

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 24 JULY 1872

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LEGISLATIVE ASSEMBLY.

Wednesday, 24 July, 1872.

Prosecutors' and Witnesses' Expenses.—Marriage Bill.—
Adjournment.—Sittings of the House.—Adjournment.—Supply.—Land Orders Bill.—Mineral Lands Bill.

PROSECUTORS' AND WITNESSES'
EXPENSES.

Mr. HANDY, pursuant to notice, moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering the desirability of introducing a Bill to provide for the expenses of Prosecutors and Witnesses in Indictable Offences.

Question put and passed.

MARRIAGE BILL.

The COLONIAL SECRETARY, pursuant to notice, moved—

For leave to introduce a Bill to amend the provisions of "The Marriage Act of 1864."

He might inform honorable members that the Bill in itself was a very simple one. Considerable inconvenience had been experienced in the outlying districts from the want of a clergyman or a registrar to celebrate marriages, and he was sorry to say that the want of such persons had led to a great deal of concubinage, and to a very undesirable state of things in those districts. Now the Bill proposed to give power to the justices of the peace, who should be capable of celebrating marriages in the specially defined districts notified in the *Gazette*. It was a very short Bill, but one which was much wanted. It provided—

"Any such justice may at any place within the district prescribed for him celebrate marriages between any persons between whom a marriage may lawfully be celebrated. Provided that every such marriage shall be celebrated if possible in an office ordinarily used by such justice for the despatch of public business and shall not in any case be celebrated in a public-house and shall only be celebrated with open doors so that any person whosoever desiring to be present at the celebration of such marriage may have free access thereto."

And, further on, that—

"It shall not be lawful for any justice to celebrate marriage earlier than eight o'clock in the morning or later than six o'clock in the afternoon."

He knew from his own experience, and from complaints which had been made to him by magistrates, gold commissioners, and others, that such a Bill would tend very much to improve the morality of the outlying districts.

Question put and passed.

The COLONIAL SECRETARY moved—

That the Bill be read a first time.

Question put and passed.

ADJOURNMENT.

Mr. MAGDEVITT rose to move the adjournment of the House, for the purpose of bringing under the notice of the Government and honorable members generally, certain things which had transpired in reference to the administration of justice at Townsville, lately. He was informed that Mr. Baird, who had been appointed acting judge of the Northern District Court, and Mr. Bowker, who had been appointed acting Crown Prosecutor of that court, had commenced the business of the court without having received any commissions empowering them to do so, and without Mr. Baird taking the usual oath. He had been informed by Mr. Norris, a legal practitioner at Townsville, that he complained on the opening of the court that it was not legally constituted. Mr. Norris said:—

“In defending a prisoner, I at some length objected that the court was not legally constituted, and cited the District Court Act, and when I had occasion to refer to the District Court as an inferior court, and the Small Debts Court as a Court of Record, Mr. Baird, while sitting as Judge, solemnly ruled that the District Court was not an inferior court, and that the Small Debts Court was not a Court of Record, and many other things equally absurd.”

There was also another fact mentioned in Mr. Norris' letter:—

“The information upon which my client was arraigned was prepared and initialled by Mr. Baird, as Crown Prosecutor, and his initials crossed out and Mr. Bowker's inserted instead; and, I believe Mr. Baird prepared all the prosecutions and instructed Mr. Bowker in every particular as to the conduct of the cases.”

Now, all that had tended to bring great scandal upon the administration of justice in the district. In fact, he had been informed by another correspondent in rather terse language:—

“Baird was doing the lagging business here yesterday. I was present during a portion of the day, and I think that the Crown Prosecutor's mantle stuck to the Judge's back.”

Now, he was not aware whether there was any ground for that grave imputation, but having been requested to bring the matter forward, he had done so; and honorable members, he was sure, must agree with him that the administration of justice ought to be above any suspicion. He was sure that no one would be more pleased than he would be to find that the information given to him was without foundation. He had nothing to say against the two gentlemen in question, except that he believed, Mr. Bowker was undoubtedly a gentleman both socially and professionally unfit for such an appointment as that of Crown Prosecutor, and certainly, if Mr. Baird had conducted himself as stated in the letter he had read, he had laid himself open to very great blame.

The ATTORNEY-GENERAL said he had no hesitation in saying, in regard to the conduct of Mr. Baird on the bench, that he had no in-

formation whatever. It appeared to be communicated to the honorable member for the Kennedy in a private letter, which was, as far as he could understand, written by a gentleman practising in the court at Townsville; and if that gentleman had anything to complain of, especially as he had at one time been in the Law department, it would only have been his duty to have made that complaint in the proper quarter; he did not feel called upon to investigate anything not laid before him in a proper manner. The honorable member had taken upon himself to cast an imputation on the social and professional position of Mr. Bowker, whom, as honorable members were aware, he (the Attorney-General) had appointed under peculiarly urgent circumstances. What that gentleman's qualifications were, he was not going to inquire, but he had no alternative but to appoint him or Mr. Norris; and the latter would, in his opinion, have been less fitted. In reference to the appointment of Mr. Baird, he had seen no other gentleman available, and he was quite willing to admit that, if he had had a larger choice, he would not have appointed him. In the present instance, however, there were great difficulties in the way, as the Crown witnesses had, some of them, come down a distance of three hundred miles. It was necessary, therefore, that he should do as he had done, or those witnesses would have had to come down a second time, which would have involved considerable expense to the country. If a man who had been tried by Mr. Baird considered that justice had not been done to him, it was not a matter in which that House should interfere, but for the man aggrieved to bring under the notice of the Supreme Court by appeal.

Mr. GRIFFITH said he wished to say one word only—that it was a very singular thing to him that any gentleman sitting on a bench could allow a person to appear before him and say, “I am the Crown Prosecutor,” without presenting any commission or credentials to shew that he had been duly appointed. It might be right, but it certainly was, to say the least of it, very irregular.

The ATTORNEY-GENERAL might say that it was done by his authority, and that he telegraphed to the Acting Judge.

The SECRETARY FOR PUBLIC LANDS said the honorable member for East Moreton had passed a Bill to prevent such things happening again; but, up to the time it was passed, they were in that particular difficulty.

The motion for adjournment was, by leave, withdrawn.

SITTINGS OF THE HOUSE.

The COLONIAL SECRETARY, pursuant to notice, moved—

That, during the remainder of this session, the limit to the duration of the Friday sittings be

withdrawn; and that in the afternoon of that day, Government business take precedence.

He thought honorable members would agree with him, that it was desirable to get on with the business of the House as soon as possible, so as to finish the session. He believed that by sitting on the Friday afternoon they would be able to get on with a great deal of work. In regard to the contingent motion of the honorable member for Western Downs, all he could say was, that the Government were inclined to support it. If the House chose to meet on Monday morning, or on Monday afternoon, the Government would assent to it; they were willing to be guided by the opinion of the House in the matter.

Mr. HANDY expressed himself in favor of the House sitting on Friday afternoons instead of on Friday mornings, as not much work was done then during the two hours and a-half they sat, and it was very inconvenient to many honorable members to attend. As to sitting on Mondays, he should object to it.

Mr. STEPHENS said he did not rise to object to the motion, as it was a common one to make towards the end of the session, but he should be glad if the Government would follow out the usual practice, and give honorable members some idea of when the business was likely to be terminated, as it did not appear to him to be necessary to have additional sittings to dispose of the business then on the paper. He thought it would be better to have private business on Friday morning and Government business in the afternoon.

Dr. O'DOHERTY thought it would be very advisable to effect a compromise between the two propositions, and not to meet on Friday morning; but on Friday afternoon and on Monday afternoon. It was a great inconvenience to go there on Friday morning—whereas, if they sat as late as they used to do, there would be no occasion for the morning sitting.

Mr. FERRETT thought it was desirable to get on with the business as quickly as possible, but he did not see that they would gain very much by sitting on Friday afternoons; and as regarded sitting on Monday mornings, he might say that it would be impossible for the members for Ipswich and West Moreton to be there, as there was no conveyance which arrived in town early enough. He would not assent to what was a human impossibility—for him to be there at ten o'clock on Monday mornings.

Mr. GRAHAM thought it was not too much to ask the Brisbane, Ipswich, and West Moreton members to sacrifice a little time for the convenience of those honorable members who came from a long distance in the country at a considerable sacrifice of their own business, and had now been for nearly four months closely engaged on the business of the country. The metropolitan members did not suffer at all, as they could get their business finished before going to that House in the afternoon.

Then, again, the West Moreton and Downs members were in the habit of coming down on the Tuesday and leaving on the Friday, so that they were not much inconvenienced. He thought, as the session was drawing to a close, those honorable members might sacrifice a little time—three weeks—in order to relieve the country members.

Mr. THORN said there would have been no necessity for the motion had it not been for the waste of time caused by the Government adopting the practice of raising a discussion on the first reading of Bills. He contended that if that innovation had not taken place, there would have been no earthly necessity for the House to meet on Mondays. He objected, altogether, to the course which had been followed by the Government, and to the hurried manner in which measures had been rushed through the House. Up to the present there had been no important Bills passed. For himself, he did not care, as it was not likely he should put in an appearance again during the present session.

The COLONIAL SECRETARY said, that with the permission of the House he would state that if honorable members would accept his suggestion, and also agree to the Monday sittings, he did not see anything to prevent the business of the session being brought to a close in a fortnight; he had no hesitation in saying so. He would leave the honorable member for the Western Downs to bring forward his contingent motion, but he would suggest that he should alter the time from ten o'clock till four o'clock, as the Ipswich coach did not arrive in Brisbane by ten o'clock, and thus many members would be unable to attend. In respect to the remarks of the honorable member for West Moreton, Mr. Thorn, he might say that the honorable member himself wasted as much of the time of the House as any honorable member in it; but he would defy the honorable gentleman to point out that there had been any discussions on the first readings of Bills. On the contrary, he thought that the proceedings of the House had been very considerably advanced by honorable members having been informed of the objects of the various Bills when they were introduced, instead of having that explanation left until the second reading. He hoped the motion would be carried, and that honorable members would not oppose the Friday morning sitting, as he was confident that there was more business done in those two hours than on any other day. The House could sit till one o'clock, and resume at two, so that there would be no occasion to waste any time.

Mr. HEMMANT thought that unless the House sat on Friday morning honorable members would defeat the object of the resolution.

Mr. GRIFFITH wished to say, in reply to the remarks of the honorable member for Clermont, respecting the metropolitan members, that they were not at all just; inasmuch as those honorable members had to sacrifice

just as much valuable time as the country members, some of whom were paid directly or indirectly for attending the House. He did not think, in a case like the present, that the convenience of a few honorable members should be consulted, but only what was for the benefit of the colony generally. He should like to know whether it was proposed to sit on Friday morning as well as Friday night; because, if so, he should object to it, as it was too much to expect honorable members to sit in that House for ten hours a-day.

The SECRETARY FOR PUBLIC WORKS thought the honorable member who had just spoken had lately fallen into the habit of losing his temper whenever any honorable member on the Government side of the House rose, and made any remarks of which the honorable gentleman did not approve. He must say, himself, that the attendance of metropolitan members in that House was not so great as that of the country members.

Mr. GRIFFITH and Dr. O'DOHERTY: Yes, yes.

The SECRETARY FOR PUBLIC WORKS would say that it was not; some of the honorable members from the country remained in that House three times as long as the metropolitan members; and if it cost those honorable members as much to attend as it did the country members, who had to travel hundreds of miles, their attendance would be still less. It was little short of scandalous for them to talk in such a way. He thought that the remarks of the honorable member for Clermont should not, therefore, have been met in the angry spirit which the young Brutus opposite so often exhibited.

Mr. EDMONDSTONE thought that the honorable member for Clermont, and the honorable the Minister for Works, had been rather unjust to the metropolitan members, as he could safely say that there were no more consistent members in their attendance than the metropolitan members were. There was no man who attended that House more regularly than he did—although he did not want to be egotistical—and he had held his seat as long as any honorable member. He contended that the metropolitan members attended that House frequently at very great inconvenience, and some of the legal members had frequently to throw up cases in the country courts, owing to their wish not to neglect their parliamentary duties. He also believed that the metropolitan members were particularly careful to attend, in order that the country members should not be detained in town longer than was necessary.

Mr. J. SCOTT could not see what good would result from the present discussion. What they met for was the good of the country, and it was not a matter of very great importance when they met. He thought, however, that the motion of the honorable the Premier was a very good one, and he should support it.

Question put and passed.

Mr. WIENHOLT moved, pursuant to notice, the following motion, contingent upon the passing of that just agreed to:—

That, during the remainder of this session, this House will also meet on each Monday, at 10 a.m.

It appeared to him to be the wish of honorable members that the motion should be altered, by changing the hour of meeting from 10 a.m. to 4 p.m., and with the permission of the House he would so amend the motion.

Mr. GROOM thought that before they passed the motion of the honorable member for Western Downs, they ought to take into consideration one very important matter in connection with it. So far as he could understand, the proposition now was, that the House should meet on Monday afternoon, and continue to sit until Friday night. Now, if that was so, he would ask, what time would be given to honorable members to consider the various important Bills which had been brought forward by the Government? The honorable the Minister for Lands had brought forward his Mineral Lands Bill, and had stated that he intended to introduce several amendments, which amendments he (Mr. Groom) had gone over since. Now he did not wish to charge that honorable member with wishing to confuse anything, but it certainly appeared to him that tin had had that effect. The honorable member for East Moreton, Mr. Griffith, had also drafted some amendments in reference to the same Bill, and various honorable members had drawn attention to other amendments. Now, how could honorable members give attention to those things, if they were to meet on Monday afternoon, and continue to sit till Friday evening? He must say that honorable gentlemen opposite were quite willing to go down to the House day after day, whilst the dead-lock continued, because it suited business to do so; but directly the House got into regular work, the benches began to get empty. Bills had been hurried through in such a manner that he fully believed that next session they would have to pass measures amending them. Honorable members who were young to the business of the House, were not aware of the time and trouble which was formerly devoted to the passing of measures; nor how, when the honorable the Treasurer and he were sitting on the same side of the House, months were spent in carrying on the business of the country; yet now honorable members were anxious to get away after only a few weeks' work. He certainly thought some time should be allowed to honorable members to study measures brought forward, as it was not right that they should be expected to devote Sunday, which was the only day allowed them, to reading over Bills. He should not oppose the motion; but he did not see, if it was carried, how honorable members could devote

that consideration to measures which they deserved.

Mr. W. SCOTT moved as an amendment on the motion of the honorable member for Western Downs—

That the words "three o'clock" be inserted for the words "four o'clock."

He did not see why the House should give way to the convenience of the Ipswich and West Moreton members, if they could not be there at that time.

The COLONIAL TREASURER thought the honorable member for Toowoomba had not made out a very good case why the motion should not be passed. The honorable member had asked that time should be allowed to peruse Bills, but he was sure the honorable member would be very glad to have such an agreeable occupation before breakfast on the Monday morning.

Mr. CLARK said he should support the amendment of the honorable member for the Burnett. There was a very good road from Ipswich, and he did not see why the House should wait for the honorable members from Ipswich and West Moreton, two of whom only now attended.

Mr. FIFE thought that there was a point involved in the motions, by which the private members would have Friday taken from them.

The COLONIAL SECRETARY pointed out that they were taking nothing from the private members, who would have Thursday afternoon and Friday morning; and as he had already pointed out, a great deal of work was done at the morning sittings.

The amendment was, by leave, withdrawn.

Question, as amended, put and passed.

ADJOURNMENT.

Mr. HANDY rose to move the adjournment of the House for the purpose of bringing forward what he considered, so far as his information extended, was a gross miscarriage of justice—

The SPEAKER called the attention of the honorable member to the fact, that it had been laid down by the Speaker of the House of Commons that—

"The rule which enabled an honorable member to move the adjournment of the House, was reserved for cases of urgency or emergency; but it was believed and expected that in resorting to it, honorable members would exercise discretion and forbearance, and have regard to the general business of the House."

The COLONIAL SECRETARY said it was most inconvenient when there was so much business of importance on the paper—and when the honorable the Treasurer was going to make his financial statement—that the time of the House should be occupied by private members intruding their private business. He thought it was not right that they should introduce their private matters on Government business days.

Mr. HANDY thought it was an important matter, as it was a case in which, he was informed, there had been a miscarriage of justice; therefore it was a case that should come before the House.

The SPEAKER asked the honorable member if it was a case within his own knowledge.

Mr. HANDY said it was within his own belief. It appeared that a person named William Gibbs had been most grossly insulted by two men at Townsville. One of those men escaped to Sydney, where he was arrested and brought back to Brisbane; but, on the recommendation of the Crown Prosecutor for the Northern District, the Attorney-General gave instructions for his release. Now, he (Mr. Handy) had been informed that there were two witnesses, besides the evidence of Gibbs himself, who could have proved the assault; in addition to which the assault had been of such a greivous nature that it was thought the man was dying, and his dying depositions were taken. Yet, in the face of that, when one of the persons committing the assault was arrested in New South Wales and brought to Brisbane, he was discharged—on what authority he knew not, but he was informed it was on the representations of the Northern Crown Prosecutor.

The ATTORNEY-GENERAL said he did not know what the facts of the case might be, but he could assure the honorable member that he had never discharged any person named Gibbs on the recommendation of the Crown Prosecutor for the Northern District.

Mr. FERRETT rose to a point of order. He could not, as an old member, sit in that House and listen to such frivolous matters being brought forward day after day; especially after it had been ruled by the honorable the Speaker that it was contrary to the practice of Parliament to move the adjournment of the House except in cases of urgency.

The SPEAKER said he could only repeat the ruling he had already quoted of the Speaker of the House of Commons on such matters.

Motion, by leave, withdrawn.

SUPPLY.

The COLONIAL TREASURER moved—

That the Speaker leave the chair, and the House resolve itself into a Committee of Supply.

Question put and passed, and House put into committee.

The COLONIAL TREASURER said: Mr. Scott—Although I so recently as in January last, delivered the usual Annual Financial Budget in this House, it becomes my duty, in introducing the Estimates of the probable Ways and Means, and of expenditure for the year 1873, to trouble the committee with another statement of a similar character; and, indeed, if the recognised custom and practice of Parliament did not render such a course imperative, there are circumstances, princi-

pally connected with the recent tin and other mineral discoveries throughout the colony, which have had so great an influence—and, I am glad to say, so favorable an influence—upon the public finances since January last, as to render a further statement from the Finance Minister at the present time desirable. I have also, on this occasion, to bring under the notice of the committee at least one financial measure of great importance, to which I shall hereafter at some length refer, and which I hope to see passed into law during the present session; added to which, there are the loan proposals of the Government, requiring the careful consideration of honorable members: so that, although I have no startling fiscal changes to propose on behalf of the Government, there is, I think, quite sufficient to bespeak the earnest attention of the committee; and I will, therefore, without further preface, proceed with my statement. The gross revenue for the current year was estimated by me, in January last, at £825,800. The very great increase in the revenue of the last quarter, however, renders a recast of this estimate necessary; and I now anticipate that the total cash receipts for 1872 will probably not fall short of £895,000, or £70,000 in excess of my former estimate. Should these figures prove correct, the accounts of the year will probably stand somewhat as follows:—

Total revenue	£895,000
Total disbursements	845,000
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Probable surplus	£50,000

It may be in the recollection of honorable members that in my last financial statement, I pointed out that the present year started with increased interest and other charges, over which the Government had no control, amounting to over £45,000 in excess of the year 1871, and that it would require the strictest economy in every department of the Government, in order to enable the revenue of the year to cover the expenditure. Since the statement was delivered, the extraordinary mineral discoveries before referred to, and other causes, have resulted in an increase of revenue for the three months ending 30th June last—as compared with 1871—amounting to no less than £61,000, or 26 per cent. of the total sum received—viz., Customs increase, £20,665; land, £29,985; railways, £6,450; other receipts, £3,900. In congratulating the country upon this increase in the revenue, a leading journal took occasion to inform the public that the improvement in our finances was in no way due to the Government of the day, and such probably is the case. Governments, however, do generally, whether fairly or

unfairly, get some portion of reflected credit from any good fortune with which a country may be favored; this point, however, I am not anxious to press, but if we may not take credit for our improving revenue, we may, and I do, on behalf of the Government, claim the merit of not having allowed the great increase in the current revenue to lead us into any undue expenditure; the total disbursements for the six months ending June, 1872, for all services chargeable to revenue account having been £392,572 7s. 1d., or £17,210 only in excess of the expenditure for the corresponding period for 1871, and of this increase £14,873 is due to the additional charge for interest on the public debt, leaving £2,387 as the real increased ordinary expenditure for 1872 as compared with 1871. The stoppage of payments during the recent Parliamentary deadlock did something towards this limited expenditure, but the chief cause undoubtedly has been the general care and economy of the Government.

Coming to the estimated revenue and expenditure for the year 1873, respecting which it is not my intention to go unnecessarily into detail, it will be seen from the Estimates in the hands of honorable members that I have set down the total anticipated cash receipts at £930,200, and the expenditure, as at present foreseen, at £830,735. To this must be added—say £50,000 for Supplementary Estimates in excess of lapsed votes, giving a total expenditure of £880,735, and an estimated surplus of £49,465 on the year's transactions. In the face of the experience of the past few months it would be an act of folly to speak in any way dogmatically with regard to the prospects of the colony at the close of the year 1873, or eighteen months hence. It is quite possible that the receipts of the year may greatly exceed my estimate. I am at any rate inclined to the belief that they will not fall short of the sum stated. Holding these views, with a revenue buoyant, and apparently in excess of the required expenditure, it may not unreasonably be asked whether I am prepared, on behalf of the Government, to propose any reduction in our taxation, or any alteration in the present tariff. I may, therefore, state that I am not now prepared to make any such proposal. The increase in our income has, up to the present, been somewhat exceptional, and principally confined to the last three months. At any rate, it has not been of that gradual character, nor is it sufficiently assured, to justify a Finance Minister in voluntarily relinquishing any portion of the revenue. A proposal has already been made by the honorable member for the Burnett, Mr. Scott, to reduce the duty on salt, and, doubtless, that proposal has to a considerable extent the sympathy of the Government, although I cannot now hold out any pledge of immediate action upon the subject, inasmuch as other honorable members have already advanced

claims for the remission of duty upon the articles which appear to them to equally require relief, and still further claims may be in the background. I can only say, therefore, that the proposition of the honorable member for the Burnett, for a reduction of duty upon salt, will be acceded to by the Government on the first occasion of any alteration in the tariff, which probably may be at no distant date. The total estimated revenue for 1873, as before stated, is £930,200, made up as follows:—

Customs and Excise	£398,000
Sale of lands	178,000
Pastoral rents	115,000
Gold revenue	21,500
Duty stamps	24,000
Postage	23,000
Harbor and light dues	9,500
Electric Telegraph receipts	18,000
Railways	95,000
Licenses	28,000
Other receipts	20,200

Many of these items require no particular comment, being set down for 1873 much the same as—or but a slight advance upon—the Estimate for the present year. With regard to customs, the sum estimated (£330,000) is just four times the amount received during the June quarter just passed, which, I may remark, was an exceptionally good one. I do not, however, think that my estimate is excessive. The estimate of the Collector of Customs is £10,000 above that given by me. The item of receipts of next importance to Customs, from a Treasurer's point of view, is certainly that of Lands; and it may not be uninteresting here to quote from a return recently laid upon the table of the House, the following figures shewing that the total receipts from land since Separation have been as follows:—

Pastoral rents	£1,198,147
Land sales	1,204,872
Leasing Act of 1866	105,668
Act of 1868	191,164

In all £2,693,851

Or, £60,000 more than the total Customs receipts since Separation to the present time. The receipts from mineral lands have not in previous years been sufficiently important to demand special notice. This year, however, I have caused them to appear separately in the Estimates, and they will in future be distinguished from other land receipts in the quarterly Treasury returns. The estimate (£25,000) under this head of revenue is based upon the assumption that a very large proportion of the mineral lands applied for up to the present will not be purchased in fee simple, the selections having, in many cases, been made by speculators, who have been guided by the presumed value of adjoining or neighboring properties. During the present year upwards of 70,000 acres of mineral land have been applied for, exclusive of a

large extent of country not yet reported on by Mr. Gregory, Commissioner at Stanthorpe. A large portion of this land, on account of previous applications, and from other causes, cannot be leased by the Government; whilst a considerable portion has not yet been reported on. Upon the whole, I am inclined to believe that whereas my estimate may be very largely exceeded, the selections recently made have not yet been sufficiently tested to justify the Government in increasing the amount from this source to any considerable extent. As to the other heads of land revenue, viz.:—receipts under the Acts of 1866 and 1868, fault has been found with the Government for publishing receipts under these Acts as rents, instead of as deferred payments or purchase money. It is sufficient reply to these strictures that the Government follow strictly the Acts under which these lands are alienated, in both of which rents, and not deferred payments, are spoken of; the framers of these Acts probably having in view the fact that, for deferred payments, land orders are by law available; whereas, for rents, cash only is receivable. The receipts under the former Act (1866) have for the past few years averaged about £20,000 annually; during the present year, however, the balances of a portion of these selections have been paid in full, which will reduce the payments to be made in future years to about £18,000. These remarks also in some degree apply to the anticipated receipts of land taken up under the Crown Lands Act of 1868, which I have estimated at £100,000 for 1873. During the first six months of the present year £98,259 was received at the Treasury under this head, about £16,000 of which sum represents payments in full on account of former years' selections, reducing thereby future annual payments on account of the lands by some £3,000. In the course of recent debates in this House, doubts have been expressed as to the permanency of our land revenue. It has been considered by some that, as the present deferred payments fall in, new selections will not be made in sufficient quantity to maintain our land revenue. I cannot say that I in any way endorse these views; it, on the contrary, appears to me that, as settlement advances, lands not now much sought after will come into request, and that we may anticipate a steady increase to our land revenue for very many years to come. This view is, to a considerable extent, borne out by the fact that, notwithstanding the comparatively limited area of the colonies of New South Wales and Victoria, and that settlement on the lands has been for so many years going on there, the total revenue of the first-named colony is this year estimated at £597,000, of which £323,000 is on account of land sales; whilst the total land revenue of Victoria last year was little under £900,000, more than £400,000 of which was for the sale of land. In face of these figures, we need not, I think, be unduly anxious respecting

the future land revenue of this colony. I will only, in connection with the land revenue, further remark, that I have retained receipts from pastoral rents at the same figure as for the present year, £115,000. Country now unoccupied, and forfeited blocks, will doubtless be applied for; but the receipts from these sources will not more than cover the reduction of rent on account of lands resumed from time to time from present Crown tenants. Although I anticipate no very considerable alteration in the stamp duties revenue for next year, I will detain the committee with a few words; the subject of the registration of companies, and the evasion of stamp duty upon the transfer of mining shares, having engaged considerable outside attention. This subject has been pressed upon my consideration; and I, at one time, had decided upon recommending to my colleagues to introduce a Bill to compel all companies formed for the purpose of conducting mining and other operations in Queensland to register and come under the provisions of our Trading Companies Act. I found upon consideration, however, that there were legal difficulties in the way of making such an enactment apply to existing companies, and that it would be of doubtful advantage as to companies formed in the future; inasmuch as if it were made compulsory that the transfer of all shares should be registered in an office in Queensland, it might have the effect of shutting out much outside capital. I must confess that it is with some regret I have arrived at this conclusion, which, nevertheless, I believe to be a sound one. A Bill, however, will be introduced to provide a penalty to meet cases of evasion of the payment of stamp duty on the transfer of mining and other shares; for although the present law imposes an *ad valorem* duty upon all such transfers, the Act, through an apparent oversight, provides no penalty for any evasion of that particular duty. The only other heads of revenue to which I will refer are railways and electric telegraphs, from which I expect an increase of £10,000 and £6,000 respectively upon the estimate of the present year. The former now return something like one and a-half per cent. towards the interest upon the cost of construction, over and above the working expenses, whilst the receipts from electric telegraphs, allowing a reasonable sum on account of Government messages, about cover current expenditure. When the communication with Europe is perfected, however, besides the enormous indirect advantages which will follow, we may even derive a small revenue from our telegraphic lines. It is also right to make reference to the inter-colonial shipping intelligence which is now daily supplied to the great convenience of the public, free from all charges. In concluding my remarks upon this portion of my statement, having more particular reference to our future revenue, I wish to express the great satisfaction it gives me to be enabled, as

Colonial Treasurer, to adopt so hopeful a tone with regard to our finances; and I need not, I trust, assure honorable members and the country of the gratification it will afford the Government to see my anticipations more than realized.

Upon the subject of expenditure I shall trouble the committee with but a very few remarks. It will be seen by the Estimates that the annual charge for the Sinking Fund, established to meet the first loan raised by this colony after Separation, is reduced from £16,000, the sum required in the present year, to £4,000 in 1873, which is the final payment needed to meet the total sum then borrowed, £123,800. With the present Estimates, therefore, the charge for Sinking Fund finally ceases. As to the expenditure generally, the progress and settlement of the colony of necessity produce increased expenditure in many departments of the Government service. In the present Estimates, with every care, these increases—though small in detail—amount in the aggregate to a considerable sum, and I fear will annually continue to do so. The principal increases for 1873 are, police, £6,000; education, £6,000; railways, £7,000; inland postal communication, £3,000; electric telegraphs, extra stations, &c., £1,700. Provision has also been made for a pilot vessel and staff at Wide Bay Bar, a service said to be much wanted, as well as for the proposed new lighthouse at Cape Bowling Green, and for additional police magistrates and clerks of petty sessions where required, as well as for other necessary services. It will have occurred to honorable members that no provision has been made for the increased charge by way of interest on the new loans about to be formally submitted to the House. In explanation, I may say that, in addition to the fact of its being contrary to custom to include any charge for interest before a loan has been sanctioned by Parliament, it is not possible now to determine what amount is likely to be required. It is not probable that any debentures under the new Loan Bill will be disposed of during the present year, so that under any circumstances, only one six-monthly payment on account of interest upon them can possibly be required in 1873, and even that, perhaps, but on a comparatively small portion of the loan. There is also the Torres Straits mail service, should it be entered upon, unprovided for—as well as provision, should any be required, for the submarine telegraphic cable. The payments for these several services are at present uncertain, and must be dealt with as they arise. I mentioned in a former part of my statement that the receipts from railways for 1873 were estimated at £95,000, of which sum, £90,000 will probably be received from the Southern line. It has been found by my colleague (the Minister for Works) impossible to keep the railway expenditure down to the original estimate, and consequently an increased sum

has been applied for in the present Estimates. The accounts for the year 1873 will probably be as follow :—

Estimated receipts for Southern and Western line	£90,000
Expenditure	58,000

Excess of receipts over expenditure £32,000

Now, the total cost of the Southern line of railway, including a debit of £142,000, occasioned by loss in raising the loans, was £2,178,953, the annual interest on which is £130,740, so that the receipts from the Southern railways not only cover expenditure of all kinds, but contribute a sum equivalent to one-fourth of the total annual charge for interest; nor can it be doubted, that this excess of railway revenue over expenditure will, year by year, increase.

In 1870 the revenue was £67,849; expenditure, £60,410; surplus, £7,439.

In 1871 the revenue was £71,337; expenditure, £58,653; surplus, £17,684.

In 1872 the revenue will be £80,000; expenditure, £58,000; surplus, £22,000.

In 1873 the revenue will be £90,000; expenditure, £58,000; surplus, £32,000.

It is, I repeat, apparent from these figures, that our railway revenue will soon go a long way towards paying the interest on the cost of construction. This fact was a little lost sight of in a recent important debate in this House. Honorable members, while fully alive to the annual charge proposed to be levied upon the southern districts for interest, made no allusion to the material reduction to be made upon account of the surplus railway revenue with which the South was credited—nor to the fact that about £60,000 of the general revenue is annually expended in the southern districts in connection with these railways. I do not desire to say more respecting a measure not now before the committee, but I wish to promulgate these facts in connection with the recent Government proposal, for just so much as they may be worth. I have now informed honorable members, as well as I am able, of such matters affecting the ordinary revenue and expenditure of the present and coming years, as appear to me to be of public interest. The only other subject to which it occurs to me to refer, is the revenue overdraft of previous years, and for which it is now necessary to provide. This overdraft, on the 1st of January last, was £405,978 9s. 1d. I have already stated it to be probable—should no unforeseen circumstances arise to increase the expenditure—that there may be a surplus on the transactions of the present year, amounting to £50,000, which will reduce this overdraft to about the sum now provided for by the Treasury bills in circulation—viz., £350,000. For the reasons given very fully in my last Financial Statement, it is the intention of the Government to ask Parliament to include this sum in the coming Loan Bill. Should this be

assented to, a further proposition will be made to renew for twelve months the £100,000 Treasury bills payable at the end of this year, in order to afford the Government time to realise to the best advantage upon the new long-dated debentures. The whole £350,000 Treasury bills, together with a further £10,000, hereafter to be referred to, will, in that case, fall due together in December, 1873, when they will be paid from the proceeds of the new loan, and finally extinguished.

Having referred to the proposed new loan, I may—although honorable members have the figures before them—for general information, shortly repeat the heads of services contained in the Government proposal, leaving details to be dealt with when the Loan Bill comes on for discussion. The division of the sum proposed for roads is incorrectly printed in the Loan Schedule of the Estimates. Instead of giving £25,000 towards the roads of each of the four divisions of the colony, it is proposed to apportion £30,000 to Southern division, £20,000 to the Wide Bay and Burnett, and £25,000 to each of the other divisions of the colony; and the several Loan services are as follow :—

Immigration	£150,000
Ipswich, Brisbane, and Southern Railway, at £8,000 per mile ...	206,000
Westwood Extension to the Comet Junction, 120 miles at £4,000...	480,000
Electric Telegraph Extension, including about £16,000 already expended	60,000
Lighthouses and improvement of harbors and rivers	35,000
Mackay River embankment	7,000
Advances to municipalities	25,000
Public offices, Rockhampton	4,500
Public works and buildings	40,000
Roads	100,000
Bridge over the Condamine at Warwick	3,000
Bridge over the Dawson	6,090
Total proposed for new works ...	£1,116,500
Required to pay Treasury bills now in circulation	350,000
Total of new Loan Bill	£1,466,500
Total of present loans, exclusive of that of 1860, provided for by sinking fund	3,662,986
Total liability of the colony, including new loan	£5,129,486

This sum may be slightly reduced on account of part proceeds of the sale of the "Governor Blackall," which vessel cost the Government £18,480 and was sold for £16,000. As some time before her sale a surplus sum of £6,663 5s. 1d. received as premium on certain debentures was appropriated in part liquidation of her cost, there is now available in the hands

of the Government a balance of £4,180 not yet appropriated for any special service. There is just one other matter of information should be mentioned to the committee, which has reference to the Treasury notes formerly issued and circulated by the Government. The Treasury ceased issuing these notes in December, 1870. They have since retired and cancelled on presentation £21,309, leaving £730 now in circulation. The average presentations for some time past have amounted to about £30 monthly.

I now turn to the important matter referred to in the opening remarks of my present statement, as well as in that which I last delivered when opening a Committee of Supply—I mean the consolidation of the public debt. The question of consolidating our public debt by substituting stock of uniform currency, bearing a more moderate rate of interest, for the (6) six per cent. debentures of this colony, now in circulation, is of great importance, and has engaged the earnest attention of the Government. The Parliaments of the neighboring colonies of New Zealand and Tasmania, some time since, passed Acts authorising the consolidation of their several loans respectively; and the conversion, so far as it has gone, has been effected with great advantage to the colony in each case. From a financial statement of the Colonial Treasurer of New Zealand, I find that colonial and provincial debentures, representing £2,723,250, had, up to that time, been converted, at an annual saving of interest to the colony of £28,519. Since then, debentures to nearly an equal amount have been converted, with, I believe, even greater success; and, by the latest advices, the consolidated five per cent. debentures, which were issued at 95½ to 97, now command a fair premium. The debentures also of the Tasmanian Government, which, before the consolidation of the loans of that colony, were quoted at ten per cent. below like stock of other colonies, are now said to be equally saleable with, and at the same price as, the debentures of those colonies. Although, up to the present, New Zealand and Tasmania only have taken action in the matter, the Press, and doubtless the Governments of New South Wales and the other colonies, have fully discussed the question, and it is probable that an Act, similar to that now proposed to be introduced by me, will, before long, be passed by each of the other Australian colonies also. I am aware that the necessity for consolidation is greater in the case of some colonies than with others. The loans of New Zealand, for example, before the consolidation, not only differed as to currency and rate of interest, but were based upon different security, a portion having the guarantee of the general Government, and a part being secured upon provincial revenues only. The debentures of this colony are uniform as to security, and at present as to interest, but are of widely different currency. This difference,

though not great when compared with New Zealand, is considered by competent authorities in England to be sufficient, not only to prejudice the value of the debentures in circulation, but to injuriously affect any loan in the future; and as it is generally agreed to reduce the rate of interest on our future loans, the reasons for the proposed consolidation in our case are, of course, thereby greatly increased. Allowing, then, consolidation to be desirable, the question arises,—What rate of interest shall the new stock bear? Some little time since there would probably have been no difficulty in deciding upon five per cent. as the most desirable rate of interest; now, however, circumstances have altered—the five per cent. Australian and New Zealand debentures are all considerably above par, and are each well quoted as rising in value. So, again, Indian four per cent. stock is now quoted at above par, or higher than Indian five per cent. stock some ten years since. Under these circumstances, taking into consideration the rising credit of the colony, that we are legislating for the future as well as for the present, and that the market dislikes a premium stock and will give a relatively higher price for stock under par, the Government have had little hesitation in deciding upon four per cent. as the interest for the present and future loans; and we see no reason to doubt that Queensland debentures, bearing this rate of interest, could be readily placed at 90, or a little under, clear of all expenses. Should we succeed in doing this, not only will the immediate annual charge upon the revenue be relieved to an appreciable extent, but an important step will have been taken towards paving the way for a more profitable realisation of future loans. I will here quote from Mr. Westgarth, the well-known London broker, who has given the subject of Australian securities more than ordinary attention, and from whose monthly circulars I have received much useful information upon the subject of consolidation. In his prices current dated 25th November last, he says:—

“The chief advantage of consolidation to the colonies is the relatively higher prices they will obtain for future loans. But a profit, although less in proportion, may be expected, also, from the conversion of the outstandings. Some doubts have been expressed in the colonies on this point, from the fact that these outstandings can be called in only by the offer of a price still higher even than that they have already reached. I may therefore again explain the principle of the calculation. The market, disliking premium stocks, gives relatively less price for them than for those at or something under par. There is, in fact, a region of value which commands the maximum relative price, and which I consider to be a little above 90. In further explanation, suppose that 90 is obtainable for a 4 per cent., and that it is the same, financially, to the colony to get 105 for a 5 per cent., or 120 for a 6 per cent. But then the market that gives 90 for a 4 per cent. will not give the other prices respectively;

it will give only, let us say, 102½ for fives and 114 for sixes; the disadvantage rising geometrically as we remove from the region of price that is in most favor. The colony realises its profit by buying old stock for a relatively less amount (in principal or interest) for the new, while the 'converter' makes his by getting in exchange an amount of the new stock that sells in the market for more than that he parted with, although the latter had yielded him more interest."

In a more recent circular he says:—

"As the other Australian 5 per cents. have all reached the still higher prices of 104½ to 105½, ex the 1st of January coupon, the colonies seem justified in entertaining the project of a future issue of consolidated 4 per cent. stocks."

Rejecting the first loan raised by the colony in 1860 (£123,800), for repayment of which a sinking fund is provided—and which I do not propose to deal with—our outstanding liabilities on long-dated debentures amount to £3,662,986, and the different loans mature as follows—

£707,436	payable in January,	1884,
£1,019,000	"	" 1885,
£1,170,950	"	" 1891,
£765,600	"	" 1895.

I have caused tables to be prepared and circulated shewing the results of retiring these loans under different conditions, in connection with which it is necessary to explain that as it was essential to have some starting point, in order that the proper calculations might be made, 5 per cent. has been, for the purpose of these tables, assumed to be the actual value of money; in other words, 5 per cent. bonds are assumed to have a par value. On this assumption, of course, the greater the currency or the more distant the due date of any bond bearing a higher rate of interest than 5 per cent., the greater is its present value. The value of the debentures of our several loans on the 1st of January next, is shewn in column four of the tables referred to, and is:—For debentures due, 1884, £108 6s.; for debentures due, 1885, £108 18s.; for debentures due, 1891, £111 12s.; and 1895, £113 2s., or an average of about 110½ right through. I am aware that these debentures are quoted at somewhat higher rates than the prices named; but so, on the other hand, 5 per cent. debentures are quoted at above par, the value which I have assigned to them; so that, upon the whole, the calculations have been fairly made. From table A it will be seen that, supposing our present debentures to be retired at the above rates by 5 per cent. debentures, payable forty years hence, sold at par, the immediate increase of debt would be £386,735; the annual saving of interest, £17,293; and there would be at the end of forty years neither profit nor loss. As the foot-notes appended to the tables explain the principle on which this result is arrived at, I need not here complicate my statement by repeating it. Table B gives the result, supposing our outstanding debentures

to be retired by the issue of 4½ per cent. debentures realising 9d. As the Government, however, propose to substitute 4 per cent. debentures for those in circulation, Table C is of more importance for our present consideration. This table has been compiled to shew the result of substituting a 4 per cent. stock sold at four different rates—viz., 86, 85, 84, and 90, the 6 per cent. debentures being retired at the same rates as with Table A. Assuming the new 4 per cents. to realise 84 only, the new rate of interest would be £5 5s. 3d. per annum; the immediate increase of debt would be £1,156,879; the annual saving of interest, £26,993; and the gross ultimate gain at the end of forty years, £272,078. Sold at 85, the new rate of interest would be £5 4s. per annum; the present increase of debt would be £1,099,975; the annual saving of interest, £29,260; and the ultimate gain at the end of forty years, £409,985. Sold at 86, the new rate of interest will be £5 2s. 10d. per annum; the present increase of debt would be £1,044,593; the annual saving of interest, £31,476; and the ultimate gain at the end of forty years, £544,676. I have already stated that the Government anticipate a more favorable result than either of these examples, but I have selected these rates in order to shew the committee that under the most unfavorable of the conditions named it is apparent that we should effect an immediate annual saving more or less in amount according to circumstances, besides obtaining other contingent advantages; whilst the ultimate gain at the end of the currency of the loan, assuming the annual saving to be credited with compound interest, would be about half-a-million sterling. Not that the annual saving would be so set apart and credited with interest, but what would in my opinion be still better, that amount—say £30,000 per annum—would not be required to be withdrawn from the people—taxation to that extent could consequently be remitted and left available for business and other purposes. Should we be fortunate enough to consolidate at 90 the result would of course be far more favorable—the increase of debt would be reduced to £836,704, the immediate saving of annual interest would be £39,792, and the gain to the colony at the end of forty years would be £1,046,406, the average interest paid in the meantime being a little under 5 per cent. I am, of course, aware, that it will require judgment and great care to conduct such an operation as that proposed, and the Government have not lost sight of the difficulties; but we believe, that in our case, as in that of New Zealand and Tasmania, these difficulties may and will be surmounted. It is possible, that some present holders of debentures may not care to relinquish or exchange them, and these debentures the Government will not be able to retire; but in the great majority of such cases the debentures not retired, will be held as permanent investments; and, not coming

into the market, will, after a time, cease to be quoted with the new Queensland stock. In fact, against the possibility of failure, there is the probability of success, and the certainty that in substituting a 4 per cent. for a premium stock, we at once open our securities to a very important class of investors, who are at present practically excluded from the purchase of Queensland debentures. I refer to trustees, who, in the vast majority of cases, do not care to sink any portion of the capital entrusted to them in the purchase of premium stock of any kind. The proposed consolidation has one great advantage—that no loss to the colony need occur: should it be found that the exchange of our outstanding loan for long-dated debentures cannot be effected at a profitable rate, no unprofitable transaction will be sanctioned. Although a sinking fund for the redemption of the debt forms no part of the Government scheme of consolidation, and is not intended to be proposed, I may mention, for the information of the committee, that one per cent. per annum upon the new loan (Table C) would annihilate the debt in about forty years. This one per cent. added to the interest would raise the total annual charge upon the Consolidated Revenue to £235,378 or £15,599 in excess of the sum we at present pay—an act of generosity to those who may come after us of which, I think, the committee would hardly approve.

As I think this a desirable opportunity for placing the committee in full possession of the Government proposals, I may here state them to be generally as follows:—The Act for giving effect to the proposed consolidation will be a separate and distinct Bill; the loan now immediately required to cover electric telegraph, immigration, and other loan expenditure, will be in a separate Loan Bill, the debentures of which will be first realised and form the first instalment of the new consolidated stock, by which the value of that stock will to a great extent be ascertained. When this instalment has been realised, and has had time to assert its value in the market, the conversion of the outstanding debentures will be proceeded with. In order to afford the Government time for making the necessary arrangements for realising in England on the new loan, it is proposed to seek authority from Parliament to raise funds in the colonies upon short-dated Treasury bills sufficient to meet immediate loan requirements—say £100,000. Honorable members are aware that we have had an instalment of Treasury bills £100,000, due on the 1st of January next, which it will be necessary to provide for. The Treasury bills to replace these, and the interim bills (£100,000), just alluded to, will be made payable with the balance of our short-dated loan at the close of 1873, by which time the first instalment of the new debentures will have been sold in England, and will be available for retiring the whole of

the Treasury bills then outstanding—say £450,000.

Intimately connected with any measure for the conversion and uniformity of our stock, is the providing security to the holders of such stock. In my financial statement of January last, I informed the committee that the Government had received advices from their financial agents in England that the London Stock Exchange possessed no facilities for giving effect to a measure formerly before this House for providing for the registering and unregistering of Queensland debentures at the option of the holder for the time being; and that as the Stock Exchange were apparently unlikely to do anything to promote such a scheme, the Government had decided not to proceed with the Bill at that time. Since then, however, through the action taken by the present Government—assisted by persons interested in England—the Stock Exchange have, contrary to previous decision, consented to permit the quotation of colonial securities negotiated in the colonies; and it has occurred to me that, having made this concession, they may be induced to go a step further, and provide facilities for the registration of colonial securities. It is therefore probable that I shall ask the House to give its assent to a Bill for this purpose, and, if possible, to extend the privilege and protection to colonial holders also. I have little doubt that if such a Bill were passed, the difficulties of the Stock Exchange would soon disappear. At any rate, the importance of such a measure to the holders of our debentures is sufficiently great to urge us to make the trial. At present, our debentures are payable to the bearer for the time being; and the legitimate holder, whether in England or the colonies, enjoys no security whatever.

I have thus, as shortly and clearly as was in my power, placed before the committee the intentions of the Government upon this important matter. Further details will be given when the Bill for authorising the Government to give effect to the proposed scheme shall be under consideration. I have, I fear, detained the committee at greater length than they anticipated when I commenced my statement; but not, I trust, more so than the importance of the several subjects dwelt upon have appeared to them to require. With regard to the consolidation of our loans, I can only repeat that the subject has not been brought forward hastily, nor without much careful consideration. In addition to the knowledge to be obtained elsewhere, I have been, and am still in correspondence with the Colonial Treasurer of New Zealand, and have received much valuable information from him; all tending to strengthen and confirm the views which I personally entertain, not only that the consolidation of our loans will prove of immense advantage to the colony, but that the present is an unusually favorable time for bringing about such conversion. We are about to raise an additional loan, not inconsi-

derable in amount; our own local circumstances are prosperous and encouraging; and the condition of the money market is favorable for the transaction. Such being the case, I feel that I should not, as Finance Minister, be justified in allowing the present session to close without doing all in my power to induce this House to pass the Bill which I shall shortly have the honor to introduce upon this important matter. I now beg to move—

That there be granted to Her Majesty for the service of the year 1873, the sum of £1,164 for the establishment of His Excellency the Governor.

MR. STEPHENS said it was usually the practice that, after the Treasurer had made his financial statement, the further consideration of it was postponed for a few days, in order that honorable members might have the opportunity of carefully going over all its details before proceeding to discuss it. He knew that there were exceptions to this rule; and that in some instances the debate had been at once proceeded with. However, he thought that, considering the important subjects referred to in the present budget speech, it might be well that the debate should be adjourned; because, as he thought, honorable members could not be expected to be able to deal with it at once on hearing it delivered. He would therefore move, by way of amendment—

That the debate be adjourned till Friday next.

MR. HEMMANT said that, even if the debate were adjourned till Friday next, as proposed by the honorable member for South Brisbane, very little time would be afforded to consider the statement which had just been made by the honorable the Treasurer, and which dealt with some matters that were entirely new to many honorable members; and he would therefore suggest that the debate should be adjourned till Tuesday next.

MR. GROOM said he did not see that there was any necessity whatever for the adjournment of the debate. He had heard important budget speeches delivered, and debated the same night up to twelve o'clock.

The COLONIAL SECRETARY said he hoped honorable members would understand that the Government had no objection to the debate being gone on with; but, with the view of consulting the convenience of honorable members, they would consent to the debate being adjourned, and solely upon that ground.

MR. GROOM said he must oppose any motion for the adjournment of the debate; as he wished to address the committee on the subject, and he might not have the opportunity of again doing so if the motion for the adjournment of the debate were agreed to.

MR. STEPHENS then said that as he did not wish to interfere with the desire of any honorable member to address the House at once, he would withdraw the amendment.

The amendment, that the debate be adjourned till Friday next, was accordingly, by leave, withdrawn.

MR. GROOM then said, that as it was very possible he might not again have an opportunity of addressing the House on the Financial Statement which had just been laid before them, he wished to avail himself of the present opportunity of doing so, and to reply to a few of the observations which had been made by the honorable the Colonial Treasurer in the course of his statement. He must confess, that after he had so many years occupied a seat in that House, he was exceedingly gratified with the Estimates which had been laid on the table by the honorable the Treasurer, and especially with the altered tone of the address which had been delivered by the honorable gentleman this afternoon. And when he said altered tone, he must refer to one or two matters which occurred some years ago. The honorable the Colonial Treasurer would himself remember, and other honorable members who were members of the House in 1866 would also remember, that there were not then wanting prophets of evil as to the existing and prospective position of the colony—who prophesied that it would be years and years before the colony would recover from the position into which it had then fallen, and that the name of Queensland would become a bye-word and term of reproach; and such was the effect of the prognostications then made, that the name of Queensland did become a bye-word and term of reproach in the other colonies. It was, therefore, gratifying to find, from the address of the honorable the Colonial Treasurer on the present occasion, and by the marked improvement in the condition of the colony, as shewn by him in the course of his address this evening, that those predictions had not been verified; but that, on the contrary, the evil prognostications made in 1866 had been most effectually refuted. It was also extremely gratifying to hear the remarks which had been made by the honorable gentleman in respect to the question of railways. They had heard it frequently stated by honorable members who sat on the Government side of the House, and by some honorable gentlemen who now occupied the Government benches, that the railway policy which had been adopted in the colony would prove to be the ruin of the colony; but now they had the statement of the honorable the Treasurer that the revenue from railways was rapidly increasing, and they also heard from him that he anticipated there would be an excess of revenue from railways to the extent of £22,000 over the amount of working expenses for the present year; and that, for 1873, he estimated that the income from the Southern and Western Railway would amount to as much as would pay one-fourth of the interest on the cost of construction. Now, he must say he thought

that the estimate of receipts from this line was exceedingly moderate, and considerably below what might be expected to be derived from it; and in all his estimates for 1873, the honorable gentleman had, it appeared to him, rather understated than overstated the probable income. There were, however, some matters which had been referred to upon which he would like to have heard some further explanation. The honorable gentleman had informed them that there was to be an increase of expenditure in certain directions; and that there was to be an increase in respect of education to the extent of £6,000. That was a very laudable increase, and it was one which he hoped would continue to extend. There was also to be an increase in the Police Department; but the honorable gentleman did not allude to several other increases which were set down in the Estimates, but that, no doubt, might be owing to their having escaped his attention. Although it might be said that they were merely matters of detail, he thought that this was the proper time to draw marked attention to some of them. He observed that it was proposed to increase the salaries of the heads of departments to the extent of £100 a-year. Now, he would not object to the increase of salaries where they were deserved, if the circumstances of the colony would admit of it; but he felt it to be his duty, on the present occasion, to protest, on behalf of the taxpayers of the colony, against any increase of this kind unless the Government were also prepared to propose a reduction of taxation. In 1863, 1864, 1865, and part of 1866, the work that had to be done in the various Government departments was greater than it was at the present time, and the heads of departments then received £600 a-year, and there was no complaint from them that they were overworked or underpaid for what they did. Now, he would prefer to see the Treasurer come forward with a proposition for the reduction of the *ad valorem* duties, which, besides being productive of much moral evil in the way of encouraging fraud, were found to interfere greatly with commercial enterprise. He believed that if those duties were removed, there would be a great expansion of commerce, not only in Brisbane, but throughout the colony. It was only on public grounds, and upon none other, that he objected to those increases of salary. It might be said that the increase which was proposed was small, and that very great responsibilities rested upon the heads of departments. Well, he was not disposed to dispute that; for, as had once been said in the House, on a former occasion, the heads of departments virtually governed the colony. Now, it was well known, and it had been very frequently asserted that the taxation per head in this colony was greater than in any of the other Australian colonies; and therefore until the Government was prepared to reduce the existing taxation, he

did not see that the House should be called upon to grant an increase to the salaries of officers in the public service. The honorable the Colonial Treasurer had taken a considerable amount of credit to the Government for the prosperous condition of the revenue; but the credit of that, he (Mr. Groom) maintained, was chiefly owing to the industry and enterprise of the people of the colony. It was stated some time ago that there was no evil without a corresponding benefit, and he believed that the fencing-in of runs had driven many of the working classes to seek for new fields of industry, and that the discovery of the tin mines was owing in a great measure to that circumstance. He believed also that if the honorable gentleman at the head of the Public Lands Department had visited the district of Stanthorpe shortly after the discovery of the tin mines there, and had seen for himself the large area over which the tin deposits extended, there would not have been such large quantities of land sold there as there had been; and he would also have been able to bring in a measure that would have had the effect of greatly increasing the revenue of the colony. He would have then been in a position to reserve the lands from sale until he had brought in a Bill such as this, providing for the leasing of them, by which the colony would have derived a permanent annual revenue of no inconsiderable amount. He believed that if legislation as to the mineral lands of the colony had been resorted to at an earlier period, especially so far as the tin mines were concerned, they would have had far larger returns from the tin fields, and also a greater amount of revenue from the railways. The honorable Colonial Treasurer stated, in reference to the land revenue, that he did not at all agree with those who were of opinion that there would be a decrease in that branch of the revenue of the colony. Well, without wishing to endorse the opinions that there would be a decrease in that revenue, so far as the whole colony was concerned, he must express his extreme distrust of the land revenue—so far as the Downs country was concerned, being in any way augmented. He thought, if any honorable member perused the statement of Mr. Commissioner Coxen, that had been laid on the table of that House, he would see that the very best land in that district appeared to be hopelessly gone. The publication of that report, shewing that a very considerable amount of the waste lands of the colony had gone entirely beyond the control of the Government, and was in the hands of two or three large speculators, had had the effect—as he knew for a fact—of driving away parties from the colony to other places where land was more easy of access and more easily obtainable. In fact, there could be no two questions about it, that the large settlement which had recently taken place in West Moreton was entirely attributable to

the want of good land on the Darling Downs; and those who lived to see the development of the scheme to be proposed by the honorable the Minister for Lands, would see the truth of what he (Mr. Groom) had stated—that the whole of the land mentioned by Mr. Coxen in his report, was taken up by large speculators;—that all the lands of any value for combining sheep-raising and farming, and with any water frontage, were absorbed, and that what was left consisted only of sandy and stony ridges unfit for agricultural purposes. Therefore he was justified in saying that the honorable the Treasurer could not expect to have an increased revenue from the land in that district. He said that, with considerable regret, as there were, he knew, persons who had expected to see in Mr. Coxen's report, that there would be large areas of land still available for sheep and farming purposes. His report had, however, thrown a shadow over all that, and those persons now saw that they would have to go elsewhere to secure what they required. He would go so far as to say, that many honorable members would live to see that Mr. Coxen's report revealed such a state of things, that it would be necessary to repurchase the lands now taken up by the large speculators; and that some Land Minister would be compelled to bring forward a compulsory Land Sales Bill for the Darling Downs. He felt certain that no country would ever allow a large tract of the most fertile portion of her lands, capable of supporting hundreds and thousands of persons, and through which a railway of fifty-five miles long had been constructed at the public expense, to remain in the hands of a few individuals for the purpose of being used as a sheep-walk. He was certain that would be done, and that the land would be put to the purpose for which it was designed by Providence, namely, the settlement of the people. That was no new idea, and if such a Bill was introduced, this would not be the first colony to adopt such a course. The colony of Natal was an instance in point, where, through the liberal gifts of land made in the early days of the settlement, the greater portion of the public land was alienated, and the Government were obliged to retrace their steps, and were compelled, for the purpose of encouraging people to go to that colony, to bring forward a compulsory Land Sales Bill, resuming a large portion of land, which Bill received the assent of the Imperial Government. He felt convinced, from what he knew of the manner in which lands had been monopolized on the Downs, and from seeing Mr. Coxen's report, that the time was not far distant when the Minister for Lands of the day would come down with a Bill to repurchase that land, in order to settle people in the country. He attached very little importance indeed to the Homestead Areas Bill of the honorable the Minister for Lands, inasmuch as Mr. Coxen's report shewed most plainly that the position of the

Darling Downs, so far as settlement was concerned, was a very doubtful one, and that there would be only a dozen or so men settled where there ought to be hundreds and thousands. He would say again, as far as the land revenue was concerned, that he did not expect the hopes of the honorable the Treasurer would be realized, so far, at least, as the Darling Downs was concerned. That remark applied, not only to his part of that district, but also to that of the honorable the Treasurer himself. With regard to the Loan Estimate, he should have been very glad if the honorable member had given the committee some more information on the subject. The honorable member said that a sum of £60,000 would be required for telegraphic extension, which included, if he understood rightly, £16,000 for lines already sanctioned; he would like to know, however, where the balance was to be expended. He thought the committee should be supplied with some information on that point; perhaps they would be told all those things when they were considering the Loan Bill; but, as it had been alluded to by the honorable the Treasurer, it would have been as well if the country had been supplied with a little more information respecting it. There was another sum—£100,000—to be expended on the roads of the colony, and to that he took exception. The reason for his so doing was, that it had been proposed, he believed, by the honorable Minister for Public Works, to divide the colony into four divisions—namely, the Southern, the Wide Bay and Burnett, the Central, and the Northern—to each of which the sum of £25,000 would be allotted. Now, he did not wish to depreciate the value of the Wide Bay and Burnett District, but he must say that, in his opinion, such a division was not a just one—

The COLONIAL SECRETARY would remind the honorable member that the honorable the Treasurer had explained that that was a mistake. It should be £30,000 for the Southern, and £20,000 for the Wide Bay District.

The COLONIAL TREASURER would inform the honorable member for Toowoomba that the information he referred to, in regard to telegraphic expenditure, had been given in a previous statement.

Mr. GROOM was very glad to hear that it was a mistake, and that £30,000 was to be allotted to the Southern Division; but even then it was disproportionate, for, although the Wide Bay and Burnett District was, no doubt, a very valuable mineral district, yet it must be remembered that the Southern Division possessed, at all events, two-thirds of the whole population of the colony; and where there was a large population, there must be necessarily a larger expenditure required for roads. He knew that previous Governments had been very relax in making roads; for although they had set apart large areas for agricultural settlement, they had not made any approaches to such areas; and what were

termed the roads, were so utterly impassable in wet weather, that they required a large sum of money to be spent upon them. The reason he objected to the sum of £100,000 being spent upon roads in the manner proposed was not from any parochial object, as it might be termed, but because last year a large sum was required; and now, again, a large sum was to be asked for; and, in the place of that, he thought the Government, instead of constantly asking for money for that purpose, should come down with a comprehensive measure for the creation of local governments, which would compel the various districts to tax themselves for the formation of roads and other necessary public works. If they referred to municipalities, they would see that the persons residing within those municipalities were called upon to pay very heavy taxation for the construction of local improvements; and not only that, but also to contribute their quota of taxation for the improvements of others. Now, that was very unfair, not only in his opinion but in the opinion of many others. For instance, he had been looking over the speeches of some of the members of the New South Wales Parliament, and he noticed that one gentleman especially, Mr. Foster, the member for Illawarra, in his speech to the electors, strongly advocated the adoption of some system of local government; and, in doing so, commented upon the money spent by persons residing within municipalities on improvements, the benefits of which were enjoyed by persons living outside the boundaries, who contributed nothing. The same thing had occurred in Queensland; for instance, in Brisbane, a large sum was spent annually on the roads, to which the people who came in from the suburbs and outside districts, and who formed the greatest part of the traffic, did not contribute anything. He found that the principle of dividing the colony into shires was working admirably in Victoria. It was an adaptation of the Canadian scheme, which divided the whole country into shires or provinces, each with a council which imposed taxes for local works, and who were assisted from the general revenue to the extent of receiving one pound for every pound raised by them. That was a principle that could be adopted in this colony; and for all large districts not incorporated, there should be compulsory taxation; that people should raise money themselves for local works, and also receive a proportionate amount of assistance from the Government. It was too bad to expect municipalities to bear the expenses of roads from which they derived no benefit whatever; and the same principle might be applied to railways, to which the northern districts objected so much to contribute. There was also another objection he had to the loan for roads—namely, that it was wrong to entrust the expenditure of such a large sum of money to the Government in the manner proposed. It had often been stated in that House, and never refuted

properly, that the £90,000 voted by the House, last year, had been used more for the purpose of electioneering bribes than for anything else, and it certainly was very ominous-looking, that in the face of the general elections at the end of 1873, they should be called upon to pass a similar vote; as if to tell constituencies, "See how liberally we voted money for roads." He did not agree to such a large sum being expended in that way, but thought that parties in the various localities should be made to help themselves. The honorable the Treasurer, in the course of his speech, referred to the consolidation of the Queensland loans; and he (Mr. Groom) was very glad to see that attention had been directed to it. He noticed that Mr. Langton, the Treasurer of Victoria, had lately alluded to the necessity which existed in that colony for a similar scheme, so that it was probable that action in that direction would be taken simultaneously in the colonies of Victoria and Queensland. Whilst referring to the subject of consolidation, he would like to know why it was that the Union Bank was allowed a monopoly of all the Government banking business? He noticed that Mr. Langton, to whom he had before referred, had stated that in Victoria the Government business was divided between the six banks there, and that he found the system to be a very good one. He was justified in saying that since 1864 the Union Bank had had a perfect monopoly of the business of the country; and now that there was a desire springing up to localise affairs as much as possible, and as a national banking institution had lately been established, the directors and shareholders of which were colonists, he did not see why a share of the Government business should not be accorded to it. He was not a shareholder of that bank, but he did not think it was fair or just that one bank should have the entire control of the finances of the colony. He believed that the Union Bank had not always treated the colony in a very gracious way, as, if he recollected rightly, on one occasion it went the length of dishonoring a Savings Bank check. The question was at the time brought before the Legislative Assembly, and was not denied. He thought that when things arrived at that pitch, it was high time to invite tenders from the various banks for transacting Government business, more especially as it was now proposed to consolidate the loan debt. He thought the honorable the Treasurer might see whether some other banks could not do the Government business as liberally as the bank which now had the sole control of the finances of the country. He had been exceedingly pleased to hear such a satisfactory and gratifying account of the condition of the country emanating from the honorable the Treasurer. He was exceedingly gratified to find that the silly statements so often made in that House about the impoverished state of the country, were completely obliterated

by the very accurate and able statement of the honorable the Treasurer. He was glad to find that the railways, which had been so much decried and denounced as a gigantic swindle, were, after all, proving great blessings to the country, and were opening up new avenues to wealth and prosperity. He was also pleased to find from the returns of the railways that they not only paid their working expenses, contrary to expectation, but that it was estimated that they would also pay one-fourth of the annual interest due upon their construction. He felt sure that if the Government would push on the construction of the line between Ipswich and Brisbane with vigor, the returns from the railway would be greatly in excess of all expectations, or than even the estimate of the Treasurer. In fact, since the great tin discoveries, he knew of no line that was likely to bring in such a profitable return. He trusted that the reports he had heard out of doors, that the Government had no intention to go on with that line at once, were not true. It was rumored that their object in having a survey made on the north side of the river was to stave off the commencement of that line until there was an extension of the northern line. But he did not place any belief in such statements; at all events, he was prepared to accept the action of the Government in the matter, as he believed that, knowing how important it was to the interests of the country that that line should be completed, they would be traitors to their own words if they were to act as had been stated outside of that House. The Government might have good reasons for making the surveys on the north side of the river; but, he trusted that with the important discoveries now being made, there would be no unnecessary delay in commencing the construction of the line between Ipswich and Brisbane. Had that line been made, there was no saying what might have been the returns from it at the present time. On the whole, he thought the honorable the Treasurer might be congratulated on the statement he had made; and if honorable members would only turn up previous statements made by him and by other Colonial Treasurers, they might derive considerable comfort from so doing.

Mr. STEPHENS said that, unless any other honorable member wished to address the committee, he would move—

That the Chairman leave the chair, report progress, and ask leave to sit again.

Question put and passed, and the House resumed.

On the motion, that the committee have leave to sit again on Friday following,

Mr. HEMMANT said that, as he understood the most important parts of the honorable the Treasurer's statement referred to the loans, he thought it would be well if honorable members had more time to consider it.

The COLONIAL TREASURER said that unless the honorable member wanted two discussions on the loans, it would be better to take the discussion on the Financial Statement on Friday, as proposed. There was no doubt that the proper time for the discussing the question of the loans would be when the Loan Bills were brought forward.

Question put and passed.

LAND ORDERS BILL.

The ATTORNEY-GENERAL moved—

That this Bill be now read a third time.

Mr. GRIFFITH said he rose to move a question of privilege. He submitted that the Bill affected the revenue of the colony to a certain extent, and it certainly made an impost upon individuals by clause 6, which said the person applying to redeem a land order—

“shall pay the amount originally advanced upon the land order with the additional sum of one pound and interest at the rate of one shilling for every month or part of a month beyond the period of two years during which the land order shall have been in the hands of the Government Provided that in cases where the land order is for any less amount than thirty pounds the additional sum and interest charged shall be proportionately reduced.”

It was, in his opinion, according to that clause, a money Bill, and as such he submitted that it should have originated in a committee of that House, and not in the Legislative Council. He would ask for the honorable the Speaker's ruling upon the question.

The SPEAKER: What does the honorable member refer to?

Mr. GRIFFITH meant that, according to clause 6, it was a money Bill.

Mr. THORN said he could point out two reasons why the Bill should have originated in a committee of that House, instead of in the Legislative Council. In the first place, it proposed to deal with land orders, representing a large sum of money, which were now lying at the Treasury; and again, it proposed to give, in certain cases, for non-transferable land orders, half the amount of such orders in transferable land orders, which would be taken as cash at the Treasury, and would thus form part of the consolidated revenue.

Mr. GROOM thought it might be as well for him to state, with all due respect to the honorable the Speaker, that the question of whether a land order was money, was raised by himself in that House, on the occasion of his presenting a petition, asking for a land order for a person. Objection was taken to the petition by the honorable member for Maranoa, that it was not in accordance with the rules of the House, as it asked for a grant of money; and the then Speaker, Mr. Macalister, ruled that a land order was not money. There were several similar instances under Mr. Macalister's ruling.

Mr. THORN rose to order. An honorable member had asked for the honorable the Speaker's ruling.

Mr. GROOM thought the honorable member might allow other honorable members to have a little brains as well as himself. The point raised was that persons were called upon to make a payment, but he contended that that was not the case, as they had merely to go to the Treasury, tender one land order and receive another for it.

The SPEAKER said that clause 6 stated that the holder, when redeeming the land order, shall pay the amount originally advanced on the order, together with the additional sum of one pound and interest at the rate of one shilling per month. This appeared to him to be an impost upon the public, and the Bill, therefore, in his opinion, should not have originated in the Legislative Council. He would read to the House his opinion in full upon this question, as regarded the action of the Upper House in dealing with the Redistribution and Savings Bank Bills, which equally applied in this case:—

“Referring to the amendments of the Legislative Council in the Electoral Districts Bill and the Savings Bank Bill, as sent to them by this House, having passed herein. The former, by its 27th section, repealed so much of the Elections Act of 1872 as imposed a charge of one shilling on electors for obtaining voters' rights. This the Assembly are empowered to do under the second section of the Constitution Act, viz:— Provided that all Bills for appropriating any part of the public revenue for imposing any new rate tax or impost subject always to the limitations hereinafter provided shall originate in the Legislative Assembly of the said Colony; and, in accordance with the law of Parliament in England, on which this provision of our Constitution Act is founded. The Council, by their amendment in clause 27, have encroached upon the privileges of this House, by rejecting a clause repealing a charge or impost on the people, thereby virtually creating a charge or impost on the people, without authority to do so—not being so empowered by the Constitution Act, nor by the Standing Order 268, nor by the law and practice of the Imperial Parliament. And if such amendments as were made on these Bills were made by the House of Lords, they would not be entertained for one moment by the House of Commons in England. The creation of this fee or charge was not necessary for the execution of the Act, and as such fees are payable into the Treasury, to the Consolidated Revenue, their imposition ought to originate with the Assembly only. The Council not being empowered to originate money Bills, have not the power to alter those from the Assembly. Whilst our practice is founded on our Constitution Act, section 2, and our Standing Order 268, both of which are founded on resolutions of the House of Commons, dated 3rd July, 1678, 24th July, 1849, and 6th July, 1861. See ‘May's Practice,’ pages 537, 542, 545, as follows:—

“The legal right of the Commons to originate grants cannot be more distinctly recognised than by these various proceedings; and to this right alone their claim appears to have been confined for nearly 300 years. The Lords were not

originally precluded from amending bills of supply; for there are numerous cases, in the Journals, in which Lords' amendments to such bills were agreed to: but in 1671, the Commons advanced their claim somewhat further, by resolving, *nem. con.*, ‘That in all aids given to the king by the Commons, the rate or tax ought not to be altered;’ and in 1678, their claim was urged so far as to exclude the Lords from all power of amending bills of supply. On the 3rd of July, in that year, they resolved,—

“That all aids and supplies, and aids to his Majesty in Parliament, are the sole gift of the Commons; and all bills for the granting of any such aids and supplies ought to begin with the Commons: and that it is the undoubted and sole right of the Commons to direct, limit, and appoint in such bills the ends, purposes, considerations, conditions, limitations, and qualifications of such grants; which ought not to be changed or altered by the House of Lords.’

“It is upon this latter resolution that all proceedings between the two houses in matters of supply are now founded. The principle is acquiesced in by the Lords, and, except in cases where it is difficult to determine whether a matter be strictly one of supply or not, no serious difference can well arise. The Lords rarely attempt to make any but verbal alterations, in which the sense or intention is not affected; and even in regard to these, when the Commons have accepted them, they have made special entries in their Journal, recording the character and object of the amendments, and their reasons for agreeing to them. So strictly is the principle observed in all matters affecting the public revenues, that where certain payments have been directed, by a bill, to be made into and out of the consolidated fund, the Commons have refused to permit the Lords to insert a clause, providing that such payments should be made under the same regulations as were applicable by law to other similar payments.

“In bills not confined to matters of aid or taxation, but in which pecuniary burthens are imposed upon the people, the Lords may make any amendments, provided they do not alter the intention of the Commons with regard to the amount of the rate or charge, whether by increase or reduction; its duration, its mode of assessment, levy, collection, appropriation, or management; or the persons who shall pay, receive, manage, or control it; or the limits within which it is proposed to be levied.

“That with respect to any bill brought to this house from the House of Lords, or returned by the House of Lords to this house, with amendments, whereby any pecuniary penalty, forfeiture, or fee, shall be authorised, imposed, appropriated, regulated, varied, or extinguished, this house will not insist on its ancient and undoubted privileges, in the following cases:—

“1. When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences;

“2. Where such fees are imposed in respect of benefit taken, or service rendered, under the Act, and in order to the execution of the Act, and are not made payable into the treasury or exchequer, or in aid of the public revenue, and do not form the ground of public accounting by the

parties receiving the same, either in respect of deficit or surplus;

“3. When such bill shall be a private bill for a local or personal Act.”

“1st. That the right of granting aids and supplies to the Crown is in the Commons alone.’ 2nd. That the power of the Lords to reject bills relating to taxation ‘was justly regarded by this house with peculiar jealousy, as affecting the right of the Commons to grant the supplies, and to provide the ways and means for the service of the year;’ and, 3rd. ‘That to guard, for the future, against an undue exercise of that power by the Lords, and to secure to the Commons their rightful control over taxation and supply, this house has in its own hands the power so to impose and remit taxes, and to frame bills of supply, that the right of the Commons as to the matter, manner, measure, and time, may be maintained inviolate.’

“Which in their practice they strictly adhere to; the resolution of July, 1849 (‘May,’ 542), being in substance the same as our Standing Order 268. In New South Wales the Assembly have adopted similar powers to ours in their Constitution Act and Standing Orders, combined with the law and practice of the Imperial House of Commons as defined in the foregoing resolutions. If it is thought necessary, I will read to the House the cases which have occurred in the Legislative Assembly there, and how they were dealt with to May, 1871, from which it will appear how exceedingly tenacious they are of their privileges in regard to money Bills and charges or imposts on the people originating only in the Assembly, and not being altered in any way by the Council. In Victoria the committee of the Legislative Assembly, after a full review of the reasons and constitutional authorities, found that that body possess a peculiar and exclusive authority to initiate and deal with Bills directly or indirectly imposing a rate, and that the passing of such Bills or such parts of them as relate to taxation (except for the purpose of clothing them with the form of law), forms no part of the ordinary business of legislation. On April 12, 1867, Select Committees of both Houses met, and by their report recommended that inasmuch as doubts have arisen respecting the form or contents of, and practice relating to, Bills required by the Constitution Act to originate in the Legislative Assembly, it is expedient that the practice of the Lords and Commons be adhered to regarding such Bills, and that both Houses should, in all matters relating thereto, be guided in all matters and forms relating thereto by the precedents established by the House of Lords and Commons respectively.”

The ATTORNEY-GENERAL said that, without in any way alluding to the two other Bills to which the honorable the Speaker had referred in his ruling, he felt it to be his duty to ask the House to disagree with that ruling in so far as concerned the Bill before the House; because he would submit that there were only four classes of Bills which it was incompetent for the other branch of the Legislature to originate. In the first place, Bills to appropriate any part of the public revenue; secondly, bills imposing any impost, new rate, or tax. Now he submitted that the Bill

before them did not, with all due deference to the ruling of the honorable the Speaker, come under either of those heads, as it was not an impost, rate, or tax within the meaning of the Act. The honorable member for East Moreton suggested that, because the Bill said that a person redeeming a land order should pay £1 on the money advanced and also interest at the rate of one shilling per month, it was a Bill creating an impost. But an impost or tax was a thing that every man must pay; whilst what was contained in the Bill was simply a condition on which holders of land orders might redeem them or not. He submitted, on those grounds, that it did not impose a tax, and was not within the meaning of the Act. He would move—

That the ruling of the Speaker be disagreed to.

The question was put, and the House divided with the following result:—

Ayes, 17.	Noes, 8.
Mr. Palmer	Mr. Edmondstone
“ Bell	“ Griffith
“ Bramston	“ Hemmant
“ Thompson	“ MacDevitt
“ Graham	“ Stephens
“ Ferrett	Dr. O’Doherty
“ J. Scott	Mr. Thorn
“ Morehead	“ Fyfe.
“ W. Scott	
“ Wienholt	
“ Buchanan	
“ Royds	
“ Walsh	
“ Clark	
“ Groom	
“ Handy	
“ Ramsay.	

Question—That the Bill be read a third time.

Mr. THORN said he had given two reasons why the Bill should not be read a third time, and why it should not have originated in the Legislative Council. Now, the result of that division was simply that a majority of the House could set at defiance one of the Standing Orders of that House, or override any of its regulations. He would, to shew that he was correct, read the 271st Standing Order, which said:—

“The House will not proceed upon any petition, motion, or Bill for granting any money, or for releasing or compounding any sum of money owing to the Crown, except in a Committee of the whole House.”

Mr. FYFE looked upon the result of the last division as at once delegating to the other branch of the Legislature a power which had never been conferred upon any Upper House in the colonies, nor upon the House of Lords at home, nor in the world. Since the year 1264 the Commons had always retained to themselves the right of voting any money, as guardians of the public purse, and he considered that the decision of the House on the present occasion should not go unchallenged. He was as certain as he was standing there, that the ruling of the honorable the Speaker was correct according to parliamentary law and precedent. The Upper House had no right to issue any money Bills, and their powers were so strictly

restricted that they must either pass the Appropriation Bill in its entirety or reject it—they could not alter it. He did not think that that House should be in such a hurry to allow the Legislative Council to suggest money measures for its adoption.

Question put and passed.

MINERAL LANDS BILL.

On the Order of the Day being read, for the consideration in committee of the Mineral Lands Bill,

Mr. J. SCOTT said that before the Speaker left the chair he wished to say a few words with regard to the amendments which the honorable the Minister for Lands proposed to introduce into the Bill, as he would not have an opportunity of expressing his views on the subject when the House was in committee. In the first place, he objected to the leasing clauses, because he did not think they would operate beneficially to the revenue, while they would be unfair towards the miner, as compared with the free selector. He did not see why the miner should be selected to be so harshly dealt with as he would be under these clauses. The proposed rental of five shillings an acre per annum, he looked upon as altogether exorbitant, and as being likely to discourage mining enterprise. Now, a free selector could take up land at the rate of sixpence an acre per annum, and do with it what he liked, either in the way of cultivation or mining, and, at the end of five or ten years, he could obtain the fee-simple of it; whereas the miner, after paying at the rate of five shillings an acre for twenty-one years, or £5 5s. an acre in all, had no further claim upon the land. The free selector, however, would, at the end of five years, have the land in perpetuity, having paid in all the sum of two shillings and sixpence an acre. He considered that this was a grossly unfair arrangement, and he desired to enter his protest against any such inequitable legislation.

The SECRETARY FOR PUBLIC LANDS said he understood it was the wish of the House, or at any rate, that it was the wish of a majority of honorable members, that they should have a system in force of leasing mineral lands; and it seemed to him to be a somewhat improvident way of dealing with the valuable property of the colony—the richness of which was contained in the soil itself—to dispose of it by sale for a merely nominal sum. He, therefore, proposed to introduce a leasing system in such a way, that if it was found not to work well—and some honorable members seemed to consider that it would not work well—they might be able to revert to the old system of selling the land. The first part of the Bill, as it was drawn, referred to the sale of mineral lands. He did not propose to withdraw that portion of it, but to leave it intact; but in deference to what appeared to him to be the wish of honorable members, and because he considered the principle itself to be a good one, he proposed to introduce

certain clauses providing for the establishment of a leasing system, and that in such a way that the system could be enforced or not, at the discretion of the Government. If it should be found that they would operate so as to check mining enterprise, they would be withdrawn, or they need not be acted upon. If the House thought that the term of twenty-one years, which he proposed should be the period of the lease, was too short, he would agree to its being extended. As to the rate of rental, he did not think that it was too high when the value of their mineral lands was considered. He might also state that he intended to insert an amendment in the Bill to enable the Government to lease lands to persons who might desire to enter upon mining for iron, which was a very expensive undertaking, or for coal. But if the principle was found to act as a check upon mining enterprise, in that direction, the Government could revert to the old system of sale. One of the effects of this leasing system would be, that it would produce a never ceasing revenue; and as they would have the usufruct of it for a stated period of years, they would be able to calculate upon it with a view to effecting some reduction of taxation. He would press the clauses in committee, but he would not insist as to the period of the lease being fixed at twenty-one years.

Mr. GROOM said that what he principally took exception to in respect to this Bill was, that it proposed to vest too much power in the Minister for Lands, who would have full authority to do whatever he pleased in the way of making regulations, and who might, as had previously been done, make regulations that would interfere with what was the intention of Parliament. They had no guarantee that what had been done before would not be done again. He did not see why the House should not determine what the nature of the regulations should be, instead of leaving it to the will of a single individual to do so, and who might act in a very arbitrary way in the matter.

The motion was then put, and the House went into committee on the Bill.

Amendments were made on several clauses; and the House having resumed, the Chairman reported progress and obtained leave to sit again.

The House then adjourned.