:—

"Messrs. Cobb and Company (average of three years), 8,271 passengers per annum, at 7s. each, £2,894 17s.

"Postal subsidy between Brisbane and Ipswich, £680.

"Eighty dray loads of produce per week from Boggo, Oxley, and Cooper's Plains, at half-a-ton per dray (see evidence of Mr. T. Dowse) and 5s. per ton, £520."

Mr. Dowse is the late town clerk of Brisbane and now lessee of the Brisbane Market; I do not think there is a man with better means of forming an opinion.

"Present daily average of persons travelling into Brisbane between Boggo and the Seventeen-mile Rocks, 30 per day, equal to 9,000 annually, exclusive of draymen with produce (see Mr. G. Harden's evidence), at 2s. return tickets, 300 days in the year, £900."

That I do not think could be possibly upset. In the whole of this, it must be borne in mind, there is not one private carriage, not a single buggy, taken into account. Between this and Ipswich, we know very well that nine-tenths of the traffic outside Cobb's coach is in private vehicles and on horseback; and that is all thrown on one side out of this calculation. We have simply taken the present traffic, as set out, at £4,994 17s.; and a very low amount it is, too. Added to the river traffic, as before stated, it gives, in round numbers, a total of £190,600. Now, we come to the "Cost of construction." The statements, here, may appear conflicting; but, when honorable gentlemen have gone fairly into the matter, I think there is very little reason to doubt that the evidence of Mr. Fountain and Mr. Cross is correct, that the line may be completed for £5,000 per mile. At all events, Mr. Fountain is a practical man, who was employed for very many years by Peto and Brassey, and who carried out a contract for this Government. He stated, the moment he looked at the reports of the surveys of the line, without seeing the sections, or plans, or anything else, that the Government engineers had put down the work at too high prices—they put down the whole earthwork at three shillings a yard. Mr. Fountain said:—

"I can say, from what I know of the work, that I would venture to take it at the prices mentioned by Mr. Stephens, and be glad to do it, namely, 3s. a yard, as there is no earthwork worth that."

By Dr. O'Doherty, the following evidence was elicited:—

"You stated just now, Mr. Fountain, that you thought the line could be constructed for less than either of the sums mentioned in the reports; may

I ask on what grounds you form that opinion? Because I see that they are calculated at 3s. a cubic yard for earthwork, and that is the basis gone upon to get the total amount.

"Do you believe it could be done for less than that? Yes; I do believe it could be done for considerably less—that piece at Ipswich was done for considerably less.

"Have you any ground for saying it could be made for less? Yes; the bridge-work could be done for considerably less, whereas, I presume, they have been calculated at the same price as the Warwick line. Then again, my tender for the Ipswich work was two shillings per cubic yard, and I am confident that this contract would not have so much work in it, and therefore it could be done for the same. I did some bridge-work for four shillings and sixpence; whilst on the Range, it cost seven shillings and sixpence a cubic foot.

"Do you mean that you did the same work for four shillings and sixpence a cubic foot? Yes; and it paid me well."

Now, honorable gentlemen, that is a very fair reason for taking the opinion of Mr. Fountain, seeing that it coincides with that of Mr. Cross, who shewed a letter from Mr. Wilcox to the effect that he would be very happy to take the extension at £5,000 per mile, but he would not recommend us to go in for "anything cheaper." Of course, the more the better for him. Mr. Fountain made further suggestions, also, with which I will not take up the time of the House now. There is, however, one point that I wish to refer to, and that is the report of Mr. Mais, the Engineer-in-Chief of Railways in South Australia. There, the main trunk railway cost £15,500 per mile; and since that work was completed, two extensions were carried out with a somewhat lighter permanent way, but in every other way exactly the same, at a cost of £5,050 per mile in one case, and of £5,247 in the other.

The Hon. ST. G. R. GORE: Five feet three inches gauge.

The Hon. H. G. SIMPSON: They have carried out our gauge there at £3,300 per mile, with very considerable earthworks. And those figures, mind you, honorable gentlemen, include rolling-stock, purchase of land, building stations, and also part of the grand general central workshop, which has been charged to every mile of the line. If that could be done in South Australia, why can we not do it here? According to Mr. Fountain's evidence, I believe we can do it. I think he is a thoroughly practical man, and that, at the price he puts down, and as recommended in the report, the work could be done. There is so much corroborative evidence, too, that we have confidence in supporting his suggestions. After receiving the plans and sections of the surveys made by the Government engineers, Mr. Fountain further says of the proposed line, that the total cost, without including any alteration in the existing plans, is £5,819 per mile; but he suggests that he

could knock off the odd £819, and that a good job, quite as strong as the other, but with rougher work in the bridges and other parts, could be made for £5,000 a mile. The conclusion the Commission have come to is in favor of the calculations of Mr. Fountain. He told the Commission—If you want to have your work planed down and struck smooth, planks and stones, decidedly it will cost the larger sum; but the work will be equally strong and as good as it can be made, without that, for £5,000 per mile. The putting on of the £819 is according to the engineers' specification. We come now to the annual expense, the "Probability of the work, if undertaken, proving self-supporting." I think I need not dwell long upon that. The thing speaks for itself. We have the maintenance of the permanent way, according to the estimate of Mr. Thorneloe Smith, who, I think, put it down at £130 a mile, the present cost of the Warwick line being £120; and the cost of the traffic staff is put down according to Mr. Herbert's evidence. No man can have a better opportunity of knowing what it is likely to be. Now we come to the question of what portion of the present traffic is likely to be carried by the railway. And here is matter for conjecture—matter of mere opinion. There are very few people who will fairly and honestly consider the matter. Some think that the railway will get the whole traffic; others that it will have the light traffic. We have the evidence of Mr. Baynes, who, I believe, speaks the views of all the other butchers, from what I have heard in the place, that they send down but a trifling amount of their stock by rail; and, that if put on board the steamers they cannot look after it. He says—and from what I have heard indirectly, all the other butchers are of the same opinion—that if the railway were continued to Brisbane, he would send the whole of his sheep down by rail. That is important. Then, again, it must be remembered that we have not taken into consideration in our calculations the increased traffic along the existing lines, from the completion of the railway to Brisbane. The cases that have been mentioned over and over again, until one is half sick of hearing it, to shew that a railway can hold its own alongside of navigable water, it is no use for me to enter into; there have been many mentioned to shew that railways do succeed under such circumstances; and it will only be taking up the time of the House unnecessarily to refer further to them. I will call the attention of the honorable gentlemen to a printer's error that has crept in here, and that has not been noticed before. The total amount of traffic is put down at £19,600; and two-thirds of that is stated as £12,733: it ought to be £13,066. I will just explain to the House how that crept in. When we were looking into this matter, there was a clause in the draft report—if honorable gentlemen will refer to it—which I may say was struck out

to disarm opposition, in order to get a report adopted by the Commission, if possible; and which would, in my opinion, justify our taking credit for an increased amount in favor of the railway:—

“That the sources from which the revenue has to be drawn are as follow:—The present traffic, exclusive of items mentioned as unascertained, £19,600. As, on the completion of the railway, the traffic on the coach road will probably be considerably lessened, it is to be supposed that a much less expenditure of public money on it will be called for. The amount of this item, for the ten years since Separation, has been £2,235 per annum (Mr. A. O. Herbert), and we think that a saving of £1,000 a year might be made were the line open. This saving we consider ought to go to the credit of the railway, and will make a present total of £20,600 per annum.”

It was contested by several members of the Commission that, although £1,000 a-year would thus be saved, we had no business to take credit for it, or to put it down to the advantage of the railway. On the same principle, we have no business to put down the postal subsidy. I maintain that if anything can be put down, that £1,000 should be. I cannot understand any honorable member objecting to that; and, holding this opinion, whatever it might be, I say that there is a clear surplus shewn in favor of the railway, after paying interest on cost of construction, expenses of working, and everything else. But I do not rely upon that for one minute. I look at the enormous increase of traffic to be developed by this extension, not only between its own termini, but all along the existing lines. If we look at other places where railways have been carried out, they have always maintained the existing traffic, and induced an increased traffic. Look at the other colonies! Between Sydney and Parramatta, I guarantee that this will be found to hold good to the fullest extent. We have shewn, in this report, that, in all probability, if there should be no increase whatever, the line will still pay its own expenses. I will not take up the time of the Council any longer. I have stated enough to shew the soundness of my case without going into the minutiae of the evidence. Before moving the resolutions which I have to submit to the House, I shall take the liberty of saying that I am very sorry that we could not let this matter go hand in hand with the proposed Northern Railway extension. I should be only too glad if we could do so; but under the circumstances, and time being so limited, it is impossible. If we should not be travelling outside the record, which, I fear, I should be very happy to shew what our opinion is upon the Northern Railway, and, for one, to go in for it. I should like to see it carried out simultaneously with the Brisbane and Ipswich Railway. The resolutions that I have to move upon this report of the Com-

mission are these, and I am prepared to have them put *in globo* or *seriatim*:—

1. That, in the opinion of this Council, the completion of the Railway from Ipswich to Brisbane will materially benefit the colony in general.

2. That, if judiciously and economically carried out, it will not entail any additional burden on the finances.

3. That, for the above reasons, it should be undertaken forthwith.

The Hon. H. B. Fitz said: Honorable gentlemen—I did not intend to speak upon this question at all, as I look upon it as a purely financial question; and, it having been disposed of by the other branch of the Legislature, I think it unnecessary for us to take it into consideration. But, having been a member of the Commission, and having taken a prominent part in the examination of some of the witnesses, I shall offer a few remarks in reference to the action of the Commission. Although this is a matter affecting communication with the interior, yet I shall also remark upon it from the financial point of view. In the first place, I may say, with regard to what has fallen from the Honorable Captain Simpson, that I fully endorse his statement that the two Ministers of the Crown, who were placed on the Commission, had the same opportunities of bringing forward witnesses and of eliciting evidence, to gain a point they had in view, as the other members. But there is no doubt whatever that one Minister was placed on the Commission solely as an obstructionist; for, from the very moment he took his seat, he commenced his obstructions. It will be very clear from the publicly expressed views of the individual members of the Commission, that there were four of them disposed to have the missing link carried out, while the other four were opposed to the extension of the railway from Ipswich. I believe that, privately, one or two members were not disposed to oppose the railway. I will tell the Honorable the Postmaster-General, that I believe if he was a private member of this House, he would be favorable to it; but, being a member of the Government, and his Government being opposed to the railway as a portion of their policy, he votes with his colleagues. I do not blame the present Government so much for the non-completion of this line, as the late Government. I believe that the citizens of Brisbane would have had railway communication with Ipswich, had the Lilley and Macalister Government done their duty to their constituents and the colony. There was no doubt whatever that they got on the Treasury benches from leading the citizens to believe that they were in favor of this link being completed. But, the moment they got into office, they turned round and said that the colony was not in a position to do the work. However true that was, the Treasurer might have found the finances to do it. With regard to the evidence taken by

the Commission, and their proceedings, I must say that never in my life was I amongst a party of gentlemen where I heard and saw so much offensive conduct and language as, on this Commission, I received and saw from the Minister for Works, who was not only offensive to me but to other members. I think the Postmaster-General will bear me out in this, that there was very much unnecessarily offensive language used. Of the Postmaster-General I must say that whatever he did he always did it in a mild and gentlemanly way, and in a manner that we could not find fault with. I may state that on the first day of the Commission assembling, we found that there were four opposed to the line and four in favor of it. There should have been an odd member on the Commission. The question arose as to the appointment of a chairman. I suggested that the chairman should have, as on select committees, under our Standing Rules and Orders, not only a voice as a member of the Commission, but a casting vote also. The question was put, whether or not the chairman should have a casting vote—and, in order to decide this, the Commission gave the Chairman of the then meeting a casting vote that he should not have had. We know from all Parliamentary rules, that when a report is brought up by the Chairman there can be no division then upon it, that it must be put paragraph by paragraph for consideration. When the Honorable Captain Simpson remarked just now that had it not been for an accident which prevented the Secretary for Works from attending the last meeting of the Commission, appointed to consider the report in detail, there would not have been a report at all, he said what was a fact; because it had been arranged. It was proposed by one of the parties opposed to the line, that the evidence should be closed on a certain day; and yet on that day the Secretary for Works and the Postmaster-General, when there was scarcely time for the Chairman to prepare and bring up his report, put a list of some twenty or thirty witnesses into the hands of the Chairman—a line of conduct shewing obstruction on the face of it; and, at the eleventh hour, the decision was against hearing the witnesses, and the evidence was closed; and the report, whatever it is, whatever credit belongs to it, is due to the Chairman. I did not see the report until it was brought up and laid upon the table for the consideration of the Commission; nor was I consulted upon it. As this is a matter of fact, I may refer to the votes passed for this year of £120,000 for roads and bridges. Honorable members of this House know well, and I will say it, myself, that I have as much experience of the roads of this colony, and I know as much of the bush roads, as any one; and I will venture to say that on those roads nothing more is required than culverts and bridges. I believe that the wants of the colony would have been fully met by the vote of £30,000, on the Esti-

mates-in-Chief; but, there is £90,000 additional on the Loan Estimates, besides that sum voted. I look upon it in this light: that the £30,000 was voted to meet our actual requirements, and the £90,000 was to purchase political support, or, in other words, was voted as political capital. This amount would pay the interest on the Brisbane and Ipswich Railway, putting it down at a cost of £150,000, for thirteen years and a-half. Now, no Government is justified in taking such a step. Another most mysterious part of this matter is, that the whole of that £120,000 is actually placed in the hands of one individual for expenditure. He may give £500 to Mr. So-and-so, who is an elector; and £500 to somebody else, who may have interest in a certain district. Executive sanction must be had for expenditure, we know; but, still, the money is placed in the hands of one Minister to dispose of it as he thinks proper. Now, when we come to look at the division which took place in the other branch of the Parliament early this morning, we see fifteen members on one side, representing eighty-four thousand of the people; and, on the other side, sixteen members representing thirty thousand only. It is very hard, indeed, that the citizens of Brisbane have not this link of the railway completed; they have a right to it, in common honesty and justice. They should petition, and agitate, and talk over every man they can get, to force the Government to complete it. No Government has a right to keep its position with so small a majority as the present Government has. I am very sorry to see the members of the present Government occupying the position they have taken of opposition to the railway. There are, no doubt, many gentlemen on the Downs who have an objection to this line, and they, perhaps, have good reason for their objection. I have no doubt whatever, if the line is completed, it will tend very much to shorten their leases of the Crown lands on the Downs. If, honorable gentlemen, you will refer to the evidence taken before the Commission, you will find that there is no land at the present moment upon the resumed half of the runs which is worth selecting. The only individuals now who would enjoy the advantages of the line are those gentlemen holding the ten years' leases. Some six years ago, I moved that the vote which was granted by the Assembly for the Warwick line should be transferred to the Brisbane and Ipswich line, which was to be completed instead of the other. The contractor for that line told me, at the time, in the presence of Mr. James Taylor, at Toowoomba, that if the Government would pay him for the work so far as it had gone on the Warwick line, he would willingly transfer his plant, and commence the Brisbane and Ipswich line at a fair price. I saw very clearly, as the owner of a station on the Downs, that if we did not give the people of Brisbane this link, we should lose our runs. It was said that I opposed the Warwick line,

because it would pass through my run; but the railway does not go within seven miles of it. The Brisbane people will have their line; and, I think, the Government are very short-sighted to resist it. When I spoke to gentlemen on the Downs, I found them much opposed to it. I called one before the Commission, the representative of a large company, and his evidence is appended to the report. Another said to me—it is not likely I am going to give any evidence in favor of the Brisbane and Ipswich line; we will not have an acre of our runs, if it is made. The Downs gentlemen are very short-sighted, indeed, in opposing it. I will not further take up the time of the Council on this, a purely financial question. After what has occurred in another place, I do not know that anything will come of our discussion of this report, unless Captain Simpson can find some way, besides, of helping the other House; or, by moving a resolution that we will not pass the Appropriation Act unless the other House passes this railway; otherwise, all our time will be wasted.

The Hon. ST. G. R. GORE said he had read, with a great deal of pleasure, the report brought up by the Commission. As far as he had been able to go through the evidence, he considered it was a very fair report. The only weak point in it, was as to what proportion of the river traffic the railway would secure. No doubt, the estimate of two-thirds, which the Commission seemed to think would be transferred to the railway, was based upon sound grounds; but to him the matter was problematical. He was very much grieved, although not surprised, to hear of the little dodges that had been practised on the Commission. They seemed to him to be entirely worthy of the perpetrator. The greatest juggling feat was that performed this morning, when the Minister for Works and his colleagues defeated one railway and adopted another by a bare majority. When the Government came into office, their principal argument was, that the country was in such a position that they could not undertake any additional public works. It was upon that, that they went to the country; upon that they were returned; and upon that they held power. What "a change had come o'er the spirit of their dream!" They opposed the most necessary and remunerative public work that could be undertaken; and, to consult some representatives of the North, whose votes they required, they accepted a resolution initiating a series of public works far more expensive. He had not the slightest belief that those proposed works in the North would ever be carried out. It had been delegated to a committee to report upon their expediency. Nothing troubled those honorable gentlemen who formed the Government, but to tide over this session and secure their salaries for another year; that was their principal and only object in their present position, at the sacrifice of their political

principles. They appeared to be in a flourishing position, when they could carry their motions by a majority of one! It was manifest that they had succeeded in muzzling the voice of one honorable member; and they had induced another to sacrifice all his political antecedents, to do their work. He could not congratulate those gentlemen, nor the Ministry, although he admitted their ability, and the suitableness of its exercise. They opposed the Brisbane and Ipswich Railway, in spite of the public voice. There was no use in troubling the House at length on this occasion. It would take hours to do full justice to the evidence embodied in the report of the Commission. Members of the Commission, if so disposed, were better qualified to go into the evidence—they had had a better opportunity of studying it—than he; and those who were anxious about the matter would not interest themselves in what he said. He should vote for the resolutions.

The Hon. J. F. McDougall said he had gone carefully through the report, which, as the Honorable Mr. Fitz had shewn, was favored by four and opposed by four of the Commissioners; and he was confirmed in what he had made up his mind to regard as the real state of things. In reference to the remark of the Honorable Captain Simpson, that he had met with a great deal of obstruction from the other side, he could only say that such did not appear from the report; indeed, it appeared that all the witnesses summoned, were on one side, and that the greater part of the examination was conducted by those who were in favor of the report. The whole matter seemed to have been left to them by the four gentlemen who stood out unfavorably to the railway. He could scarcely think that the report was borne out by the evidence. The evidence was conflicting in the extreme. There were all kinds of opinions expressed upon every point, as to the probable cost of the line, and as to the traffic likely to be secured. Honorable members knew what such opinions were generally worth. To give them an idea, he would state what it was supposed, at their commencement, our present lines would cost, as contrasted with their actual cost. The total cost of the Southern and Western Railway, to Toowoomba, was £1,105,763; or, at the rate of £14,176 per mile. Now, it was understood, when the railway question was first brought before the House, that the line could be constructed for £5,000 a mile.

AN HONORABLE MEMBER: No.

The Hon. J. F. McDougall: He said it was understood. He understood it so, and he thought many of the honorable members so understood the matter—that it would be constructed for £5,000 a mile.

The Hon. ST. G. R. GORE: £9,000 to Toowoomba.

The Hon. J. F. McDougall: What did they find it had cost? £14,176 per mile. That only shewed him how utterly unworthy

of any belief were those vague opinions which were advanced under such circumstances as the Commission were placed in; and so he valued the opinions put forward, that the line between Brisbane and Ipswich would cost only £5,000 per mile. He believed it would cost £10,000, and that the colony would get remarkably well out of the job, at that price. He should oppose the resolutions, and upon purely financial grounds. The Honorable Mr. Fitz had referred to gentlemen on the Darling Downs being opposed to the construction of the railway, because it would eventually lead to the resumption of the other half of their runs. He (Mr. McDougall) did not agree with him; he did not think the railway would have that effect at all. He had said it in the House, and he was always in favor of that line being carried out, when the colony was in a position to do it; but, he contended, the time had not yet arrived. The colony was not in a position to undertake the work. No doubt, the borrowing capacities of the colony were large. People would lend money; but, still, there was the interest to pay, and posterity would have to re-pay if we did not. If the colony could afford to make any railway, now, it should be the northern line. As a matter of justice and right, the people of that part of the colony were entitled to it. But the colony was not in a position to make that or any other line. He should not make any further remarks on the subject, because he did not think they would have any good effect. The question was settled, beyond doubt, in another place, for this session.

The POSTMASTER-GENERAL: Perhaps, honorable gentlemen, it would appear advisable that I should not address the House so early as I do now—not till after having heard what other honorable gentlemen will have to say; but, as I do not intend to make a long speech, or to go fully into the report, but merely to answer certain observations made by the honorable gentlemen opposite to me, I may proceed. And, first, I take exception to some portions of the speech of the Honorable Captain Simpson. It may be as well that I speak at present, not thinking that what I will say will alter the intention of any honorable gentleman, as every one has made up his mind how he will vote; and, as the honorable Mr. McDougall remarked, as the question is, so to say, settled in another place, where most of us heard what was done in regard to it. In the first place, I will explain to honorable gentlemen as to the Commission, about which remarks have been made and allowed to pass by. When I was appointed one of the Commission, I supposed that it was principally to ascertain, to the best of our power and ability, the amount of traffic which would be likely to be carried by a railway, if a railway was made; the cost of the construction of such railway, and the return that it would be likely to make—whether it would be self-supporting or not. The honorable Captain

Simpson, the chairman of this Commission, was, we know, in favor of the railway; but he had previously told me that unless this railway should be proved to him to be self-supporting, he would certainly not vote for it.

The Hon. H. G. SIMPSON: Hear, hear.

The POSTMASTER-GENERAL: The honorable gentleman opposite, Mr. Fitz, when he does take anything into his head, whatever arguments are brought forward, he will not give in to them. I think honorable members will allow that I am right in saying so. Some honorable gentlemen have said that the Commission was a packed Commission. I deny that altogether; and I now say, in answer to what the Honorable Mr. Fitz said—the charge he brought against me was, that I was voting and taking action as a member of the Government in a way that as an individual member of this Council I would not vote—

The Hon. H. B. FITZ: Hear, hear.

The POSTMASTER-GENERAL: Is it to be supposed that I, as a member of the Government of the day, vote against what I believe, as a private member, to be right? There is no other interpretation but that to be put upon his charge. Now, the vote I shall give will be exactly what I believe to be right and best for the colony. I believe that this colony is not at present in the position to enter into any great works, or to spend any large amount of money. We are now taxed quite sufficiently.

The Hon. C. B. WHISH: Hear, hear.

The POSTMASTER-GENERAL: But, unfortunately all those persons who support the railway—perhaps, my honorable friends, also, who wish for this railway—in the face of those facts, think that they themselves will benefit greatly by the expenditure of money, but that the community generally, and not themselves only, will be called upon to pay the interest of the capital which must be borrowed to carry out the work. The people who now oppose the borrowing of money for the immediate carrying on of public works are those who will have to pay the taxes; for they are, as a rule, men representing the property of the colony. Those who have no property can lose nothing; it matters very little to them what debt we go into; but it does matter very greatly whether certain large sums of money are expended or not expended, for them to scramble for. In the expenditure they are sure to benefit, in some way or other. Now, it is purely from financial reasons, and as a man who has worked his way in this country, and, having a store for my old age which I do not wish to see dissipated—I do not want to be taxed, or to see my children a burden—that I oppose this question. The Honorable Mr. Fitz has said that my honorable colleague, the Minister for Works, came in as a member of the Commission, and in every way opposed the railway. My honorable colleague did feel that he should oppose the position taken up by

some members of the Commission, and he was quite right in doing so; but I flatly deny what my honorable friend says, that my honorable colleague insulted him or any other gentleman on the Commission; and I believe that the honorable member who was the chairman of the Commission will bear me out in that. Instead of that being the case, the honorable gentleman opposite was the very one, or was one, of those who spoke in a way that might have been considered by myself, if I had chosen to take it up, and by my honorable colleague, all that the honorable gentleman himself has described. The honorable gentleman tried to have his own way, but he found he could not succeed. The Minister for Works having so much to do, was not often present, and I therefore had to take his place. The honorable gentleman opposite has said that I, in my position, was gentlemanly, that my language was mild, that I could not be found fault with. I am very much obliged to the honorable member! I trust I did my duty, and that I know it. Now, I have something to say, as this has been brought up. In some instances, I had to command my temper very much; in one or two instances, it was as much as I could do to be quiet. I can only say that in former years it would have come to something more. However, I knew what the object was. I only bring this matter forward to shew that I, in my capacity of a member of the Government on that Commission, was the one that those honorable gentlemen on the opposite side tried in every way to bring round, or to put out; first of all they tried to bring me round to their side, and when they found that they could not do that, they opposed me. Now, honorable gentlemen, what happened? My honorable friend has given you an idea of what happened, in his own way; but what did happen when the Commission first met was as follows:—The Commission was sent to me. I considered it my duty to act as chairman until the chairman was appointed. I called the gentlemen of the Commission together, to appoint a chairman. The honorable gentleman proposed to me that I should be chairman; he also proposed that the Minister for Works should be chairman.

The Hon. H. B. FITZ: Hear, hear.

The POSTMASTER-GENERAL: And, shortly after that, it was mooted, that before a chairman was appointed, a decision should be arrived at, whether, as the Commission were composed of eight gentlemen, the chairman should have his own vote as a member, and the casting vote also. When I asked the honorable gentleman what he thought—which way he would vote—he said to me, "Wait till I see who is chairman";—a very good answer, because the honorable gentleman had so far canvassed the Commission, that he knew if the chairman had a casting vote, he would carry the day for whichever side he was on. As I was the chairman when this was mooted,

and found that we were equally balanced, I took it on myself to give a casting vote. The honorable gentleman has forgotten it. I did it to shew him that if the chairman had a casting vote, it would be carried his way, and no other.

The Hon. H. B. FITZ: The honorable gentleman is wrong. You gave yourself a casting vote, in order to decide the question.

The POSTMASTER-GENERAL: I took the honorable gentleman at his word, and gave a casting vote as chairman, and allowed the question to be decided, which was, that the chairman should not have a casting vote; and the honorable gentleman was rather taken aback. However, this was decided, and another chairman went into the chair which I left. The Honorable Captain Simpson was appointed chairman, without a casting vote; and, for two months, we carried on without anything occurring; and everything was settled in the way it should be done. When the time came for a report to be brought up, the honorable gentleman opposite and his friends were aware that Mr. Scott was likely to be absent in Sydney; and they then brought in a motion to rescind the resolution which had been acted upon for two months; and not only that, when I disagreed and entered my protest against anything of the sort, the honorable gentleman said it was a motion that ought to be passed and that could not wait. He cannot deny these things; and I think honorable gentlemen will see that I had no very pleasant task. However, as soon as Mr. Scott returned, we rescinded his motion. Now, who were the witnesses summoned? They were all summoned by those members of the Commission who were in favor of the railway; they were persons who, themselves, are interested in the railway. Nearly all of them were; but, in some cases, they were very much interested. I am not going into the whole matter; it will make no difference to honorable gentlemen. This may come on at a future period. Let honorable gentlemen examine the evidence for themselves, and see what the witnesses have said. Let them read Captain O'Reilly's examination. I think he says very little in favor of the traffic, which now is carried by water, being hereafter carried by the railway. Then there is the evidence of Mr. Mellor. The traffic which he carries, and which forms a very considerable item, is not likely to be removed to the railway. In fact, there is hardly a witness of any prominence here, who, to an impartial reader, gives an opinion which would lead him to think that more than a very little of the present traffic in goods would be removed from the river to the railway. The opinion, that an impartial person must come to is, that even what is stated in the Report cannot be carried out. The best has been made of everything. Witnesses have been summoned in some instances, I believe, after having been seen by some members of the Commission—

I am not sure of this, but it struck me very forcibly that that was the case.

The Hon. H. B. FITZ : Hear, hear.

The POSTMASTER-GENERAL : Words were put into the mouths of witnesses called for examination. For instance, my honorable friend opposite, when examining one of the witnesses, put a question in words to this effect :—

“I am of opinion that the £60,000 expended on the roads is money thrown away: what do you think?”

The Hon. H. B. FITZ : That is so.

The POSTMASTER-GENERAL : My honorable friend—I think it is in the evidence—will not deny it. Whether it is in the evidence or not, that occurred. Every witness that came forward had words put into his mouth, or nearly so, by my honorable friend. It was almost impossible for me to get the evidence.

The Hon. H. B. FITZ : Why did not you object to it?

The POSTMASTER-GENERAL : And, in the examination, questions were so framed, to serve the purpose of that honorable gentleman, that it would be very difficult to elicit the truth. My belief is, that the £5,000 per mile set down as the price of the railway, is far below the price that it will eventually cost. For instance, there is one of the engineers, who has been very little quoted, who set the cost down at £200,000.

The Hon. H. B. FITZ : He is a Government engineer.

The POSTMASTER-GENERAL : He is more likely to be correct than a contractor. There is another small asset. I am only referring to this to shew the various bearings of the question. We are, it is said, likely to sell our debentures at £107, or more; and credit is taken for that price in the report. In fact, the whole of this report is one-sided. It is not borne out by the evidence. The cost of the railway will, if carried out, be greater than is put down in the report; the amount of traffic will be less than what is stated; the coal and timber traffic, which has been estimated at some value, is not likely to be diverted from the river; and we are not in a financial position to enter upon any public works. If we go on with any railway works, there is one which this country is pledged to; one which I myself heard promised several times in another place; and that is the extension of the northern line. That ought to be the first work which we should enter upon. For my own part, I think it is too soon yet. We are not in a position, now, to enter into any expenditure for public works if we can possibly avoid it. But if any works are undertaken, I decidedly go for the northern extension before any other. There has been no good evidence as to where this extension from Ipswich ought to terminate—whether at South Brisbane or at North Brisbane. If it terminate at South Brisbane, very expensive

buildings, and extensive buildings, must be put up. I have no doubt the railway is considered desirable by a certain small section of the community; but it will be a burden to the greater portion of the population. I will, whatever my honorable friend, Mr. Fitz, may say, conscientiously record my vote against its being gone into at present. When the country arrives at a different stage, when our finances are in a proper condition, then will be the time to go into this. Now we require to go differently: time for the country to recover her losses, to get into better condition than Queensland is in now, must be given.

The Hon. E. I. C. BROWNE said he was not a member of the Commission; therefore he could not waste time in discussing the difficulties and entering into the details of all those quarrels which the Commissioners seemed to have had together. He hoped that if there was another member of the Commission to address the House, he would avoid those particulars of which honorable gentlemen had already heard too much. He should vote for the resolutions. He was always strongly opposed to rash expenditure; but the vote which was come to, this morning, in another place, had very great influence on his mind. When he came to analyse the division, looking down the list of Ministerialists, he found that it was composed in a large proportion of one particular clique, representing a small portion of the colony; and he found that the members who voted on the Opposition side were representatives of districts scattered far and wide over the colony, and that they represented far larger interests, and far more widely diversified interests, than the majority in that division. The Opposition represented two-thirds of the country, as against one-third represented by the Ministerialists. He thought that the country itself spoke out very strongly on this railway question; and, although the Ministry had carried the vote, they did not carry the voice of the country with them. He had come to the conclusion that, as far as the House could ascertain it, the voice of the country was in favor of the railway between Ipswich and Brisbane; and he would, therefore, vote for the resolutions. In reading the report and the evidence he felt very satisfied with the evidence of one gentleman, who seemed to be a thoroughly practical man, and who seemed to know what he was about. He referred to Mr. Fountain, the contractor, who stated that the railway could be done for £5,819 a mile, and that the cost could be reduced to £5,000. Now, this railway was generally spoken of as one involving the country in an expenditure of a quarter of a million. Taking Mr. Fountain's estimate, the cost would be very much reduced; and it would be so small that he (Mr. Browne) did not think the credit of the colony would be much affected—it would not be seriously injured, as some said, by going on with the work; not even if the Go-

vernment had to raise the large amount named.

The Hon. J. C. HEUSSLER said, on such an occasion, he could hardly give a silent vote. He had been requested by his honorable friend, Captain Simpson, to move an amendment upon his motion, which honorable members would have an opportunity of remarking upon afterwards. A great deal had been said about the extension of the railway from Ipswich to Brisbane. As far as he was concerned, he wondered at the very beginning of the railway works of the colony, and ever since, why the line commenced at Ipswich; and on all occasions, before he had the honor of being a member of the Council, and since, he had expressed his opinion in disapproval of such a manifest mistake. One reason would shew this. Half the cost of the railway plant had been spent in freight or lighterage, in transporting it and the rolling-stock from the Bay to Ipswich. It would be inconsistent of him at the last hour to express any other opinion than that the railway should be brought now to Brisbane, as the most populous place in the colony was the metropolis. In Brisbane was a fifth part of the whole of the inhabitants of Queensland. He would not trouble the House by travelling over the same ground that had been occupied by other honorable members in this House and in another place. One argument had been advanced with regard to the evidence taken before the Commission, that it was one-sided; and it was admitted that the evidence was one-sided. He did not see what other facts could be laid before the Commission, on the other side. A great many opinions could have been advanced against as well as for the railway, and perhaps some arguments could have been adduced against it; but, as to facts, he really did not see that more could be got than were now before the House. They were in possession of all about the passenger traffic and the freights on the line; and as for everything else, it was only surmise, or dependent upon whether a person was favorably or unfavorably inclined towards the railway. He had seen Captain O'Reilly's evidence amongst that of other persons, and he admitted that it was very fair evidence, and, he thought, very favorable to the railway. In this he differed from his honorable friend the Postmaster-General. It struck him that one item was not taken cognizance of in that evidence, namely, the wool in transit between Ipswich and Brisbane for direct shipment to England. In his humble opinion, if that were taken into account, something like £2,000 might be added to the amount of traffic calculated upon by the Commission. In the charges on wool and other produce shipped for England, the carriage from Ipswich to Brisbane was included, and, if this were counted separately, the result would be as he stated. There had been a great deal said about railways not paying alongside a

navigable river. It was an argument which was hardly worth referring to, in the face of the existence of railways all over the world alongside navigable rivers. Indeed, wherever he had journeyed in his native country, Germany, which was by no means overpopulated, and where the towns were by no means large, on each side of the rivers railways were to be found. He could make no comparison of his country with any other, except, perhaps, America, where the population was not dense. He had found, on his last visit to Europe, that small towns, from ten thousand of a population downwards, were connected by railways which paid very well indeed. Traffic was created where there was never any before. Therefore, he had no hesitation in coinciding with the report of the Commission, that the Ipswich and Brisbane railway would pay its expenses. But even if it did not altogether pay its expenses, he maintained that the policy of such expenditure, in a new country like this, was wise. It was necessary to have the line. It would be found, eventually, that the best policy was to prosecute national works which would develop the resources of this vast colony. There could be no two opinions about that, nor that railways would effect that desideratum in the highest possible degree. There were no large rivers in this colony, nor in Australia, with a single exception, and railways were needful to open up the country in the best possible way. With regard to one commodity, coal, much had been said which he must supplement with a few remarks. On his last visit to Europe he was variously and extensively questioned, whether, in this colony, there was coal suitable for gas manufacture. He had been informed, rightly or wrongly he did not know, and he did not wish to say, that on the Darling Downs most excellent coal of that description existed. The present director of the gas company at Rotterdam was a personal friend of his, and he had stated that he could put much business in his hands if he could execute orders for such coal. Of course, that was impossible, because there was no railway to bring the coal to sea-going ships. He (Mr. Heussler) did not wish to trouble the House with any remarks as to how the Commission had been carried on, after what they had heard from those honorable gentlemen who were members of the Commission;—of their little squabbles, he thought it was better to say nothing. The Honorable Captain Simpson had remarked that it was an idea of the Minister for Works, rather than to bring up this report of the Commission, to recommend a railway to Maryborough or to Gympie. The idea was quite worthy of attention; and it should really have his support. Nothing would more coincide with his ideas of what was fitting than a connection with the gold fields by railway. He might remark that in past times he had been blamed as one of those people who, on financial questions, was some-

what behind-hand—that he was one of the cautious-going people, who would not advance with the times. That was on the very memorable occasion when the Colonial Treasurer proposed his inconvertible note scheme. The colony was, at that time, as honorable gentlemen were aware, in a peculiar state of financial difficulty; and the Ministers of the Crown did not know exactly how to get out of it. A question arose which, though new to the colony, was a very deep one. The Ministers thought of introducing a system of paper money with no metallic basis. Although in his own country such a system did exist, and although it existed in the country which he thought the best governed country in the world, Prussia, where there was an issue of inconvertible notes; yet British feeling was so averse to innovation, and the circumstances of this new colony were so peculiar, that he had no hesitation in saying what he thought, that the introduction of such a system here would prove most injurious to the credit of Queensland, and would interfere with her material prosperity. At that time, as he said, he was strongly opposed to it; and he was opposed, to this day, to any measure which would injure the credit of this colony. But, he could not say that the little bit of a railway that was proposed between Ipswich and Brisbane, and which would require, at the utmost, £200,000, would, in any way, affect her credit at home. Indeed, he would not say too much when he asserted that we had millions of credit at home, if we only judiciously spent the money we should borrow; and the most judicious way of spending it, would be by laying out, every year, somewhat upon railway extension. He should like to see, simultaneously with the Ipswich and Brisbane line, the railway to the northward and westward, to Expedition Range, carried out, in order to develop the North as well as the South; and to remove any cause for a grievance which the northern colonists might entertain. However, he supposed the Council had only to deal with the report on the present occasion; and he supposed he should not be allowed to make any amendment on the motion, so far as the railway, therein referred to, was concerned. The Postmaster-General had said, that the colony was not in a financial position, at present, to carry out the line between Ipswich and Brisbane. He (Mr. Heussler) denied that *in toto*. The colony was in the most flourishing position to enter upon such an undertaking, even at the present time. With all the bad legislation that had taken place, and with all the drawbacks, the colony had progressed most wonderfully. The deposits in the banks were never anything approaching to what they were now.

The Hon. J. F. McDougall: The money was withdrawn from circulation: it would be far better in circulation.

The Hon. J. C. Heussler: He recommended the honorable gentleman to study a little more of political economy. He begged

to observe to his honorable friend that, from the fact of its being in the banks, most of the money was in circulation. The general deposits were infinitely greater now than ever they were before in the history of the colony. Although he was obliged to admit, and he was sorry to say so, that a great many old colonists were suffering from over-speculation at some time or another—and he felt very keenly on that point himself—and might be embarrassed, yet that did not shew that the colony was not in a prosperous condition. One class of colonists might suffer, but for all that he maintained that he was right in his statement; and therefore he did not agree with his honorable friend who represented the Government, that the colony was not in such a financial position that the railway could not be carried out. As a further proof, he might state that Queensland debentures never stood so high as at the present moment. The last mail had brought news that Queensland debentures stood at 109, and Victorian debentures at 110. Surely we ought to be proud of our colony and of our credit at home! and that credit ought to be made use of by the Legislature and the Government in the development of the colony's resources. His honorable friends, Mr. McDougall and the Postmaster-General, had both alluded to the cost of the railway as at variance with the evidence. Well, it struck him (Mr. Heussler) that South Australia had—like this colony and New South Wales, in the first instance—gained dear experience, having spent £15,000 a-mile on her railway; and she had profited by her experience to bring the cost down now to £5,000 per mile for similar works to the first. He had the most implicit confidence in the evidence on that score; and especially in that of Mr. Fountain, a thoroughly practical man, whose acquaintance he had had the opportunity of cultivating on various occasions. Not for the whole of Queensland would that man tell an untruth, or say any thing that he would not carry out. He believed that Mr. Fountain was perfectly able and willing to carry out the whole work as he had said he could do; he relied upon his staunch honesty and on his great practical knowledge. Consequently it struck him that the Government and honorable members need not be at all afraid of the greater expense of the line than what was stated in the report as the amount for which it could be carried out. Another remark which had been made by the Postmaster-General, and which, indeed, was the one which brought him (Mr. Heussler) to his legs, was that a great many people here would benefit by the expenditure upon the railway, such people having no property or interest in the colony. He might have been a little in doubt upon the point till lately; but, when he saw the public meetings that had been held, and only a few days ago the largest ever held in Brisbane; when he saw the representatives of some of the largest firms in the city openly coming forward and giving their opinions upon the

question of railway extension; when he saw tradesmen of the best standing, without exception, in the colony, speaking their minds publicly; he thought it was time for any Government to retract from a path which was unsafe for them in the future. He was quite sure that in the Council, as well as in the Assembly, there was no ill-feeling against the Government. He believed that there was rather a feeling in the whole Parliament that the present Government should be supported if they would go into this question favorably. The Government had a duty to perform to the community by going on in the path of progress; they had a right to do so because, in the Speech from the Throne, they had promised to develop the resources of this country, and, if his memory served him, they were pledged even to make this railway when the time had come. The time had come—now was the time!—and the Government were bound to make the railway.

The Hon. J. F. McDougall: No; it had not come yet.

The Hon. J. C. Heussler: The people in Drayton, in Toowoomba, in Rockhampton, in Warwick, in Brisbane, thought it had come, and they called on the Government to make the railway from Ipswich to Brisbane. There might be half-a-dozen squatters on the Darling Downs who objected to it, but surely they were not the representatives of the people of Queensland. There was no doubt that three-fourths of the population of the colony were in favor of the railway, according to the voices and votes of their representatives in the other House; and only one-fourth was against it; and those who were against it were standing in their own light. It was impossible that this question could be put off much longer even by the present Government; and it was quite necessary that those squatters on the Darling Downs who were opposed to the railway, should make up their minds upon that point. It would come to pass in a certain time. When their leases were falling in, other land laws would be made; there could be no question about it. He did not think he could throw more light upon the subject, and he would conclude by moving, as an addition to the original motion:—

"That the foregoing resolutions be transmitted to the Legislative Assembly, by message in the usual way."

The Hon. H. G. Simpson said that, with the permission of the House, he should be most happy to adopt the amendment of the honorable gentleman who had just spoken, as an addition to his resolutions.

There being no objection, the question was put as amended and affirmed, on a division, as follows:—

Contents, 7.
Hon. St. G. E. Gore
" J. C. Heussler
" J. J. Galloway
" E. I. C. Browne
" H. G. Simpson
" G. Harris
" H. B. Fitz.

Not-Contents, 5.
Hon. J. F. McDougall
" G. Elliott
" C. B. Whish
" L. Hope
" T. L. M. Prior.

LAND ORDERS BILL.

The POSTMASTER-GENERAL moved that a Bill for the Cancellation and other Disposal of Non-transferable Land Orders be now read the second time. He remarked that honorable gentlemen were aware of the reasons why this Bill was brought forward by the Government. It proceeded from a very early date. The first land orders, issued under the Crown Lands Act of 1860, were made transferable for the purchase of land from one person to another. In the year 1864, it was deemed advisable that the land orders, instead of being transferable, should be non-transferable; namely, that the person holding the land order, and he only, should invest it in land, with the condition of two years' residence before he could claim the deed of grant. It was needless to say that the object of that provision in the Immigration Act of 1864 was to put a stop to the practice that was carried on of trading in the land orders granted to immigrants who did not settle in the country. But, even now, in the local newspapers there were advertisements for non-transferable land orders. It might puzzle a stranger to understand how non-transferable land orders could be used; but it was known that they were used, and that to a very considerable extent. In the eighth clause of the Act of 1864, a proviso was inserted making it imperative that the person using the land order should, within two years from the date of the land order, sign a certificate or declaration of residence in the colony for two years; but it appeared an anomaly that a person should be obliged to sign such a document before he could have been in the country the time specified. He (the Postmaster-General) could hardly understand this, because, in the first instance, a person might have been in the colony two or three months before receiving his land order; and he had to make a declaration of residence only when applying for the deed of grant of the lands purchased with his land order, which grant could not be issued until he had resided in the colony two years; and he might very easily sign such a declaration. However, some objection was made to it, and, in the first instance, a notice was published in the *Government Gazette* by the Minister for Lands, extending the time for which the land orders were available three months. The land orders appeared to have got into the hands of agents, and he believed that many persons considerably interested in the government of the country had employed those agents in the transfer to them of a beneficial interest in those land orders. How far they were right in doing so must be left to themselves; but he and other honorable members could easily see that a very great amount of pressure must have been brought to bear on the Minister for the time being to recall his notice; for he found that the land orders, which were only intended to last a short time, that was for two years—somewhat in the same way as the remission tickets that were given to naval and military officers in

former years, who had to remain two years in the colony before being entitled to land grants—were, in the first instance, extended three months, and, after that, again extended for two years, making the time, in all, four years, instead of two. There was other action taken in this matter, and the third notice appeared in the *Government Gazette*, on the 3rd December, 1868, by which the Minister for Lands deemed it necessary that the land orders should be presented by the persons in whose favor they were drawn. It was easy to see that those orders having, to a very great extent, come into the possession of traders in them, that notice in the *Gazette* prevented them from employing the orders, as, unless they could be presented by the persons in whose favor they were drawn, they were of no use. In many cases, the persons in whose favor they were drawn had sold them; many had gone either back to England or to the other colonies, and their orders were, therefore, not to be entertained by the Government. The next revelation was an action brought by a certain well-known land agent in this city against the Government, and their Honors the Judges ruled that the Government had acted *ultra vires* in making any regulations whatever under the Act of 1864; and the action was decided against the Government. This being the case, those notifications in the *Gazette*—which had not been made by the present Government, though, of course, the present Government worked upon them—went for nothing, and the Government found themselves in this difficult position: if they accepted, or allowed those land orders to be accepted in payment of land, they would be doing an illegal thing.

The Hon. H. B. FITZ: No. no.

The POSTMASTER-GENERAL: The Judges having ruled that it was not competent for the Government to make the regulations of December, 1868, consequently, any previous regulations made by the Government were illegal also. Under those circumstances the Government would be doing an illegal act to take, now, those land orders in payment for land, as had been done before. This Bill, which was brought under consideration of the House, was a necessity imposed upon the Government to legalise the taking of those land orders in payment for land. No hardship could possibly accrue to anyone by it. The circumstances of the extension of the currency of the land orders from two to four years were pretty clear. There must be some finality for those land orders. A large amount of them was in the Treasury—something like £53,000 worth, at the present time; and it was very difficult for the Treasurer to make up his budget or to know in what position he was on account of them. And it was known that very many of the persons who had deposited those land orders, and taken the advance of £6 from the Government on their deposit, were not actually in the country. In committee, honorable

gentlemen would be able to go over the clauses of the Bill *seriatim*. Some might wish to make amendments in the Bill, and they could be made at the proper time after discussion. He hoped he had explained to the Council the position in which the Government found themselves, and the necessity which they were under to bring in this Bill.

The Hon. H. B. FITZ said he looked upon the land-order question as one of the most important questions that the Council had had to deal with for some years. There was no doubt whatever that the Bill, and the action of the Government with reference to land orders, savored very much of repudiation. He had thought the matter over a good deal, and he knew, perhaps, as much of the land-order system as, if not more than, any honorable member of the Council; and if the House would bear with him a little, he would refer to the question, to shew clearly that the action of the Government at this moment was nothing more nor less than repudiation, or an attempt at it. If they looked at the question carefully and dispassionately, they would agree with him. In the first instance, under the Crown Lands Alienation Act of 1860, Mr. Jordan was sent home as Emigration Agent, and the Government were empowered to issue land orders to immigrants coming direct to this colony and paying their own passages. That was under the twentieth clause, which he would read:—

“It shall be lawful for the Governor with the advice of the Executive Council to issue to any adult immigrant who shall have come direct from Europe to the colony of Queensland but not at the expense of the said colony or to the person who shall have paid for the passage of such immigrant a land order for the amount of eighteen pounds and after such immigrant shall have resided not less than two years continuously within the said colony and if not previously a British subject shall have been naturalized then to issue to such immigrant a further land order for the amount of twelve pounds. Provided that two children over the age of four and under the age of fourteen respectively shall be reckoned as one statute adult under this Act. Provided also that every such immigrant shall have complied with and shall be of the class comprised within the immigration regulations for the time being in force in the said colony.”

In that clause there was nothing whatever against the transferring of land orders. There was no doubt that a better system than the land-order system could not possibly have been introduced; and had it not been tampered with and tinkered by the Government, it would have proved most successful in maintaining the most desirable immigration for the colony. Many of the immigrants who had arrived under it from the mother country, had sold everything they possessed in the world in order to come to the colony, anticipating that, on their arrival, they would be reimbursed by the land orders which they were entitled to receive, until they should

find means of employment. There was no doubt that, at the time, we were importing a great number of immigrants for the benefit of the sister colonies; but that was the fault of the laxity with which the system was worked, not the fault of the system itself. Had the Government made those first land orders non-transferable for a time, those people would not have left the colony; they might have realised upon their land orders, and left afterwards. But the Government must, in the first instance, have put a stop to the system of importing immigrants. They made the land orders non-transferable, and that, of course, induced the immigrant to sell his land order, and to appoint an attorney, authorising him to keep possession of it, and to select land under it; and hence sprang the system of trafficking in land orders. The Government then passed another Act, in 1864; and the eighth clause, which referred to non-transferable land orders, was:—

"The deeds of grant from the Crown of lands purchased either wholly or in part with the said non-transferable land orders shall not be issued to the purchaser until he shall have resided for two years in the colony but in case of death it shall be lawful for the Governor in Council to issue the said deed of grant after the expiration of the said two years to the representative of the person who would otherwise have been entitled thereto. Provided that application for the said deeds of grant accompanied by a declaration of residence shall in all cases be made within two years from the date of the land order."

As the Postmaster-General had very properly remarked, that was an absurdity on the face of it, because the latter part of the clause made it almost an impossibility to comply with the conditions stated. The ninth clause said:—

"Upon deposit of a non-transferable land order it shall be lawful for the Government to advance to the owner thereof a sum equal to one-fifth of the nominal value thereof and upon re-payment at any time within two years of the sum so advanced together with the additional sum of one pound the said land order shall be returned to the owner thereof."

But the land order, which was a copy of schedule four of the Act, perfectly ignored the ninth clause; and, of course, the land order must be according to the Act. There was no limit to its currency:—

"SCHEDULE IV.

"Queensland.

| | | |
|-----|------------------------------|-----|
| £ | Non-transferable Land Order. | £ |
| No. | Number | No. |

"It having been duly certified that a passenger per ship from Europe to has defrayed the cost of passage of the said is hereby authorised to purchase suburban or country lands or lands within any agricultural reserve to the amount of subject to the condition that the title deeds thereof be not issued to the said until

after two years' continual residence within the colony.

"Given under my hand at Government House Brisbane this day of 186 .

"By His Excellency's Command

"Entd."

Was not that very clear?—That if a man resided in the colony for two years and did not choose to avail himself of a selection of land, he might avail himself of it in four years? All that he had to do was to shew, at any time, that he had resided for two years in the colony. The Government next issued a departmental regulation, on 19th October, 1869, which ran thus:—

"1. Holders of non-transferable land orders who have not availed themselves of the right of purchase within the four years, as required by the notice hereinbefore mentioned, shall be allowed a further extension of time, up to the 1st October, 1870, during which their land orders shall be available for the purchase of land as prescribed in the aforesaid Act; provided that, in the event of the holder of a land order not having obtained the indorsement thereon by the Surveyor-General, on production to that officer of the required declaration of continuous residence of two years in the colony of Queensland, he shall furnish to the Surveyor-General, or to the land agent of the district wherein he proposes to purchase land, and previous to such purchase, a declaration, in the annexed form, that he has continuously resided as aforesaid."

In the second clause of that departmental notice the time was extended further—

"Making in all five years from the original date of each land order; during which it shall be available for the purchase of land as prescribed in the aforesaid Act; provided that during any time between the expiration of two years from date of arrival in the colony and that of the five years as aforesaid, and previous to making use of such land order, the holder thereof shall furnish to the Surveyor-General, or land agent of the district wherein he proposes to purchase land, a declaration, in the annexed form, of continuous residence of two years in the colony of Queensland, and such further proof, if demanded, as prescribed in the first clause of this notice."

But here was where the hardship came:—

"3. In all cases, the holders of non-transferable land orders must present them personally to the land agent when used for the purchase of land, and each holder will require to satisfy that officer as to his identity, if proof is demanded."

Now, he would call the attention of honorable members to a case of repudiation. He produced a land order, which, according to the regulation, was certified to by the person appointed by the Government, the Surveyor-General. It was endorsed upon the back:—

"This is to certify, that in accordance with the Regulation of the 19th October, 1869, this Land Order continues available until [five years from date of issue.]

"A. C. GREGORY,
"Surveyor-General."

The land order was dated 19th September, 1868; consequently the two years expired on the 19th September, 1870. That land order was presented for the purchase of Crown land, to Mr. Martin, and was refused in consequence of instructions from the Secretary of Lands, that he was not to receive any non-transferable land orders if they were over two years current. Whichever way the matter was looked at, that was downright repudiation. He might mention a case of hardship which had happened:—A man in Warwick had some land orders upon which he had taken the advance from the Government of £6 for each order. He came down at great expense, to Brisbane, and he released his land orders from the Treasury; and, in order to realise his land orders he attended a land sale, but upon shewing them he was told by Mr. Martin that they could not be received—that the man in whose favor they were issued could not purchase land with them. That, after the Government had made an advance on the land orders, and after their advance had been re-paid! He (Mr. Fitz) thought that the Government had placed themselves, upon their own shewing, in a very improper position. It was seen in the action that had taken place and that had been referred to. His idea was that this was a very difficult question, and that a great deal of evidence was required to be taken upon it before honorable members could come to a decision. He should move that the Bill be read a second time that day six months, and that a select committee of both Houses should be appointed—perhaps, it would be best to have a committee of the Council—to inquire into and report upon the subject, so that they could see which was the most just and equitable way of dealing with the land orders. If there was £50,000 of land orders deposited in the Treasury, no doubt it was troublesome to the Treasurer to have them mixed up in his accounts. But they ought to be placed to suspense account, for a time, at least, and publicity should be given to them throughout the country; as there might be hundreds of persons who would release them. It was a very serious matter indeed for the Government to tamper with the credit of the colony. It was not so much on account of the injury that would be done to the persons who owned the land orders, but of the reports that they would send home to their friends, that apprehension need be felt from the proposed interference of the Government; no more dangerous reports to this young colony could go home than that the Government repudiated the land orders. Nothing could be so serious as to imperil the credit of the country. The Government might as well, in his opinion, attempt to repudiate the colonial debentures as to repudiate the land orders. The way he had suggested was, he thought, the best in which to deal with the question at present. Honorable members could thus shew the public that the Council

would not recognise, on the part of the present or any other Government, any attempt at repudiation. He moved—

That the word "now" be omitted from the original question, with the view to insert at the end thereof the words "this day six months."

The Hon. H. G. SIMPSON observed that the Bill before the House was a very important measure, and he should be very sorry to see it thrown out on the motion of his honorable friend, Mr. Fitz. He thought that it required a little more consideration than honorable members could give it now; and he was inclined to suggest to the honorable gentleman who represented the Government, that it would be worth while to refer the Bill to a select committee, so as to give the Council a long day to consider its provisions. It appeared to him to be a very intricate and complicated measure; and so many interests were involved in it, that there was great difficulty in comprehending them, fairly, in all their relations—although honorable members had been put in possession of a certain handbill, bearing upon the subject, which had been circulated by a gentleman in Brisbane. He was far from agreeing with all that had been advanced against the Bill; but there seemed to be something in it which required careful consideration. He should not throw any impediment or obstruction in the way of its progress; but he asked the Postmaster-General to refer it to a committee, or to give the Council a week or ten days more before they were called upon to go into the details of the Bill.

The Hon. J. C. HEUSSLER said it was just as the Honorable Captain Simpson had suggested—there were a great many honorable members who did not wish to put any obstacle in the way of the Government, in regard to the Bill; and he was struck forcibly with the idea that, if they did not want to throw the Bill out, but to refer it to a select committee, the proposition of the honorable Mr. Fitz required to be amended, with a view to the appointment of the committee.

The Hon. H. B. FITZ: He would move that afterwards.

The Hon. J. C. HEUSSLER: As it was, the Bill was no good; but, if they threw it out, they would have to begin afresh. He fully agreed with what had fallen from the Honorable Mr. Fitz, that the land-order system which was in existence at first was one of the best ways of bringing out immigrants that could be devised; and it did not plunge the colony into difficulties on account of their cost. He durst say that if we had a million of land orders floating about, it would not do the colony any harm. Instead of paying heavily for immigration, as at the present time, immigrants were brought out, of the most desirable class, on the strength of the land orders, and without being burdensome on the revenue. He had been instrumental in time past, as German Emigra-

tion Agent, in bringing out a very good class of people under that system. He had brought out nearly two thousand persons, and the Government had not been at the slightest expense on their account. In regard to those land orders upon which the Government had advanced £6 each, and which were now deposited to a large amount in the Treasury, there was a regulation that a certain rate of interest on the advance was to be paid. If the interest accumulated to the value of the land order, as it would in time, then the land order cancelled itself. But the Government had no right to take the step of cancelling the land orders. In course of time, they would be cancelled by the accumulated interest unpaid; and they could not be otherwise wiped out. This led him to another remark:—It was a great pity that the legislation of the time went in direct opposition to the law of the land; it was most unfortunate that legislation was so conducted. When any case came before the Judges, this was found to be so. Why not ascertain beforehand what the Supreme Court thought of such legislation as was proposed, from time to time? The Attorney-General ought to have made sure of all points when he brought his Bills before the Parliament. Honorable members were not all lawyers, and they could not possibly find out or provide for difficulties which afterwards arose. The Attorney-General of the time should communicate with the Judges of the Supreme Court, so as to anticipate conflicts in legislation. A greater man than the Attorney-General of this country had said he could "drive a coach-and-four through any Act of Parliament"; and it seemed to be no vain boast.

The POSTMASTER-GENERAL said he would allow that the Bill was rather peculiar, and he agreed with a good deal that had fallen from his honorable friend, Captain Simpson. He should be very sorry to see the Bill thrown out, and he thought that such a course would do a great deal of harm. The Government had been put into their present position, not by any act of their own; they were merely carrying out regulations which they had not framed, but which had been promulgated by previous Governments. If it was illegal, at present, for the Government to take the land orders, it would be equally so if the Bill was thrown out. The Judges had said it was. But, whether illegal or not, there could be no harm in following out the suggestion of the Honorable Captain Simpson. If the Bill was read a second time, to-night, he proposed delaying its committal till this-day-fortnight, which would, he thought, meet the wishes of the House.

AN HONORABLE MEMBER: The principle of the Bill would then be recognised.

The POSTMASTER-GENERAL: The principle of the Bill was recognised by its being brought in, but all the principles of the Bill were certainly not affirmed, and it was per-

fectly competent for the honorable member or any other honorable member to move any amendments.

The Hon. H. B. FITZ said he must decline to withdraw his amendment. He must express his surprise, and he had heard many others express surprise, that the Government should have taken such arbitrary measures in dealing with the land orders; that they should have brought in the Bill without taking evidence upon the question. Why should the Government deal in this summary manner with the subject?

The Hon. J. F. McDougall rose to order. The honorable member had spoken.

The Hon. H. B. FITZ: He was simply replying on the amendment.

The CHAIRMAN: Of course, the House can exercise a discretion and allow the honorable member to speak; but I think that he cannot do it.

The Hon. C. B. WHISH said he fully agreed with the idea of the Honorable Mr. Fitz; he did not think the present Bill was one which could possibly be treated by the Council without taking the evidence of parties who considered themselves, whether rightly or wrongly, aggrieved by any action which the Government might take in reference to the subject. It so happened that he had had a diminutive land order thrown back upon his hands. That was nothing, however; he did not know where it was. Fortunately for himself he was not a legal man. The present question was a legal one from first to last. He could only bring common sense to bear upon its consideration. It appeared to him that a land order was a land order; but there were circumstances, it appeared, when a land order was not a land order. Those little inconsistencies might be explained away by taking the evidence of those who felt an interest in the matter. If his honorable friend, Mr. Fitz, pressed his motion to a division, he would support it.

The Hon. G. HARRIS observed that it would be a pity if the Bill should be so summarily dealt with as had been proposed. He suggested to his honorable friend, Mr. Fitz, and also to the Postmaster-General, whether it would not be most advisable to postpone the further consideration of the Bill until after a select committee had taken evidence and reported upon it. His opinion was, that a committee of five should be appointed to inquire into the subject of the cancellation and other disposal of non-transferable land orders. He could hardly bring his mind to admit that any Government was justified in legislating on a question of this kind, and cancelling what they had issued as the representative of a certain quantity of land. Already, in the case which had been referred to by the Honorable Mr. Fitz, land orders presented in payment for the purchase of land at Government sales had been refused. That certainly appeared, at first sight, harsh treatment. The House had heard from other

quarters that such was the action of the Government. The Honorable Captain Whish had spoken of his own case. There were many interests connected with a matter of this kind; and honorable members ought to consider it carefully before they attempted to legislate upon it. They must not proceed too hastily upon a question like this. It might probably suit the Government, and other parties. At all events, a committee would enable the Council to fortify themselves with the best evidence upon the Bill and all that it involved; and they would then be in the best position to assist in passing such a measure as was now before them. At the present moment, as in all previous Acts passed for the issue of land orders, the land orders were issued without any limit of time; and to any person leaving England, under the Act of 1864, it must be perfectly clear that he came out to this colony on the distinct understanding that he was to receive a land order, which he could keep in his pocket as long as he liked. He (Mr. Harris) did not wish to place any obstruction in the way of the Postmaster-General, to whom and to the Honorable Mr. Fitz, he recommended the adoption of the course he had suggested. The amendment should be withdrawn, with the consent of the House, and then he would move:—

That the consideration of this Bill be postponed until after the appointment of a select committee, to consist of five members, to inquire into and report upon the whole question of the cancellation and other disposal of non-transferable land orders; and until the committee have brought up their report.

That merely dealt with the Bill. He thought the House had an opportunity of collecting evidence on the whole subject. Very probably the Under-Secretary of the Treasury would give very important evidence. He (Mr. Harris) would like to assist the Postmaster-General in passing his Bill through the House in proper form. When he looked at the Immigration Act of 1867, he maintained that the land orders were issued without any limit as to time, and that they should not be interfered with. It appeared to be the feeling of the House that some delay, at all events, should take place before the Bill was proceeded with. Meantime, he left it to honorable members to decide whether it would not be better to withdraw the amendment. He should sit down, merely to allow the Postmaster-General to speak.

The POSTMASTER-GENERAL said he understood that there was a difference between the clause in the Act of 1864 and the Act of 1867. The former provided that the deed of grant of land purchased should not issue until two years from the date of the land order; and the schedule must mean the same, as it was ruled by the Act. He relied upon what he called his old military knowledge, that to be entitled to the remission, a military or naval settler must have resided two years in the country.

The Hon. H. B. FITZ: No. There was nothing of the sort in the clause.

The POSTMASTER-GENERAL: He did not think any objection could be raised to the course proposed. He should like very much that honorable gentlemen would allow the Bill to be read the second time, now. It would be sometime before the committee could inquire into the question, and he would consent to a postponement of the further progress of the Bill until after the committee had reported.

The Hon. G. HARRIS said he should complete his proposed amendment, by adding to it—

That such committee consist of the following Members:—Mr. Fitz, Mr. Prior, Captain Whish, Mr. Galloway, and Mr. Heussler.

With the leave of the House, the amendment of the Hon. H. B. FITZ was withdrawn.

The POSTMASTER-GENERAL said he found that unless a day was fixed for the second reading of the Bill, the course proposed could not be carried out. He moved, with the leave of the House—

That the second reading of this Bill be postponed until Wednesday, 14th June.

That was a month.

This last motion was substituted for the original question and was put and passed; and the Hon. H. B. FITZ gave notice of a motion for the appointment of a select committee for a future day, after some verbal alterations and the substitution of the name of "Captain Simpson" for that of "Mr. Galloway."

ACTING CHAIRMAN OF COMMITTEES.

The report from the Standing Orders Committee, with reference to this subject, having been considered in committee of the whole House, and the report of the committee of the whole having been brought up and adopted,

The Hon. C. B. WHISH said: Honorable gentlemen—As the Council has just confirmed the report of the Standing Orders Committee, I beg, in pursuance thereof, to move:—

That the Honorable E. I. C. Browne be appointed Acting Chairman of Committees of this Council during the absence of the Honorable The President, and whilst the present Chairman of Committees occupies the Chair.

The question has been pretty thoroughly ventilated; and I will just leave the motion in the hands of the House.

The Hon. H. B. FITZ said: Now, honorable gentlemen, comes the full object of the Standing Orders Committee, which the Postmaster-General has given himself such an immensity of trouble about. In the first instance, he intended taking this action himself; but, afterwards, he thought that he had better not—that he had better get the Standing Orders Committee to assist him to what he wished in this matter, so that he could carry out his

object of appointing the Honorable Mr. Browne Acting Chairman of Committees. I do certainly think that the Postmaster-General has put himself to an unnecessary amount of trouble; and I think he has plunged this House into a fog. I feel convinced that, from the way he has placed the Standing Orders, now, we shall not be able to carry on our business as well as we might have done, had the suggestion been adopted which I put forward in the first instance, of placing the Honorable Mr. Elliott in the chair, and leaving the Chairman of Committees where he was. He would have saved this House a great deal of trouble, and have prevented a great deal of acrimonious feeling. I think the House is not indebted to the Postmaster-General for the action he has taken in this matter. I speak of him as the representative of the Government; and I repeat, that his action does not accord with that respect which is due from him to this Council. I should be very sorry, indeed, to argue for one moment that the Honorable Mr. Browne is not well qualified for the position he aspires to, which is one he has taken a great deal of pains to get supported in, I believe. I do not think I am misinformed, when I state that action was taken with reference to this subject within twenty-four hours after the late Governor died: one gentleman was written to, I am told, with reference to it, at that early period. It has not come to the House suddenly. I certainly think we might have avoided all this trouble and left the Standing Orders where they were, and we might have been saved all this acrimonious feeling in consequence. Mr. Browne is pre-eminently fitted for the position he aspires to, and is so anxious to obtain; because there is no doubt we do require a gentleman in the chair to preside over the deliberations of this House—more particularly in Committee, where there is a great deal of angry feeling sometimes, arising, perhaps, from honorable members being able to address the House as often as they think proper; as we are all perfectly aware, we require a gentleman of genial and kindly manners, with an open and liberal expression of countenance, and one perfectly free from any biliousness of temperament, one who can throw oil upon the troubled waters of our proceedings; and I admit that he possesses many qualities for the position. But for all that I will not support him. I wish to propose for the office of Chairman of Committees the Honorable William Yaldwyn. I should be very sorry to draw invidious comparisons, but I think he has greater claims upon this House than any lawyer. It is said that in the other House there are too many lawyers. We have two, here;—indeed, we have very nearly three. However, I think that there are a great deal too many in the other House, where there are seven; and we have enough in this House. I certainly think that the Honorable

Mr. Yaldwyn has claims, if there are claims to any position of emolument in this House; and I do not see that claims to such position should be exclusively with the legal members of this Council. He is the son of one of the oldest members of this Council; he is the son of one of our oldest colonists; he is the son of one of our pioneers, who brought a fortune to this colony; but, owing to reverses in the colony, when his father died, though he succeeded to a handsome patrimony, yet it was not what it might have been but for the depreciation in the value of squatting property which has taken place. Mr. Yaldwyn is a gentleman, I may say; not one of those individuals who came to this colony as adventurers, and who have been living on the vitals of the unfortunate colonists for years. If he was one of those individuals I should be the very last to support him; I should say that he had no claims on the country or this House. Although I have no doubt whatever, from the great concerted action which has been taken in this matter, he will not be placed in this position, I think that honorable members of this House ought to vote for him in preference to Mr. Browne. I therefore move, by way of amendment on the original motion—

That the words "E. I. C. Browne" be omitted, with a view to the insertion of the words "W. Yaldwyn."

THE POSTMASTER-GENERAL: Honorable gentlemen—As usual, my honorable friend opposite has attacked me, and has put on my shoulders all the onus of the acrimony which has been displayed in this House. Honorable gentlemen are fully aware upon whose shoulders the blame ought to rest. I am not going to discuss the qualities of the two gentlemen referred to; but the honorable member, Mr. Fitz, in the first instance, never spoke to me of any amendment he proposed to make when the Chairman of Committees, by the Standing Orders, took the chair of the House.

THE HON. H. B. FITZ: It was illegal.

THE POSTMASTER-GENERAL: He says that he knew this some months before. I had no knowledge of it whatever. I thought that the Honorable Mr. Browne was a very fit person to take the chair, as usual. I asked him only a short time before the House sat, as I was in duty bound to make provision, whether he would take the chair. That is all I knew of the matter. I then told him that I would propose him. When I came to the House, and the honorable member opposite me took the action which he did, I had no interest whatever in placing any honorable gentleman in the chair. I was perfectly willing that this House should appoint any one they thought fit to appoint. My only object was that matters should go on straight in the House. I had no necessity to make a proposition myself. The Honorable Captain Whish was speaking to me on the matter,

and I said, if a certain question should arise, it would leave me in a more independent position to act if he would move it; and he has done it. I think it is a very great pity, indeed, that any honorable gentleman should rise to pit one honorable member against another as the honorable Mr. Fitz has done. I wish to pour oil upon the troubled waters. He has not done so. I only act as the House thinks fit to support me. The honorable gentleman can oppose me.

The Hon. ST. G. R. GORE: I object to the doctrines put forth by the Postmaster-General. The several offices of distinction in this House are as open to one member as to another; they are open to every individual member of the Council who is fit for them. It comes very ill from the honorable gentleman representing the Government to cast reflections upon another honorable member, for bringing forward such a gentleman as is named in the amendment. I shall support the Honorable Mr. Yaldwyn. That gentleman is a very young man whom I respect very much; and I think that after a short time, Mr. Yaldwyn will fill the chair quite as well as the Council are accustomed to have it filled.

The Hon. H. G. SIMPSON said: As the question appears to have been decided by the House, that we are to have a second Chairman of Committees, I am very much inclined to support the amendment of my honorable friend, Mr. Fitz. It may, perhaps, appear a rather curious ground to go upon; but I shall tell the Council my reasons. On more than one occasion, after the assembling of a new Parliament, I have been requested to vote for superseding the Chairman of Committees and to put another honorable member in the place of our Chairman. On two occasions, if I am not mistaken, it has been suggested to me that the honorable gentleman now proposed as Acting Chairman should be put in as Chairman of Committees to the exclusion of our old Chairman. I asked, "Why; why do you want to turn out our Chairman of Committees and to put the Honorable Mr. Browne in?" The reason given to me was this: "We have two lawyers in the House; one of them has had the seat of the Chairman of Committees for so long a time; it is time that the other should have a turn." I made up my mind at that moment—I will maintain it to the end—that I will vote as far as I can to retain our present Chairman of Committees so long as he cares to fill the office; but I will never vote for a lawyer again so long as there is another member in the House equally capable of filling the chair. It is not fair to the House, that, because there are two lawyers, when one is out, the other should be put in the chair. There are several other honorable members capable of taking the chair. I do not see that the profession has anything to do with it. Ordinary common sense and tact, and a certain amount of ability to deal equitably between honorable members, is all that a

gentleman requires to fill the chair. I do not see why it should be supposed to be necessary that we should put another lawyer into the chair. It is three years since I made up my mind upon this point. The chair may be considered a distinction; its possession is a mark of confidence of the House in the possessors. There is very little to choose between the two honorable members nominated, but I shall vote for the honorable Mr. Yaldwyn.

The Hon. J. C. HEUSSLER: This question has been before the House some time. When it was first raised, I remarked that my honorable friend, Mr. Fitz, had muddled the thing with his honorable friend, Captain Simpson; and that, if they had not done so, I should have had extreme pleasure in supporting the amendment. I will do so in this instance; I will vote for the Honorable Mr. Yaldwyn.

Question—That the words proposed to be omitted be so omitted—put; and the House divided:—

Contents, 4.
Hon. H. B. Fitz
" St. G. R. Gore
" H. G. Simpson
" J. C. Heussler.

Not-Contents, 7.
Hon. G. Harris
" J. P. McDougall
" J. J. Galloway
" C. B. Whish
" G. Elliott
" W. Hobbs
" T. L. M. Prior

Original question put and passed.