

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 20 AUGUST 1872

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LEGISLATIVE COUNCIL.

Tuesday, 20 August, 1872.

Imperfect Apparatus in Steam Boilers.—The Railway and Brisbane Bridge.—Payment of Members Bill.—Home-stead Areas Bill.

IMPERFECT APPARATUS IN STEAM BOILERS.

The Hon. L. HOPE asked the Postmaster-General: If it is the intention of the Government to take any action with a view to prevent or diminish the risk to human life in the reckless working of imperfect apparatus in steam boilers, as in a late fatal accident at Maryborough?

The POSTMASTER-GENERAL answered: This matter has come under the consideration of the Government; but, without an enactment, the Government are unable to take action.

The Hon. L. HOPE said he should like to have a few words upon the matter, if it were not taking up the time of the House. He was understood to say that the results of accidents, such as that to which he referred, were so lamentable, that it was very desirable that something should be done for their prevention. To this end, a regulation might be made that a simple and inexpensive apparatus, which was on all large steam boilers, should be attached to all steam boilers worked in the colony;—it was an alarm steam whistle. This should be insisted upon, and some simple system of instructions should be promulgated in reference to it. If the boiler wanted water, the whistle gave notice, and the workmen in attendance could clear out, if they liked. There were many intelligent men about establishments who would profit by the information, and it would enable others to take care of their lives.

The PRESIDENT: The discussion was irregular without a motion before the House.

The Hon. J. TAYLOR said a motion for adjournment would suffice. There must have been gross negligence in the matter. He had a boy twelve years of age driving a engine for the last twelve months without the slightest accident. He was not aware that the whistle which the Hon. Captain Hope had spoken of would do it, but he trusted that something would be applied to prevent the

repetition of such an accident as that alluded to by the honorable gentleman. When men got familiar with danger, they cared nothing at all about it. There could be no doubt, as far as he could gather, that the explosion was caused by want of water—by the water in the boiler being allowed to get too low. He should be very glad to see the whistle applied to all steam engines, and he wished the Government would take some action; but he supposed the suggestion would be thrown away.

The Hon. L. HOPE: He merely suggested that mode as about the simplest and most easily enforced. There were many other obvious means of preventing accidents; but that was the most inexpensive.

The POSTMASTER-GENERAL: He need hardly say that the Government would be very glad to do all they could to prevent accidents. A law might be passed, but the great difficulty was in carrying it out. There were so many small steam-engines scattered about the country now, that he could hardly see how restrictions could be enforced. He should be very glad to submit the suggestion of the honorable gentleman to the Government and see what could be done.

The question and answer were ordered to be entered on the Minutes.

THE RAILWAY AND BRISBANE BRIDGE.

The Hon. H. B. FITZ moved—

That Mr. Jones, Engineer of the Bridge, be examined to-morrow, at the bar of this House, with reference to bringing the railway across the Brisbane Bridge.

It was, perhaps, necessary that he should make a few remarks, in order to justify the action which he had taken; and he trusted that, in doing so, he should avoid travelling over ground which had been so recently trodden upon. He wished, however, to reply to what the Honorable Captain Simpson said yesterday—he was sorry the honorable gentleman was not present—and to say that he had for many years past consistently supported the extension of the railway from Ipswich to Brisbane; and he took credit to himself for having, when opportunity served, without fear or favor, exposed extravagance connected with the great railway works of the colony;—and, he must say, that he had made many enemies by so doing, one or two of whom had injured him most severely, from the high political position they had occupied and the powers they had exercised thereby. In any action which he had taken as a public man, he always acted fearlessly and decidedly. He never sought favor from any Government, and he could say what, perhaps, few honorable members in either House could say, that, since responsible government was established in Queensland, he had carefully avoided asking from any Government the smallest favor. The only object he had in view by any public action of his, was, to serve the public, to promote the good of the community at large;

and, in giving expression to the feelings he entertained, he spoke without reference to any party. In reference to the subject immediately in view, he said that according to the plans and sections which were before the House for the construction of the Brisbane and Ipswich Railway, the Government were not justified in carrying out the extension in the way proposed. The House must not lose sight of the fact that when the country first entered upon the railway undertakings, the first survey was made from North Ipswich, and the first section was thence to Bigge's Camp, a distance of some twenty miles. It was never contemplated to take the railway across the river to South Ipswich at all. The line was surveyed down to the point where it was now contemplated to take it for the Brisbane extension, and the land was reserved. That was in 1863 or 1864. It was then found by the gentleman who was at the head of the railway department, and who represented Ipswich in the Legislative Assembly, that unless he gave in to a certain extent to his constituency, his position might be endangered; and it was on record that when the Bremer bridge was arranged for, it was done by a simple note from him to Mr. Fitzgibbon, that the Ipswich electors would not consent to return him unless the bridge was made and the railway taken to South Ipswich. That bridge was accordingly contracted for. Information was given to him (Mr. Fitz) that no Executive Minute was ever passed for that bridge, and he moved for a copy of all minutes of expenditure for railways, and he found that that information was correct; and the Bremer bridge was constructed at a cost of £20,000, upon the simple authority of the Minister of the day. In connection with that he had lost £5 to his honorable friend, Mr. Taylor.

The Hon. J. TAYLOR: You did.

The Hon. H. B. FITZ: He paid him, too.

The Hon. J. TAYLOR: Quite true.

The Hon. H. B. FITZ: That work was, he thought, constructed by Mr. Wilcox, at a cost of £20,000. Then came the station. That he exposed, at the time, in every possible way that he could do it, being a piece of the most extravagant and wasteful expenditure—£17,000. Then, the approaches to the bridge cost £13,000, with the turntable. Say, altogether, the expenditure was £50,000 of the public money for taking the line to South Ipswich, across the Bremer. The Macalister Government of that day were accused, and justly, for such an unwarrantable expenditure, when it was known that the line must ultimately come to Brisbane. If a Government were found fault with for that, what must be said to a Government who would throw away that £50,000? And, they would not only throw it away, but they would expend £20,000 more in taking the line across the Bremer at another point, which necessitated another bridge. He ventured to say that when the line was completed to Brisbane, a train would

never go to Ipswich at all. He wanted to avoid waste of the public money. He knew that the Government proposed the line as far as Oxley. If they meant to cross the river there, a bridge over the Brisbane would cost another £80,000. The present Brisbane Corporation bridge would cost about £130,000. If Mr. Jones, the engineer of the corporation bridge, was called to the bar of the House, he would shew the Council and the country that he could bring the railway over that bridge without interfering in any way with the swing bridge, at a cost of £5,000, by merely placing an additional girder on the structure. That was a matter which the House could entertain. He need not call attention to the fact that the Council had done their duty to the country on previous occasions, in connection with the railway question. When the first proposition for railways was brought before the Parliament, what did the Assembly do? So anxious were they to have railway communication, and to have money expended, that they actually passed a Bill authorising the Government to make the railway without a single voice being raised or comment made. When the Bill came to the Council, he told the Government that he would not vote for any such measure without information; and he moved that Mr. Fitzgibbon should be called to the bar of the House. Then other action was taken, and certain persons tried to throw the Bill out, believing that the colony was entering too hastily into an extravagant expenditure. If the House could, by placing before the public the evidence of Mr. Jones, to shew that he could bring the passenger traffic into Brisbane without any serious cost to the country, he thought they would do much good as affecting the action of the Government. He had no object to serve in this matter at all. It was of no consequence to him whether he should have to go to the Grammar School to get into a train, or whether he should have to go by coach to Ipswich. He held that the House owed a debt to the country, and that if they were of any use at all, if they were a check upon hasty legislation, they should check the Government in extravagant expenditure. If the Government carried the railway across the Bremer, and then across the Brisbane, they were unworthy of the confidence of the country. His own opinion was, that the object the Government had in view was to throw obstacles in the way of the completion of railway communication between Ipswich and Brisbane as much as they possibly could, so that they might not appear inconsistent in the eyes of their constituents; because, as honorable gentlemen all knew perfectly well, members of the Government had said that railway communication between Ipswich and Brisbane should not take place until the northern districts had been provided with railway communication. Now, if it was to be determined upon that the

railway between Brisbane and Ipswich was to be carried over the Basin and then over the Brisbane at Oxley, no person would travel by rail between Ipswich and the metropolis within the next three years. If the line was brought from the Ipswich terminus down the bank of the Bremer, the land that would be resumed would be a mere bagatelle as to cost, compared with the expenditure necessitated by the bridge. If the line was brought all the way from Ipswich on the south side of the river, the goods trains could all stop at a terminus somewhere on the same side, where there was a sufficient depth of water to float the largest line-of-battle ship. Yet an enormous extra expense was to be incurred, with two bridges, to bring the line somewhere into North Brisbane. He doubted very much if the first merchants of Brisbane would make use of the railway under those circumstances. The Honorable Mr. Harris would doubtless find it pay him better to bring from Ipswich, in his own lighters, all the produce from the interior for shipment, than to avail himself of the railway and to have to send drays up to the Grammar School for the cargo for his ships. For all those reasons, he (Mr. Fitz) felt that if Mr. Jones was heard at the bar of the House, he would shew them that he could, at a very trifling expense, bring the railway passenger traffic across the Bridge—the passenger carriages and the engine—leaving the goods trucks at the south side, where the goods could be rolled from the train into the vessels at the wharves alongside.

The POSTMASTER-GENERAL said he did not see that much good would accrue from bringing Mr. Jones to the bar of the House. However, he would not offer any opposition to it. The bridge was costing a very large sum of money, and the corporation might wish to sell it to the Government. Perhaps that object might be in view. The Government had no interest whatever in bringing the railway into North or South Brisbane. The question was one of expenditure; and he had no doubt whatever that if the Government should find that it would be better to bring the railway the other way, they would take it into their earnest consideration. The plans of the works so far had been brought forward at as early an opportunity as possible—perhaps more hurriedly than he liked; but, at least, their action shewed that they were anxious to do as they had promised, and to go on at once with the work. They would prepare for the remainder of the line without delay.

The Hon. H. B. FITZ: At a cost of £80,000 extra.

The POSTMASTER-GENERAL: The Government had used the old surveys. Time would shew that the honorable gentleman was wrong, and that the Government had no idea of making any delay whatever, more than they could possibly help.

The Hon. J. F. McDougall objected that the motion was a clear waste of time. He

said so because it appeared to him that the Government were not in any way authorised to proceed beyond what was set out in the plans and specifications which had been submitted for the approval of both Houses of Parliament. He took it that when it should happen that the works were completed to the point or terminus shewn on the plans, the Government must await the further authority of Parliament before they could proceed with the line beyond that point. It was quite unnecessary to take up the time of the House with an examination which was premature. He should be very happy to assist the honorable member to get information when the time came; but this was not the time. The House should, in a matter of this kind, get as much information as possible before they entered into a large expenditure.

The Hon. J. TAYLOR said he was extremely sorry that he was not in the House when the railway resolutions were passed yesterday. There was no doubt whatever that they were very much hurried through. He would have suggested that Mr. Stanley, the Engineer-in-Chief, should go to America, and, perhaps, by his trip thither the colony would be saved thousands of pounds. A friend of his (Mr. Taylor's) lately came over from America to Australia, and he had told him that he was very much frightened at first, at what he saw on the American railways; but, after a few days, he got used to them, and regarded them as safe as any others he had ever travelled upon. They were of very light construction, and the manner in which they were carried over rivers and valleys on trestle bridges, at a comparatively small expense, was very remarkable, and very efficient. He could not see why any honorable member could object to the gentleman named in the motion being examined at the bar of the House. There could be no possible harm.

The Hon. J. F. McDougall: No harm, and no good.

The Hon. J. TAYLOR: He was not quite sure that there might not be some good. He thought it was unwise to oppose the motion. There were, he believed, no expenses attending the examination of Mr. Jones. Perhaps Mr. Jones would require a fee to be paid, but he (Mr. Taylor) could see no harm in that. He differed with the Honorable Mr. Fitz on one or two points. He differed with him when the honorable gentleman said he believed it was the wish of the Government to delay the railway. The Loan Bill was passed. Certainly, he waited for another Bill to award fair and just compensation for the land which might be resumed. When that was passed the thing would be complete. He had no doubt the honorable gentleman was consistent. He was consistent in his opposition to the Government, who had not acted wisely and justly in certain matters within the last few days, of which the House were aware. The Council had a representative of the Government in the shape of the Postmaster-General,

who would let them know what was done, as he had instructions. He (Mr. Taylor) did not believe that it was the intention of the Government to delay the railway for one hour. The country had an energetic Minister for Works, a man not surpassed in the colony for his position. From what he (Mr. Taylor) had seen of the works carried out by the Works Department under his administration, they were not to be surpassed—they were of a first-class description;—there was no doubt of that. That Minister would carry out public works with or without money. There was a good deal of the Yankee in him. Although he (Mr. Taylor) was going to vote with the Honorable Mr. Fitz, he differed with him on many points of principle. He did not see why anyone should oppose the motion, for one moment. It was nothing but calling a simple man to the bar of the House and asking him a few questions. The House could not lose anything by it, and might gain something.

Question put and passed.

PAYMENT OF MEMBERS BILL.

The POSTMASTER-GENERAL, in moving the second reading of a Bill to provide for the Payment of Members of the Legislative Assembly and Legislative Council of the colony, said that the way in which it came into his hands to bring it before the Council, was from its having been introduced in another place upon an Address to His Excellency the Governor. He should simply move the formal motion for the second reading of the Bill.

The Hon. L. HOPE said he should oppose the Bill. The Parliament were supposed to be economising just now; and yet the Bill would involve an expenditure of £10,000 a-year for the payment of members of Parliament. He might say that he should be glad to see members who had to come a long distance reimbursed their expenses, and handsomely reimbursed; because it was a tax upon everyone, in both Houses, to attend Parliament. But he should be inclined to do it only when the country could afford it. With regard to some of the provisions of the Bill, he regarded the fourth clause as insulting—it was a contemptuous reference to the Legislative Council.

The Hon. J. TAYLOR: Hear, hear.

The Hon. J. F. McDougall: Hear, hear.

The Hon. L. HOPE: He thought that if it was proposed to pay members of Parliament at all, the time of members of the Council was as valuable as that of any members of the Assembly; and he could not see why the members of the Council should not be paid too.

The Hon. H. B. FITZ: No doubt the Bill now before the House was a very important one; and a great deal was to be said both for and against it. He was not going to say, just now, how he should vote, nor until he heard the opinions expressed of other honorable members. But, of course, he must not lose sight of the fact that members coming

from the country and giving up their time to Parliamentary duties were certainly entitled to some recognition. But the danger of it was, as it always struck him, that, if the State once recognised payment of members, the tone of the Parliament, and particularly of the representative House, was likely to be lowered. And particularly, at the present time, he thought that might be the case. Mineral discoveries were extending, and the colony was likely to have a large digging population. The House were perfectly aware that on all the diggings there were men with a great deal of ability, with a great amount of talent, but perfectly unscrupulous; and, if legislators were provided with an income, there would be a large class of persons of that description coming forward into public life; and it was very questionable whether they would be desirable persons to make our laws. Again, on the other hand, it was a very great tax upon persons who gave their time to the public attending to their legislative duties; and no doubt they should be paid. But what he objected to in the Bill was that the members of the other House were attempting by it to provide for themselves. He must agree with the honorable member, Captain Hope, that they should be more gracious; because, "what is sauce for the goose is sauce for the gander;" and, from the opinions he had heard expressed, he did not think that the other House would find the Council composed of such geese as to pass the Bill. The question had been raised in Newfoundland, where, strange to say, there was a nominee Upper House of twenty-one members and a House of Representatives, or Assembly, of forty-two members. The Assembly passed a similar measure to the one now under consideration, providing payment for themselves, but leaving out the Council. It was sent to the Council, and they rejected the Bill after some debate. In the following session the Assembly sent the Bill up again, and it was rejected a second time. The two Houses then had a conference upon the measure, and it was decided that the members of the Council should be paid as well as the members of the Assembly; that the Council should not ask to interfere in any way with the expansive power of their House, which the Government should still retain—the power of nominating members to the Council as they should think fit; but that only twenty-one members of the Council should be paid;—so that, if there were additional members appointed, all over that number should be unpaid. In the event of a vacancy amongst the paid members, by death or otherwise, the senior unpaid member should occupy the vacated paid seat. Upon that understanding the question was settled. He did not think it likely that the members of the other House need expect to pay themselves, so long as they treated the Council in the manner they had done; because he held that the time of many honorable mem-

bers of the Council was as valuable to them as that of honorable members of the Assembly was to themselves. He was sure that the Honorable Mr. Lambert, who was not present, and who had to come from a long distance in the North, was as valuable to him as their time was to the honorable member for Rookhampton, Mr. Fyfe, and the honorable member for Clermont, Mr. Graham. Of course, it was unnecessary to draw those comparisons; but the time of the Honorable Mr. Taylor was as valuable to him as was his time to the honorable member, Mr. Scott. For those reasons, the other House were unwise to send up the Bill in such a shape as it came before the Council. The Assembly proposed that the Council should be paid when the Upper House were elective. As long as he was a member of the Council, he should always oppose that. Of course, if the Council were elective they would represent a higher franchise than the other House—they would represent the property of the colony; and, if they represented the property of the colony, why should they not have a voice in the public expenditure? Probably, they had more interest in it than the other House, where there were some members who had no property at all. Wherever there was an elective Upper House, there was no advantage over the present system in this colony. So long as a nominee Upper House existed, there would never be a dead-lock. The power was in the hands of the Governor to increase the number of members of the Council—to give the voting power needed by the Ministry of the day to carry any particular measure. Although it was not right to make such remarks, yet, he thought, as far as the present Government were concerned, they had a very large voting power in the Council. He was very much struck, the other day, by a division in the House. The votes were six to six, and, upon his word! he found that no less than five of the honorable members who voted on one side were recipients of Government pay:—The honorable the Collector of Customs was one of them; the Honorable Captain Simpson, a member of the Marine Board, was a second. He (Mr. Fitz) held therefore that, under the circumstances, there were certain honorable members of the House who were, to a certain extent, bound to support the Government of the day, whenever required. If he looked to the other colonies, he could not find where a nominee Council existed, as in New South Wales, the same number of gentlemen holding Government appointments with seats in the House. For that reason, the Government here had no cause to complain of a want of support in the Council. But, he held that the power to appoint so many gentlemen, holding official positions, should not remain with any Government. He should feel bound to support the Government, if he occupied an official position, and was in receipt of a handsome salary; and he should hesitate before he

would give offence to the Government by voting otherwise than for them. He could not help remarking that the Postmaster-General looked round for those gentlemen to vote, as if he, by right, regarded them as in the House only to vote for the Government.

The Hon. J. TAYLOR: Hear, hear.

The Hon. H. B. FITZ: And, no doubt, they felt that they should not give offence to the Government.

The POSTMASTER-GENERAL: He could hardly allow that to pass without saying something. The honorable gentleman had no right, in his place in the House, to make such allusions to other members, who were as honorable men as he, and not bound to the Government.

The Hon. H. B. FITZ: He was not making allusions to them. He had stated that he could not help being struck, when he saw in a division, on one side, the Honorable Messrs. Taylor and McDougall, Captain Hope, and Messrs. Gibbon and Harris, with himself; and, on the other side, the Honorable Messrs. Browne and Thornton, his honorable friend, Dr. Hobbs, Captain Simpson, the Postmaster-General, and another honorable member. When he saw so many honorable gentlemen sitting on one side, who all called at the Colonial Treasury monthly, he maintained that they were not so independent in the House as he was. He had no doubt that they said to themselves that they gave conscientious votes. No doubt, they did vote according to their consciences. But the representative of the Government would look at them, as if to ask them to come and vote with him, whenever he wanted them. That honorable gentleman would not ask him (Mr. Fitz) to vote with him. With regard to the Bill, if the other House were going to pay themselves, they ought to have sent up to the Council a different Bill. Before he gave his vote, or said how he would give it, he should hear the remarks of other honorable members.

The Hon. W. THORNTON said he had not intended to speak on the question, which he did not feel very much interested in, but for the observations of the Honorable Mr. Fitz. At the same time, he saw no objection to the principle involved in the Bill. The only objection that could be raised to it was on account of the amount of money that would be required to carry it out. As the people, through their representatives, approved of the payment of their members, he could not see that it concerned the Council in any way whatever. In fact, all the responsibility of the question was taken away from the Council. He always did hold the opinion that members of the other House should be reimbursed for the expenses they were put to in attending to their Parliamentary duties. The sum that was put down in the Bill did not, in his opinion, exceed a very fair allowance for those expenses. He could not see the argument of his honorable friend, Mr. Fitz, that payment of members would lower the tone of the other branch of the Legislature. In his opinion, it

would rather improve the tone than otherwise; inasmuch as there were many men in the colony—well qualified, highly educated gentlemen—in every way competent to take part in the legislation of the colony, who were now prevented from doing so by the expenses attendant upon a seat in Parliament, but who would come forward when their expenses were defrayed by the state. Such men now held back; but they would be a very great credit to the colony if they could come forward. There were two constituencies already in the colony that had testified their approval of payment of members, by paying their own representatives. The electors paid those members out of their own pockets. He must say that one of those gentlemen was the most promising of our legislators, though a young one. That gentleman had been manly enough to state in his place in the Assembly that he could not have come forward to represent his constituents, if they did not pay his expenses. There were many such. Payment of members, as now proposed, was no new thing. It was not an experiment. It had been tried in many other countries, and he (Mr. Thornton) believed that it was generally understood that members of Parliament were paid in the old states of the Continent of Europe. Formerly, it was the custom to pay members of Parliament in England, but there, necessity for payment ceased, because there was always a number of men of large fortune and ample leisure, and of good attainments, ready to fill seats in Parliament, and thus there was no necessity for payment of members in the mother country. Members of Parliament were paid in several of the British colonies, and also in the United States of America. He thought he had heard it mentioned that to such payment might be imputed the corruption which prevailed to such a great extent in the American Legislature. But he did not think that that could be the fact. The higher members of the Legislature were paid the better for their independence—the better fitted they would be for the performance of their duties, and the farther removed from the reach of corruption. The corruption spoken of was due to other causes altogether. It arose largely from the circumstance that every Government officer was compelled to retire from office on every change of administration. When men got into office, therefore, they endeavored to make the best they could of their power and opportunities. The necessity for changing officers had a demoralising effect in all departments, from the judicial benches downwards. As far as he could hear and understand, another chief objection to the Bill was that it did not include payment of members of the Council, also. He could not see that there was very much in that. There was, he thought, a very wide difference between the people paying persons whom they elected as their representatives, and paying persons with whose nomination to the Legislature they had nothing to do. Certainly,

the amount of labor in the two Houses was not the same. The Council had not the same arduous work to get through as the other House had. Their work was, indeed, very trifling. There were only two occasions, this session, on which they had had to work after six o'clock in the evening. Generally, their sittings lasted an hour. The Honorable Mr. Fitz had stepped out of his way to speak of honorable gentlemen who were paid officers of the Government. What connection they had with the Bill before the Council, he (Mr. Thornton) could not discover. They acted as conscientiously in the discharge of their legislative duties as the Honorable Mr. Fitz, and they were rather more consistent than he; and, doubtless, they were less influenced as regarded ulterior personal objects than the honorable gentleman who had thought fit to say so much about them. From having been a staunch supporter of the squatting party, and after having tried to obstruct in every way the passage of the liberal measures that had been brought forward in the House, the honorable gentleman had become an ardent advocate of opposite views, and connected himself with the opposite party.

The Hon. H. B. FITZ: He defied the honorable gentleman to point out a single inconsistent act.

The Hon. W. THORNTON: He alluded to the honorable gentleman's stumping the Downs in connection with what was called the "Great Liberal Party," trying to expose the rapacity of the squatters.

AN HONORABLE MEMBER: Hear, hear.

The Hon. W. THORNTON: He did not know what the honorable member had in view at the time. There was a possibility of a change of administration; and he was not prepared to say that the honorable gentleman had not in view some advantage to himself in that respect. Now, the honorable gentleman was seen almost weeping in the arms of the Honorable Mr. Taylor, who seemed to have converted him. He should like the Honorable Mr. Fitz, who was so consistent, to explain that.

The Hon. H. B. FITZ: He should like to explain. He objected to any Government riding rough-shod over the people, and he objected to too great an assertion of the power of the Crown.

The Hon. W. THORNTON: He could speak for himself. He was not in the Council as a Government officer; he was there as any other member was. When he was offered a seat in the House as Collector of Customs, he refused it. And, it was only on the condition that he entered the chamber as any other honorable member, that he took his seat. During the time that he was in the Council, he could swear that he had acted as independently in every way as any honorable member of the House. On no occasion was he ever asked, directly, or in the most indirect manner, to vote on any question with the Government. He had endeavored, to the

best of his ability, to make himself useful. He seldom addressed the House, except on matters connected with his own department. He was a supporter of the Government, because he believed they were about the most able and honest men in the country. The measures that they had brought forward were for the good of the country, and were most progressive measures. It was for those reasons that he was found supporting the Government. If a question arose on which he found he could not support them or any other Government, he should give up his seat.

The Hon. G. HARRIS: The Bill was most objectionable in every form; and he regretted very much that it had been submitted to the consideration of the House. In his opinion, those who aspired to a seat in Parliament should not seek that position if they could not bear the expense attending on it. He thought that the reference made to the Council in the fourth clause was almost sufficient of itself to decide honorable members as to which way they should record their votes. Considering that the Bill was not in any way required, and that there was ample time in the future to consider the necessity for such a measure, he should move, by way of amendment—

That the Bill be read the second time this day six months.

Question—That the word “now” be omitted from the original question, with the view of adding at the end thereof the words “this day six months.”

The Hon. J. F. McDougall said he felt very great pleasure in supporting the amendment of his honorable friend, Mr. Harris, and he did so for two very good reasons. In the first place, the House were asked to pass a measure which involved a large expenditure, and consequently a large amount of taxation upon the colony. It was supposed, and he believed rightly so, that the Council had not the power of interfering with a money Bill.

The Hon. H. B. FITZ: Not a Loan Bill.

The Hon. J. F. McDougall: He took the Payment of Members Bill to be a money Bill; and, therefore, the only way the Council should deal with it was as proposed by his honorable friend, Mr. Harris. He objected to the Bill upon another ground. He should only say that the gentleman who conceived it and brought it forth had been extremely considerate, no doubt, in taking the future position of the Council into account—that was to say, that when the Council became an elective Chamber, they were to be provided for in the same way as the Assembly were now proposed to be dealt with under the Bill. Now, as far as that went, he thought the day was very distant which would see the Council elective. If the Council assented to the Bill, and if it became law, it would have the most prejudicial effect in lowering the character and tone of the

Assembly. A seat in either House of Parliament ought to be the highest ambition of any man in the colony to attain. If he was not in a position to support it, without being paid, he had better succumb and make room for somebody else. He (Mr. McDougall) thought the system of payment of members was most objectionable in every way. He had heard all that had been said, and almost everything that had been written upon the subject; and he had come to the conclusion that it was the most unwise system to pursue. The Council all knew perfectly well that it was tried in the British House of Parliament—the Parliament of Queensland was supposed to be a reflex of that at home—and discontinued, after being in practice a number of years. They should endeavor not to take other countries as their example, but to follow as near as possible the mother country in everything that they did. He saw no reason why they should depart in this instance from that rule, and he should support the amendment with much pleasure.

The Hon. F. H. HART: It was not his intention to take up the time of the House. He might simply state that he should support the amendment, upon the ground that as the Parliament was not in a position to reduce the heavy taxation which the colony was now suffering under, it had no right to vote money for the purpose set out in the Bill. As for the Bill, he might say that if it had been brought up in a different shape—that was to say, so far as referring to travelling expenses of members coming from the different parts of the country went—it might be entertained; but as to paying members for representing the people in the Assembly, he thought it would have a very prejudicial effect indeed. A great deal had been said upon the question; but he should not say much. For his own part, when he looked back, as a resident of Victoria, some years ago, and recalled how matters were conducted in the Legislature of that colony, in times past, and compared what he recollected with what took place there now, he could not help coming to the conclusion that payment of members had tended to lower the tone of the Parliament.

The PRESIDENT: This was a question which, he thought, no man who took an interest in the country should shrink from expressing his opinion upon. The Bill seemed to have been brought before the Council without any very intelligent godfather. It was laid upon the table by his honorable friend who represented the Government; but he did not appear to be animated by any great feeling in its favor. It did not appear, either, to have attained, as far as he (the President) could yet judge from the discussion, any great favor amongst honorable members of the House generally. And, yet, there was something to be said in its favor. He thought that one strong argument was, in the very great difficulty which the distant districts of this colony found in procuring

for themselves representatives of local influence and local knowledge. He should, himself, feel quite inclined to support a Bill providing for remuneration to members coming down for the performance of their Parliamentary duties—say, from the distant districts of Kennedy, Cook, or Leichhardt, or any far away districts, which were situated at an inconvenient distance from the seat of government. Such a measure would, he thought, work for the public good; as it would enable constituencies in such districts to send representatives to the Assembly who were acquainted with their particular wants. But the Bill did not go far enough for that. The sum provided was not at all a sufficient remuneration to induce any local settler to devote some six months of the year to the performance of Parliamentary duties. He thought, that for members from those distant districts, the remuneration ought to be, at least, double that which was mentioned in the Bill. For other portions of the country, he could not understand the object of the proposed remuneration. If they could not find members—say in the metropolitan districts, or in those in the immediate neighborhood of the metropolis—it was their misfortune, but one which certainly ought not to be met by contributions from the public revenue. If, therefore, the House went into committee on the Bill, as seemed very improbable, he should be prepared to move such amendments as would provide that the Bill should apply principally to the members for the distant districts. But there was another reason why he had no doubt the House would consider that it was undesirable at the present moment to accede to the measure; and that was, that, looking as they must, to the career of the Legislative Assembly in this colony, they were quite satisfied that the work of legislation had been well done hitherto, and that it did not require a plaster of this sort to improve it. The Council were always able to carry on the business of legislation in concurrence with the Legislative Assembly, in a manner that had been quite satisfactory to the present time; and he believed that the Legislative Assembly of this colony would compare favorably with similar bodies in the other Australian Colonies. He did not see that any reason had been laid before the Council why they should adopt the Bill, which was certainly contrary to the spirit of the English Constitution, and which was one that did not appear to be required by any failure in the performance of their duties by the Legislative Assembly of Queensland.

The Hon. H. B. FITZ said he would speak to the amendment. In the first instance, he only stated his objections to the Bill. He had been aware that an amendment was to be moved, and he had thought fit to reserve his remarks on the other side until the amendment was before the House. He would now state why, in his opinion, such a Bill should

pass. He was perfectly aware that if members were not paid for attending to their Parliamentary duties, the whole legislation of the country was thrown into the hands of one class. Looking at the different interests of the country, there were no persons so capable of attending in their places in the other House as the squatters. The great objection to legislation hitherto had been that the squatters had too great power.

The Hon. W. HOBBS: Hear, hear.

The Hon. H. B. FITZ: That was the grievance that formed a strong argument in favor of members being paid. He was not going to say that he would uphold the Bill, if it came to a division; but he did say that he had given some of the reasons that were urged in favor of payment of members. If only persons could get into Parliament who were pecuniarily capable of taking their seats, there was no doubt about it that the legislation of the country was placed in the hands of one class; and, until wealth was more distributed than now, and many more persons could afford to give their time to attendance upon Parliamentary duties, there would always be many squatters in the House. And there could not be a single argument in favor of such legislation as that by a class. Of course that state of things would be remedied in a few years, and there was no reason why the House should make such an inroad upon the revenue as the Bill proposed. As far as the squatting interest went, he had to say that its members had conducted the Government of the colony fairly, hitherto. He had stated the best, if not the only, argument that could be urged in favor of payment of members in this colony.

The Hon. H. G. SIMPSON: The Bill was one upon which he had some considerable difficulty in making up his mind. There was a good deal to be said in favor of it, and a good deal to be said against it. He doubted very much whether the amount proposed to be granted to members of the Assembly would tend to bring in a better class of representatives than the country had at present. He did not think that £150 a-year would do so. He might say that he perfectly coincided with the opinion expressed by the President just now, that the Assembly of this colony might compare favorably with that of any other colony. In fact, if their proceedings were carefully looked over, and compared with those of the representative Houses in the other colonies, he was quite sure that they would be found to compare most favorably in every respect. Therefore, on the ground that the Assembly would be improved, there could not be found any reason for the innovation proposed. At the same time, he was perfectly prepared to admit that it was a hard case for members coming from a distance to perform their Parliamentary duties. That travelling allowances should be made, was undeniably just. That the Bill would not

affect—that it was not likely to change, the representation of the outer districts, was perfectly true. He did not think that an allowance of £150 a-year would have that effect. To change it—supposing that it was desirable to change it—the amount being reduced so low would militate against the success of the Bill. The allowance was more than was necessary to compensate a person for travelling expenses, and it was not enough to remunerate him for leaving his business. However, there was one point which had decided him to vote against the second reading of the Bill, and that was the insertion of the fourth clause.

The Hon. J. TAYLOR: Hear, hear.

The Hon. H. G. SIMPSON: He did not believe that the House ought to consider, or read the second time, a Bill that contained such a clause. Although it was perfectly competent to the Council to strike out that clause—which contemplated by implication an alteration, he might say, a revolution, in the constitution of the Council—which might come, if it should be considered desirable, in the course of time, in the natural course of events;—yet, he held that they would be wrong in entertaining any Bill which proposed, and was evidently as if it was considered probable—for the period of three years was mentioned—framed with a view to that contingency:—

“Whosoever within the said period of three years statutory provision shall be made for the election of the Legislative Council the several provisions herein contained shall *mutatis mutandis* apply to the said Council.”

That, he considered to be a clear and distinct hint, he might say, that within three years it was intended to make the Council elective. Under those circumstances, if he had no other doubt in the matter, and in consequence of that clause being in the Bill, he should vote against the second reading.

The Hon. J. TAYLOR said he did not think he could be accused of deviating from his principles for voting against the Bill. He was always an advocate for non-payment of members; and he went upon quite a contrary principle to his honorable friend, Mr. Thornton, who seemed all at once to be a strong advocate for members of the Assembly being paid. If forty-two independent men could not be found to come down to the Assembly without payment, well, then, the sooner Parliament was shut up the better; and let Queensland return under the Imperial Government altogether. He had no hesitation in saying that the men would be found. Although the number was limited to forty-two, there were plenty of good men in the bush, capable of taking their part, both in the House and outside. It had been argued that gentlemen who came down to Parliament required compensation for their loss of time and for their travelling expenses. Well, he knew the answer that would be given by such

men as he referred to. They would be very sorry to see it offered. But there was a lot of low people who were very anxious to get into the Assembly for the sake of the pay and the position, the dignity of the office of representative; and that was the kind that required compensation. None of the country representatives in the other House wanted compensation;—payment of members, he was sure, would be opposed by all the outside men, who came four or five hundred miles from their constituencies to Brisbane. They did not ask for it, although the Honorable Mr. Thornton imagined that they were hard-up and required it. If they were polled tomorrow, not one of them would accept it. The liberal sum of £150, all to themselves! It was something astounding that members of Parliament could be found to whom it was a consideration. As a professional man, in this city, said to him the other day, when in his yard: “Well, I am surprised they have only proposed £150 a-year for themselves. Do you see that man driving that dray? He gets £200 a-year.” Yet those poor beggars, those unfortunate members of Parliament, were offered the miserable pittance of £150 a-year! How any House ever passed such a Bill as that now before the Council, he (Mr. Taylor) could not understand. If the Assembly had put in £1,000 a-year, there would be some sense in it: and that worthy member of the Council, the Collector of Customs, said he thought they ought to have it. Well, the honorable gentleman had had plenty of Government pay, and he knew the value of it—he knew the sweet fruits of it. He (Mr. Taylor) must confess that he did not know. And it was proposed, further, to give those gentlemen who came a long way to the Assembly eighteen-pence a mile! He asked the President how he could travel for eighteen-pence a mile? Or, could any man do so, with a spark of independence in him? He would sooner walk the soles off his boots. The whole thing was an absurdity.

AN HONORABLE MEMBER: Too much.

The Hon. J. TAYLOR: He thought that if a gentleman was to come to Parliament he should come in a proper manner, and not be bound down to eighteen-pence a mile. Why, it would cost him five or six shillings a mile. He was delighted to hear the debate, and to know that the Bill would meet the fate that all such Bills deserved. From what he had heard, the Postmaster-General was bound to push the Bill, and his lieutenant, the Collector of Customs, was bound down to go with him; and, perhaps, his venerable friend, the Honorable Dr. Hobbs, would be a supporter. There would be only three votes for it. He should not, however, make any further remarks in that respect. He was sorry that his honorable friend, Mr. Fitz, had spoken in the way they had heard. That honorable gentleman was an impetuous character. In reference to what

had taken place on a former evening, he (Mr. Taylor) said he was sorry he had attacked the Collector of Customs, and he withdrew every word he had said. It was not fair that he should have done so. The Council should be a happy-going family. They were all appointed alike, and they met on equal ground. Instead of throwing out shots against the honorable member, he should rather take the other course, and stroke him down gently. The honorable gentleman's indignation had been aroused. The House must not hear anything of the sort in future. Now, as to the Bill, it would give the man who lived in Brisbane, who treated the Legislative Assembly as he thought proper, who came when he liked and went when he liked, who just shewed his face to secure the pay—he (Mr. Taylor) might call it pay—it gave him the same as the man who had left his property subject to all risks in the bush, hundreds of miles away: they would get the same pay, except that the latter would have the eighteen-pence a mile for travelling expenses—once a year! He (Mr. Taylor) could not understand the justice of that arrangement; and he should vote against the Bill. He might have proposed to strike out the pay, and to leave the travelling expenses in. In that case, justice would be done. But to say that the gentlemen in Brisbane who used the Assembly for their own purposes should be paid the same as gentlemen who travelled thousands of miles to attend the Assembly, was preposterous and outrageous. He did not know whether the heart of the Postmaster-General was in this measure, or whether he wished to carry it. He trusted that the amendment of the Honorable Mr. Harris would be carried by a very large majority.

The Hon. L. HOPE: There was nothing in the Bill concerning the absence or presence of members; they were still to receive the compensation all the same.

The Hon. J. TAYLOR: He should like to ask one question of the President, on a point of order:—The House could not alter the Bill: they must either receive it or reject it, as a whole?

The PRESIDENT: There was no question before the House, now, as to any proposed alteration. The question now, was—That this Bill be read the second time this day six months.

The Hon. J. TAYLOR: He should like to know if the House could amend the Bill in committee, if the second reading was passed.

The PRESIDENT: He presumed that the House had quite power to do so.

The POSTMASTER-GENERAL said he had allowed everyone to speak who seemed inclined to take part in the debate; and he rose in answer to the questions of the honorable gentleman who last addressed the House. He must confess that he was placed in a rather awkward predicament with respect to the Bill. It had fallen to his lot to bring in the Bill as a duty. As honorable gentlemen

were aware, whenever he brought in a Bill, he always did his best to pass it through the Council; as it was, this measure had fallen somehow into the hands of the Government. Although, if there was a division, he should most certainly vote for the Bill, as, being in charge of it, he could do nothing else; yet, at the same time, he wished it to be known and understood that under other circumstances he should not do so.

The Hon. J. TAYLOR: Hear, hear.

The POSTMASTER-GENERAL: He thought he was bound to say so much. He could not see that there was any likelihood of the Bill passing. If, at any future time, the Bill came up again, he should not feel bound to take the course he took, to-day.

The question was put and negatived; whereupon the question—That the words proposed to be added be so added—was put, and the House divided:—

Contents, 13.	Not-Contents, 3.
Hon. L. Hope	Hon. T. L. Murray-Prior
" J. F. McDougall	" W. Thornton
" F. H. Hart	" W. Hobbs.
" W. D. White	
" W. Yaldwyn	
" J. C. Heussler	
" J. A. Bell	
" H. B. Fitz	
" J. Gibbon	
" J. Taylor	
" G. Harris	
" D. F. Roberts	
" H. G. Simpson.	

Resolved in the affirmative.

The question—That this Bill be read the second time this day six months—was then put and passed.

HOMESTEAD AREAS BILL.

The following Message was received from the Legislative Assembly:—

" Mr. PRESIDENT,

" The Legislative Assembly having had under consideration the Legislative Council's Amendments in 'The Homestead Areas Bill,' agree to the Amendment made by the Council in the sixth clause.

" They disagree to the Council's proposed new clause 13, because 'The Crown Lands Act of 1868' already provides compensation by way of pre-emption.

" They further disagree to the proviso proposed by the Council to clause 14, because the public revenue would materially suffer by such an enactment.

" F. A. FORBES,
" Speaker.

" Legislative Assembly Chamber,
" Brisbane, 19th August, 1872."

The House went into Committee of the Whole for the consideration of the message.

The POSTMASTER-GENERAL then moved—

That the Council do not insist upon their amendment of new clause 13.

He observed that he did not divide the House upon that amendment, when it was proposed, by the Honorable Captain Hope, because, knowing that it would be carried, he had regarded it as tantamount to shelving the Bill.

If honorable gentlemen would look at the tenth section of the Land Act of 1868, they would see that provision was there made for the resumption of the leased halves of the runs; while the fourteenth section shewed that the pastoral lessee had the right to pre-emptive purchase for improvements. Under the latter section, the pastoral tenants had been allowed to come in and pre-empt to the extent of 2,560 acres of land. The pastoral lessees having come under the Act of 1868, the right of the Crown to resume the leased land was of course part of the conditions, as the right to pre-empt was. In reference to the amendments of the Council, the Assembly had, it must be allowed, met them somewhat by adopting the reduction of the area of selection from 640 to 320 acres; and, thereby, much of the objection to the Bill was removed. The country wanted the Bill, and it was desirable to pass it, in order that the House might then consider the resolutions for the resumption of lands.

The Hon. L. HOPE said he must oppose the motion, and he moved, by way of amendment—

That the Council do insist upon clause 13.

The pre-emption under the Act of 1868, to which the honorable gentleman had alluded, was given as compensation for resuming half of the runs, and it had nothing to do with the present case. There was no just and reasonable cause shewn for the present proposed extraordinary resumption. The House had given a conscientious vote, and he hoped they would re-affirm it. The Government had, it appeared, made use of the squatting party; and now that the arduous session was near its close, they were prepared to cast off those to whom they owed their strength. The Bill was a repudiation, in an unblushing way, of the ten-years leases; and its introduction was an unscrupulous and infamous interference with ordinary justice.

The Hon. J. F. McDougall denied that the Act of 1868 provided for compensation for the resumption of the leases now proposed; it provided simply for the resumption of the one half of the runs, and gave compensation for that resumption. The new clause which the Council had agreed to was to provide compensation for what he called a breach of faith, in the breaking of the ten-years leases which had been granted to the Crown tenants after they had given up half of their runs. He had a very great objection to breaking the "charm of the ten-years leases," which had been alluded to in another place. He was not averse to the resumptions, if they were proved to be necessary, and he believed in the charm of the necessity for keeping good faith. The mind that had conceived the idea of breaking faith would not stop at the resumptions; repudiation would follow next. He defended the squatters from the charge of being cormorants and grasping individuals, and he held that they invariably proved themselves

to be as charitable and as considerate as any class of the community. The Council ought to be in a position to protect any part of the community, and they ought to express their opinions fearlessly and independently. He hoped that any honorable member who saw fit to change his opinion upon the question before the committee, and to vote on the other side, would give his reasons. For his own part, he should support his honorable friend, Captain Hope, as he saw no reason why the Council should change their opinion. Honorable members of the Council were not influenced or bound by the opinions of constituents; they were in an independent position; and he hoped they would assert that position, and shew to the country that they were not only capable of expressing opinions upon any questions that came before them, but of maintaining those opinions whenever they expressed them.

The Hon. W. HOBBS maintained that the honorable gentleman must have been laboring under a remarkable delusion when he stated that there was nothing in the Act of 1868 to justify the resumption of lands held under the ten-years leases, and inveighed against the injustice of the Government; and he referred the honorable gentleman to the tenth clause of the Act.

The Hon. J. F. McDougall: He knew every word of the Act.

The Hon. W. HOBBS: Well, then, the honorable gentleman did not understand it.

The Hon. J. F. McDougall: Yes; as well as the honorable gentleman, and perhaps better.

The Hon. W. HOBBS: The Government were carrying out the intention of the Act and the agreement which the pastoral tenants made in taking the ten-years leases when they resumed eight square miles from the runs as proposed. The Honorable Mr. McDougall and Captain Hope seemed to take no notice of the fourteenth clause of the Act, which already gave compensation to the pastoral tenants in the shape of pre-emptive rights. There was nothing of repudiation in the Bill or in the proposed resumption. Nothing could be fairer under the law. As to the valuation of the runs after the resumption, the parties affected must trust to the honesty and efficiency of the appraiser. Surely, no injustice would be done to the lessees. The Bill should not be imperilled. Population was wanted, and land must be ready for the immigration that was to set in; and by settling the people on the land, the railways would become remunerative. He could not support the Honorable Captain Hope's amendment. Honorable members should not look at the question from merely the squatters' point of view, nor obstruct the march of progress now set in for the colony.

The Hon. L. HOPE denied that he looked at the question from merely the squatters' point of view, but as one of justice between the Crown and the pastoral tenants. The

honorable gentleman had no experience as a squatter. He (Mr. Hope) was thirty years a squatter in the colonies, and he never saw any Act liberally interpreted for the squatter. He had heard the protestations of Colonial Secretaries that everything would be well; but when a doubtful phrase was met, it was interpreted strictly and most stringently for the squatter. There would be no consideration shewn for the pastoral tenant in the valuation of his run after the eyes were picked out of it and what was left to him was depreciated.

The Hon. H. B. FITZ apprehended injury to the colony from lessening the security of the leases from the Crown. He had looked upon the ten-years leases, and they were so regarded by capitalists in Sydney, as more nearly approaching an indefeasible tenure than any before known in the colony. The Honorable Mr. Taylor, when Minister for Lands, gave the squatters twenty-years leases, but he (Mr. Fitz) did not look upon them as worth the value of the paper they were written upon. He had been astonished at the charge made by the Honorable Mr. Thornton, that he had changed his views. What he had done was against a Government who were subverting the action of the Crown; and he had acted as an independent man. Let the Honorable Mr. Thornton or the Honorable Dr. Hobbs attend a public meeting and denounce the Government! They could not do so; therefore, they were not as independent as he.

The Hon. G. HARRIS, seeing that the House were not likely to come to a conclusion, and believing it would be best for honorable members to have time for consideration, moved that the Chairman leave the chair and ask leave to sit again to-morrow.

The POSTMASTER-GENERAL moved an amendment to the effect that the committee have leave to sit again at seven o'clock.

After a short discussion the committee divided, and the amendment was affirmed:—Contents, 8; Not-Contents, 6.

Accordingly the House rose shortly after six o'clock, and the sitting was suspended until half-past seven; when the committee resumed.

The Hon. W. THORNTON said the question involved in the amendment was, nominally, that the Council insist upon their amendments; practically, that the Bill be thrown out. He supported the original motion of the Postmaster-General; and, in doing so, he desired to ensure the passing of the Bill, as he thought it would be best for all parties concerned, and for the country. In his action, he was influenced by no feeling inimical to the squatter. He commenced his colonial life as a squatter, and amongst his earliest and best friends in the colony were squatters. He recognised the squatting interest as the first in the colony, and he believed the prosperity of the colony hung upon that interest. It was with the best feelings to the squatters, and to try to arrest a greater evil than they apprehended

under the Bill, that he supported the passing of the measure under consideration. The squatting element was strong in the representative chamber, and gentlemen there had shewn themselves to be wiser in their generation than the squatters who sat in the Council. There was no doubt whatever that there was a demand for suitable land for agricultural settlement throughout the whole of the southern districts; every newspaper gave forth the cry, and it was re-echoed everywhere in the colony. The Honorable J. Taylor had remarked that there were no public meetings held on the subject, and no agitation amongst the people for land. In the honorable gentleman's own town, a large meeting had been held to urge upon the Government the necessity for throwing open the land for selection. It appeared that nearly the whole of the Downs was wired-in by the squatters, and that there was no suitable land fit for agriculture open for persons to settle down upon. The best parts were all picked out, and the greater portions by the squatters themselves. He very much feared that if the Bill was not agreed to, something very much worse for the squatters might be brought in at the next opportunity. There was no doubt, whatever, that other interests were accumulating strength in the colony, and that in the new Parliament they would be strongly represented; and they would look very unfavorably upon the pastoral tenants of the Crown, in the Council. The Government, with the exception of one honorable gentleman, were all connected with squatting pursuits; and they must have seen the necessity for the Bill, or they would not have introduced it, affecting, as it did, both themselves and their supporters. Taking into consideration, then, the circumstance, that the Bill was introduced by a squatting Government, and passed by the other House without any opposition to speak of from the squatting members there, there was strong reason for believing that the Bill was necessary, and that it ought to become law. The new clause thirteen, he opposed when it was introduced. He maintained that there was no breach of faith in the Government resuming portions of the runs, and he did not think the resumptions called for any compensation whatever. He was sorry that the necessity had arisen for resuming the land; but it would be much better for the squatters to bow at once, than to have the whole of their land resumed, or to have free selection proclaimed over the whole colony; in which latter case, the people would be scattered about, without capability of combined action for the making of roads and bridges, for the establishment of schools, without clergymen—and a race of cattle-stealers, or, perhaps, bushrangers, would spring up in a few years. The occupants of the small runs, in the coast districts, knew very well, when they purchased those runs—there were none of the original discoverers now in occupation—that they would have to

give them up to make way for the people. Although they were entitled to the sympathy of the House for being sufferers under the Bill, yet it was only what they must have expected, and had a right to calculate upon. If the clause was insisted upon, the Bill would be lost to the country, and the squatters would not gain by it. The Government had performed a very difficult and delicate task well; and, no doubt, if it were not for the pressure from without, they would not have introduced the Bill. The Assembly had made a concession to the Council, and to the squatters, too, he might say, in acceding to the reduction of the area of selection from 640 to 320 acres. That should satisfy honorable gentlemen.

The Hon. H. G. SIMPSON: On a former occasion he argued that if the Bill should be thrown out, a very much less favorable one for the squatters would probably be introduced at the first opportunity; and he saw no reason to alter his opinion. In the interests of the squatters themselves, he should be very sorry to see the Bill thrown out, as it would be, inevitably, if the House insisted upon the clause. He could not agree with honorable gentlemen who argued on the squatters' side of the question. The Act of 1868 was a compromise; and there was a clear provision made for the resumption of the land when it was required for settlement. The squatters themselves had purchased land largely in the resumed halves of the runs, and consequently themselves contributed to defeat the object of that resumption, by narrowing the areas open for agricultural settlement. He did not deny that they had a right to purchase; their purchasing was a perfectly legal and lawful action; but they knew that the land had been resumed and thrown open for general purposes; and they ought not now to object to the resumption of additional land, to make up for that which they had purchased. He trusted that they would allow the Bill to pass without further opposition, and without insisting upon their amendments.

The Hon. J. TAYLOR: It appeared, from the speech of the Collector of Customs—

The Hon. W. THORNTON: He was not the Collector of Customs in the Council; he was the same as any other honorable member.

The Hon. J. TAYLOR: Quite right! He begged pardon. It appeared, from the speech of the Honorable Mr. Thornton, that he had assumed the leadership in this matter, and that he had deposed the Postmaster-General. He had told the House that they had better accept the Bill, or they would have to accept something very much worse. That was the cry for twelve years past, and the squatters had repeatedly given way to it. But they got no credit for giving way. He should like to know what the honorable gentleman, and others like him, would say if the Government proposed to resume twenty-five per cent. of their salaries? They would say it

was rank injustice. He hoped the day would come when the Government would do it! He did not say how he should vote upon the amendment. There was one thing certain, that the Bill was unjust in every sense of the word. It was all very well for the Honorable Dr. Hobbs to say there was a clause in the Act of 1868 for the resumption of land from the runs upon a resolution of both Houses of Parliament. Did anyone believe, when the halves of the runs were leased to the holders for ten years, that the leases would be interfered with? It was all very well for those gentlemen to talk who came down to the House with their fat salaries and voted against the rights and privileges of the squatting fraternity. The Bill was a gross injustice on the squatters; but he supposed they would be forced to accept it. The threat that, if they did not, they must accept something worse, was an old one; and they should hold out, some time, and not always give way. The Honorable Mr. Thornton had talked about a squatting Government. The Act of 1868 was introduced by a squatting Government. Was a single member of that Government injured by that Act? No; not one of them. They were—besides the present Postmaster-General—Mr. Palmer, Mr. Mackenzie, and Mr. Lamb. They were a long way beyond the reach of that Act. Did the present proposed resumptions affect the present Government? No. He should like to see the Honorable Mr. Thornton and the Honorable Dr. Hobbs in a radical Government, with a strong Opposition to them. It would be a happy day for the squatting interest, when a radical Government came into power. It was unwise, in every sense of the word, for the Government to resume the land before the leases were out. At the expiration of the leases, the squatters could say nothing, and the land would be doubled in value. He was not aware of the meeting at Toowoomba, of which the honorable Mr. Thornton had spoken. The honorable Dr. Hobbs had recently paid a visit to the Downs, and he and his friend, Mr. Coxen, had a meeting; or, it was some hole-and-corner affair. The blind led the blind in such matters. He (Mr. Taylor) had heard no cry for land, but he had heard plenty of men cry out for tin.

The PRESIDENT said he should like to address a few words to the committee before the question was put. As far as he recollected, the reason given by the Legislative Assembly for disagreeing to the amendment made by the Council was, that compensation had been already awarded to the pastoral lessee, under the Act of 1868. Now, he could not see the justice of that reason, when applied to the further resumption which was now proposed to be made for the halves of the runs then leased for ten years. As had been shewn by his honorable friend who preceded him in the discussion, it was supposed, at the time the agreement was made, that,

on the division of his run, and on the condition of his resigning one-half, the pastoral lessee should receive a lease of the remainder for ten years. No doubt there was a clause in the Act saving the power to the Government to resume a further portion of the run, or of the leased half, should the land be required for the ordinary exigencies of the country. To shew that that was the meaning at the time, he thought he might quote from a pamphlet which was then published under the authority of the Minister for Lands, and which was drawn up by the Under Secretary for Lands, and was promulgated for the information and advantage of persons desirous of settling in this colony. The pamphlet set forth the peculiar advantages offered by Queensland under the Act of 1868. It was pointed out that—

“In the settled districts, most of the land has been, up to the present time, under lease for pastoral purposes. Each division or block of country is called a run, bearing a distinctive name, which the holder occupies with sheep or cattle, and pays a rent assessed on its capabilities for grazing. These leases have been renewed from time to time on the terms contained in the several Acts of Parliament in force at the expiration of the leases. Under the present Act, it is proposed to resume the whole of each run at the expiration of twelve months; but in the event of the lessee being willing to come under the provisions of the Act, he will be allowed a lease for ten years of half his run, and a license for the resumed half, which is open to selection before survey in the manner prescribed by the Act. These leases cannot be taken away by the Government of the day, as the Act provides that a joint resolution of both Houses of Parliament is necessary before any part of the leased half of a run can be resumed.”

There was, to his mind, an evident bargain. The leases had been resumed absolutely; but the Government said to those squatters who chose to come under the Act, that by doing so, they should secure new leases for ten years of one-half of their runs. A great many, under that supposition—many under pressure also, under the threat of resumption—came under the operation of the Act, and took the half of their runs upon a ten years lease. The pamphlet went on to explain the provision made for the settlement of the country, and that—

“These lands constitute the area available for selection under the Act, an area which, in the gross, is twice as large as Ireland.”

One would presume that, having resumed an area “twice as large as Ireland,” for the wants of 90,000 people, at that time, the Government had made provision for all those who were anxious to take up land. However, it appeared that the requirements of the people had outgrown even that large provision, and that further resumptions were now required. But, under the conditions stated in the pamphlet, those resumptions seemed to be fairly entitled, as, by the amendment agreed to by the House, in the Homestead Areas Bill, to further compensation. By the Act of 1868,

the pre-emptive right was given, but that was, for a specific advantage surrendered, at that time, by the leaseholders for the benefit of the public. Now, when a further resumption was asked for, he thought it was a fair demand indeed which was made by the amendment in the Bill, which had been proposed by the Honorable Captain Hope. To shew the difference of the way in which it was proposed to deal with the older pastoral tenant and those who became selectors under the Act, upon the resumed halves of the runs, in the various parts of the colony, it was provided in the regulations that—

“During the currency of such lease the Governor, or any person authorised in that behalf, may make entry to dig and remove gold or other metals, &c., provided that any damage done to lessee shall be made good to him, by paying an amount to be determined by arbitration.”

It was difficult to understand, if damage done to the selector lessee should be made good to him, and he should be paid “an amount to be determined by arbitration,” why the same rule should not hold with regard to the pastoral tenant whose ten-years lease was now to be interfered with. According to every principle of justice, it seemed to him that what was a fair rule for one ought to be the rule for the other; and he thought the House might feel justified in believing that their amendment in the Bill was a fair and righteous one; and, in pursuance of the decision already come to, they should insist upon it. One or two honorable gentlemen who preceded him in the discussion had said that the squatters had better accept the very kind offer made to them now, than wait for a greater evil hereafter that might fall upon them. It was much better to meet the evil which was before them, and which they knew, and to oppose it. If a greater evil should come in the future, they could know how to deal with it, when it did come. He saw no force in the argument that they should give up that which was right, because they believed a more outrageous demand than the present might be made hereafter. If the question went to a division, he should record his vote in support of the amendment which the House had already adopted, and which, he thought, they ought to maintain.

The POSTMASTER-GENERAL said he thought he was bound to answer the President. The honorable gentleman's argument was, that any damage done by diggers upon selections taken up by any lessee, should be made good—that he had a right to indemnification for that damage—and that the same rule should be applied to the pastoral tenant of the Crown. The honorable gentleman seemed to forget that that was part of the agreement with the selectors in the Act, the same as the right to resume land from the runs was part of the agreement with the squatters, also in the Act. He (the Postmaster-General) had listened attentively to what honorable gentlemen on both sides of the House had said; and

the only valid argument was, whether the land was or was not required. That, however, had nothing to do with the Bill, and it could be dealt with when the resolutions for resumption of land were under discussion. The House would not stultify themselves by not insisting upon the amendment. They had been met by the other House conceding in the matter of the reduction of the area for selection from 640 to 320 acres, notwithstanding that the larger area had been carried on a division in the Assembly, when the Bill was previously under consideration. With regard to what the Honorable J. Taylor had said, some honorable members of the Council might be amongst those squatters who were personally affected by the proposed resumptions and who might be damaged by them; but he (the Postmaster-General) felt assured that no honorable gentleman would take a personal view of the question. They were not in the Council to legislate for themselves, but for the country. The honorable gentleman had alluded to himself (the Postmaster-General), and he was an unfortunate sufferer in the present instance, as he had also been a sufferer by the Act of 1868. He had had charge of that Act in the Council, as he now had charge of the Homestead Areas Bill, as the representative of the Government. He had used every effort to pass that Act. There was then a strong opposition, and, as many honorable gentlemen knew, he had been at his wits' end how to get the measure through the House. It was known that the Act was only a compromise. The reason why he had advocated it was, that there was great depression existing at the time; and he was aware that there were many people who had no other way of living, who were waiting to get on the land. As far as that was concerned, the Bill met the object he had in view; and, if for that reason alone, he did not regret the part he had taken in it. He assured honorable gentlemen that, at the time he was carrying that Act through the House, he was perfectly aware how he should suffer from it. But he did his duty, and he trusted that he should always do it.

The Hon. J. TAYLOR: Hear, hear. He should not have mentioned the matter, but for what the Honorable Mr. Thornton had said, that the Bill, because it was brought forward by a squatting Government, was for the benefit of the squatting fraternity—which he utterly denied.

The question was put, and the amendment—That the House insist upon their amendment—was affirmed upon a division:—

Contents, 9.
Hon. L. Hope
" H. B. Fitz
" The President
" J. Taylor
" G. Harris
" W. D. White
" J. Gibbon
" W. Yaldwyn
" J. F. McDougall.

Not-Contents, 7.
Hon. J. A. Bell
" W. Thornton
" J. Mullen
" W. Hobbs
" J. C. Heussler
" H. G. Simpson
" T. L. Murray-Prior.

The POSTMASTER-GENERAL moved—

That the Council do not insist upon their amendment (being the proviso) in clause 14.

The Hon. H. G. SIMPSON: Seeing that it was resolved that the Council should insist upon their first amendment, and to make wholly certain that the Bill should be thrown out in another place, he moved—

That the amendment be insisted upon.

He pointed out that the limit of the area for homesteads was a protection against further resumptions. The proposed resumptions were necessitated by the free manner in which the resumed halves of the runs had been selected by the pastoral tenants.

The Hon. J. TAYLOR said he felt extremely obliged to the honorable gentleman for the fatherly care which he took of the squatters. He thought he could see the object of the honorable gentleman, who was one of those who viewed with jealousy and envy the possessions of others. The squatters had been false to themselves for not insisting upon their own interests. They had given way on every occasion. Now, let the Parliament and the Government and the people stamp them out altogether—exterminate them at once! He was only a new member of the House, but he observed that certain honorable members supported all Governments, no matter what their principles were.

The Hon. J. C. HEUSSLER: That wild part of the community, the squatters, might have another chance for the pre-emptive right; but he was afraid that the Bill would not now pass. Next session, there would be another Bill.

The Hon. J. F. McDUGALL said he should be happy to support the amendment.

The question was put—That the Council insist upon their amendment—and the committee divided, as follows:—

Contents, 8.	Not-Contents, 8.
Hon. W. Yaldwyn	Hon. The President
" J. Gibbon	" W. Thornton
" F. H. Hart	" T. L. Murray-Prior
" W. D. White	" W. Hobbs
" G. Harris	" J. A. Bell
" H. B. Fitz	" L. Hope
" H. G. Simpson	" J. F. McDougall
" J. Mullen.	" J. Taylor.

The Hon. J. TAYLOR called attention to the circumstance that an honorable member had left his side of the House and gone over to the other side, after the glass was down.

The CHAIRMAN: The honorable gentleman had changed sides before the question was finally put. As was customary and proper, he (the Chairman) should give his casting vote with the "Contents." The question was therefore resolved in the affirmative.

The House having resumed, the Chairman reported the decision of the committee.

Upon the motion of the POSTMASTER-GENERAL, the Bill was ordered to be re-

turned to the Legislative Assembly with the following Message:—

“MR. SPEAKER,

“The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 19th August, respecting ‘The Homestead Areas Bill of 1872,’

“Insist upon their amendment, new clause 13.

“*Because* no cause has been shewn to this House for virtually repudiating the ten years leases of the halves of the runs held by the Crown tenants ;

“*Because*, also, the compensation provided by ‘The Crown Lands Alienation Act of 1868,’ is inadequate to the loss that will be sustained by the tenant under the further resumption now proposed.

“Insist upon their amendment in clause 14.

“*Because* the re-assessment of the remaining portions of land would not probably be found to affect the public revenue injuriously.

“M. C. O'CONNELL,

“President.

“Legislative Council Chamber,

“Brisbane, 20th August, 1872.”