

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 21 AUGUST 1872

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LEGISLATIVE ASSEMBLY.

Wednesday, 21 August, 1872.

Homestead Areas Bill.—Construction of Public Works by Private Companies.—Mr. John Bourne—Dalby Railway Contract.

HOMESTEAD AREAS BILL.

On the Order of the Day being called on for the consideration in committee of the Legislative Council's message, transmitted to the Legislative Assembly on the previous day, relative to amendments in the Homestead Areas Bill, the message was read by the Clerk. It was as follows:—

“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."

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

THE SECRETARY FOR PUBLIC LANDS MOVED—

That the Legislative Council be informed by Message, that this House sees no reason to alter its decision in regard to the Amendments on the Homestead Areas Bill, and remits the Bill, in the hope that the Honorable the Legislative Council will see fit to reconsider them; this House feeling convinced that the reasons assigned will not, on examination, be found to have the force ascribed to them.

MR. LILLEY said that he fully agreed with the latter part of the Message, and he was sorry that the Legislative Council, or some of the honorable gentlemen who formed that august body, had not seen that it would be for their own true interest to pass the Bill as sent up by the Legislative Assembly. One of the reasons given by the Legislative Council for insisting on their amendments was, that this Bill was an act of repudiation on the part of the Legislative Assembly. Now they had only to look to the tenth section of the Act of 1868, under which the pastoral tenants held their tenure, to see at once that this was altogether a mistake. The pastoral lessees held their leases under a power of resumption by the Crown, which was guarded in this respect, that it had to be done by a resolution which had to pass through both Houses of the Legislature, and in no other way were they entitled to consideration on the resumption of the lands, or of any portion of the lands they occupied. Now if any grievance had arisen within the last four years, since the passing of the Act of 1868, the pastoral tenants within the settled districts were themselves to blame for it, because, by exercising their pre-emptive rights under the statutes, they had taken up the land which otherwise would have been taken up by the public for settlement; and if they had not done so, their leases would have remained intact. Again, whether by the pastoral tenants themselves or by others, a large amount of land had been taken from the public by fraudulent means. Whether that was done by the pas-

toral tenants, or by their friends, or by persons from other places, he could not presume to say; but the blame rested in many instances, in one respect, at any rate, with the pastoral tenants in the exercise of their pre-emptive right, if not in others, by those fraudulent means to which he had referred. Now, there was no repudiation in this proposed resumption of lands. This right of pre-emption was dealt with when they passed the Land Act of 1860. There were then in existence under the Orders in Council certain rights of pre-emption; and on the surrender of those rights he drew up with his own hand a clause providing that compensation should be given to the pastoral tenants on the lands being resumed for the value of the improvements they had made. That was, he believed, the first time in Australia that the right of compensation for improvements was granted, and it was afterwards followed by Mr. Duffy, in Victoria, when he passed the Land Act there. But Queensland took action in the matter first, in the way of giving the pastoral tenant compensation for the value of improvements he had made on the land. There were certain other rights given to the pastoral tenants under the Act of 1868 in cases of resumption, and they also had their tenures extended five years longer than it would have been had that Act not been passed. In 1868 there were only five years of the leases to run, and the term was extended to other five years. Their existing tenure was doubled from that date, so that they were very liberally dealt with. Then again, under the Pastoral Leases Act of 1869, there were further benefits extended to them in the way of pre-emption, but in all respects it was for improvements; and he thought it must be admitted that they had been very liberally dealt with; but there had been no allowance in any instance in consideration of any supposed loss or damage on the resumption of lands for settlement or other purposes before the termination of the lease. Now, this amendment of the Council was an attempt to introduce into the Land Acts an entirely new principle, in the way of compensation for the resumption of lands; and, coupled with the concessions given under the Acts of 1860 and 1868, it amounted to an assertion of a right of freehold on the part of the pastoral tenants. He had repeated over and over again, that he thought the pastoral tenants were acting against their own interests in this matter, and that it would be a most unwise thing on their part if they were to continue to pursue the course they had taken up in respect to this question. It mattered very little to him, and he believed it mattered very little to the public, though the Bill was not passed this session; but he was satisfied that so early as next session there would be a greater demand for land than there was at the present time; and the question would then have to be dealt with more extensively perhaps, and with less hope

of those gentlemen getting the advantages they were now attempting to obtain in making these unjust demands. Now, as to the amendments themselves; there were no less than three demands made here by them. They had already got compensation for improvements by right to pre-empt, and now there were the three amendments by the Council in this Bill. In addition to the benefits that had been extended to them under previous Acts, they now asked for a further right of pre-emption, because of lands that might be resumed, and for a re-assessment of their runs. Now, as to the re-assessment, he questioned if it would not result in an increase of their present rents, if it were fairly carried out; and he thought the pastoral tenants were very blind to their own interests in asking for it. He hoped the Council would see that those were most unwise amendments, and that they would abandon them. This House had agreed to reduce the area to be taken from runs for the purposes of homesteads, to 320 acres, and he hoped that they would accept of that as a sufficient concession, and not insist on their other amendments. He was the more astonished at the demands that were made by the pastoral tenants in this matter, when he considered the comparatively small demand made on behalf of the public. This Bill proposed to take from them 250,000 acres out of a country containing 25,000,000 of acres. He did not care whether the Bill was lost or not, but he hoped the House would adhere to it as they last sent it up. Let the Bill go if they were determined upon it, and let them tell the public that they would not allow the lands of the colony to be taken up in this way; but he could tell them that if they did so they would be committing political suicide. When they were going in for railways and immigration on a large scale, they must keep open the lands; otherwise they might have a repetition of what took place formerly, when the immigrants who were sent out by Mr. Jordan passed over the colony like water, because there were no lands open to them to settle upon. Now he would never be a party to a large expenditure for immigration, unless there was plenty of land open for the people to settle upon when they arrived in the colony. If they did not keep open the lands, he would go the whole length with the honorable member for Western Downs, Mr. Wienholt, and say that it was perfect madness to introduce people into the colony from England. If they did not provide for the people settling on the land on their arrival here, there would most certainly be another crash; and they would not be justified in entering upon large public works and immigration, unless they kept the country open for settlement. He sincerely hoped the Legislative Council would not insist upon their second and third amendments, and he did so from a sincere desire to see a reasonable settlement of this question.

He anticipated that there would be a large demand for land for the purposes of settlement, because of the numbers that would be drawn to the colony by its mineral and other attractions. He was conscious that the honorable the Colonial Secretary must feel that there was an increased demand now growing up for land, by persons desirous of becoming small settlers; and if he did not feel it now, he would very soon feel it. At any rate, it would be necessary to have plenty of land open, because of the large numbers who would come here to enter upon mining pursuits, and who would afterwards desire to remain in the colony. There were many who had become permanent settlers in Gympie, who would never have settled there but for the inducements that were offered for settlement under the Act of 1868. He had thought it right to make those remarks, that they might give some reasons for insisting on refusing these amendments; and because the Legislative Council stated in their last message to this House, that this Bill amounted to an act of repudiation on the part of the Assembly. Now, he denied that such was the case, and maintained, on the contrary, that any repudiation there might be was on their part. The repudiation was on the part of those who insisted on inserting in the Bill a new kind of compensation.

Mr. WIENHOLT said he considered there was a good deal of what was called "bunkum" in this cry for the opening of the lands of the colony. There was plenty of land for settlement in the country. Though there may have been a scarcity at times in some localities, there had always been plenty of land throughout the country. He should regret to see the Bill thrown out altogether, for he desired to see that provision should be made for men possessed of small capital to go and settle on the land and establish homes for themselves. But he could sympathise with the Legislative Council in the amendments which they proposed should be made in this respect in regard to the Bill, for he could fully appreciate the injustice it would inflict on the pastoral tenants to pass a measure of this kind for the resumption of portions of their runs without granting them compensation. It was not good or wise that the lands should be taken up without warning, as it would probably ruin the lessee if that were done. A man obtained a lease of a run for ten years, and went to great expense in making improvements, and, without a moment's warning, the land was taken from him without compensation for the loss he would thereby sustain. With this kind of thing a lease in Queensland would not be worth a straw. A lease in this colony under the Crown would not be worth the paper it was written on. He therefore sympathised with the Legislative Council in asking what was only a reasonable amount of justice to the pastoral tenants. It was no advantage at all that was asked for. It was only asked to give the lessee a small compensation in

return for the injury that would be done to him by the whole of his land, perhaps, being taken away from him without a moment's warning. But he thought the community at large was not averse to give compensation to the individual when it was necessary that he should suffer for the good of the country; and he had always thought it was wise to legislate in a way that would prevent injury being done to anyone. It was no use to say that the leases were bargains. They were not bargains, for the lessee was no party to the bargain. He had to take what was offered to him or he would have got nothing. He felt that he would not be doing his duty to the constituency he represented or to the country at large, if he did not enter, as far as he could, his protest against the repudiation of those leases without any compensation at all to the leaseholders. The honorable member for Fortitude Valley said that great compensation was given to leaseholders by the Act of 1868. Now, he maintained that no compensation was given to them at all by the Act of 1868. Under the old Act, the Government had to pay, by way of compensation, £1 in cash for every acre of fencing that was put up, if the lands were resumed; and, instead of that, the pastoral tenant had to pay in cash for every acre of land that he took up, the same as any other member of the community; and there was no advantage to the pastoral tenant in that. It was no compensation that was given to them, but it was an injustice of the grossest kind that was done to them. The honorable member further pointed out that it was only 250,000 acres that was to be taken up out of 25,000,000 of acres; but why did he not go a little further, and say that the 250,000 acres was not to be taken out of the 25,000,000 of acres, but that the 250,000 acres was to be taken up mostly out of the runs on the Darling Downs and in East and West Moreton. Now, 250,000 acres was a very large proportion of the lands in the Darling Downs and the Moretons; and, not only that, but it was the very pick of them that was to be taken up; and many runs would be entirely ruined by the resumption of eight square miles out of them.

Mr. STEPHENS said he could not allow the remarks of the honorable member for the Western Downs, as to this being repudiation, to pass unnoticed, for he (Mr. Stephens) maintained that it was no repudiation at all. Why, the lessee took up the lease with the power in it of resumption by the Crown; and the Government took care that no lease should issue without the power of resumption in it. But this was just a repetition of the old thing—the more they gave to the squatters, the more they would demand. The Act of 1868 was the first Act by which the Government had not the power of resuming land in any run; but the power of resumption was all through the Orders in-Council, and was invariably expressed in the lease.

HONORABLE MEMBERS: No, no.

Mr. STEPHENS: Under the Orders in Council, the power of resumption was completely in the hands of the Government, and it was so in the Act of 1869. The Act of 1868 was the only Act under which the Government had not the power of taking up land in any part of the country; and, now, the squatters turned round and said it was repudiation to resume the lands, though the Act provided for their doing so. When they read the tenth clause of the Act of 1868, it was quite absurd to speak of this resumption as being repudiation in any way whatever, and it was worse than that, when they were told that there was no compensation. They could have taken up the lands without giving any compensation; but by the Act of 1868, the lease was extended to ten years, and the lessee was to have a pre-emptive right on account of improvements. The honorable member for the Western Downs, and also the members of the Upper House acknowledged that there was a demand for land; and if there was a necessity for it, why object to the exercise of the power of resumption contained in the lease, especially as the resumed lands would remain in their possession, and they would continue to have the use of them until they were required? He believed that if they were to resume eight miles of country from one or two runs only, it would very soon be swallowed up by one or two individuals, and that would certainly not tend to the settlement of the country; but to open lands in different parts of the country would tend to promote settlement throughout the country.

The COLONIAL SECRETARY said that, though he deeply regretted the action which had been taken by the Upper House in respect to this Bill, and thought that it would have been wiser and better for the country for them to have passed the Bill as sent up from the Assembly, still he could not see but that members opposite were arguing ahead of what they were talking about. There was no doubt that the whole of the lands under lease in the settled districts could be resumed; but some honorable members seemed to forget that the resumption could only be made on a resolution passed by both Houses. They seemed to think the Assembly could do it alone; but no land held under lease by the pastoral tenants could be resumed without the consent of the Upper House, which had an equal power with the Assembly in the matter; and, in this instance, it required the consent of both Houses. He was sorry these amendments should have been inserted in the Bill by the Upper House, and that they were insisted upon. He could not agree to the principle that, on account of the curtailment of the run by resumption on the action of both Houses, the lessee should be allowed to take up more land by way of compensation; and, as for the third amendment, he thought it was a most unwise thing for the pastoral tenants to insist upon it.

That amendment proposed that the remaining portion of the run should be re-assessed for rent and assessment. It not only proposed to re-assess the run for rent, but also for assessment. Now, he did not know if the Upper House could initiate such a provision, as it proposed the creation of a fresh tax. He could, however, understand that this proviso might have been passed in a hurry, and without any honorable member of the Council thinking about that at the time; he was astonished that it should have passed unnoticed. They had heard something about the Orders in Council, from the honorable member for South Brisbane; but he did not think the honorable member at all understood them. Now, he could say, from having worked under the Orders in Council, that no such power existed under them as the honorable member asserted. No such power could be exercised under them as he said there could be.

Mr. STEPHENS: Because the Government would not do it.

The COLONIAL SECRETARY: It was not because the Government would not do it, but because there was no such power in them for the Government to exercise. Now, it was a notorious fact, that the Darling Downs squatters were forced to buy the lands; because the Government always when they wanted money, put up so much of the land in the Downs for sale, and the squatter in order to protect himself had to purchase it. They were actually forced to buy the land to protect themselves from ruin, and that when they had no wish to purchase the land. That was quite well known. He hoped the House would insist against the last two amendments of the Council. The second of those he did not think the Council could insist upon, as it proposed a new tax—and that could not be originated in the Upper House. As to the other amendment, he did not see how they could insist for further compensation to the pastoral tenants.

The SECRETARY FOR PUBLIC WORKS said that the whole tenor of the remarks of the honorable member for South Brisbane seemed to indicate on his part a desire that there should be a row between the two Chambers, in the hope that there might be something done that would eventuate in the Bill being thrown out. Now, he thought they ought to adopt a respectful and conciliatory message to the Council, asking them to withdraw their amendments; and if they would not do so, then this House might ask for a conference. To make inflammatory speeches such as the honorable member for South Brisbane had done, was the worst way to secure this Bill becoming the law of the land.

Mr. GROOM said he must certainly say he had not heard anything whatever of an inflammatory nature in the speech of the honorable member for South Brisbane. Now, he could inform the House that the opposition to this Bill was commenced at Too-

woomba, by the squatters on the Darling Downs, so far back as the time when Mr. Coxen was sent up to the Downs to do what the Minister for Lands sent him there to do. At that time, a public meeting was held in the Royal Hotel, at which resolutions were passed against what it was seen the Government intended, so that the opposition to this Bill was initiated by the Darling Downs squatters. For his part, he would like to see that this Bill did not pass, but that it was left over till after the next election; and he was sure the honorable gentlemen in the Upper House would deeply regret that they did not accept this reasonable measure. He thought it would be a blessing to the people of the Darling Downs, for in twelve months, they would be likely to get what they would not get if this Bill passed, so far as the lands were concerned.

The motion was agreed to without division, and,

The CHAIRMAN, on the House resuming, reported that the committee had come to a resolution.

The resolution, which was then read by the Clerk, was as follows:—

That the Legislative Council be informed by Message, that this House sees no reason to alter its decision in regard to the Amendments on the Homestead Areas Bill, and remits the Bill, in the hope that the Honorable the Legislative Council will see fit to reconsider them; this House feeling convinced that the reasons assigned will not, on examination, be found to have the force ascribed to them.

The SECRETARY FOR PUBLIC LANDS moved, that the resolution be adopted by the House.

Agreed to.

CONSTRUCTION OF PUBLIC WORKS BY PRIVATE COMPANIES.

The SECRETARY FOR PUBLIC WORKS, pursuant to notice, moved—

1. That it is expedient to further the construction of railway and tramway lines, bridges, canal, and irrigation works, by encouraging persons or companies to undertake the same.

2. That this House approves of the Government entering into provisional arrangements, based upon granting Crown lands by way of subsidy, with any person or company that will undertake to construct, to the satisfaction of the Government, such works.

3. That these resolutions be forwarded to the Honorable the Legislative Council for its concurrence.

The subject in connection with those resolutions had been so ably discussed on the previous evening, when the House was in committee on the Railway Amendment Bill, that it was quite unnecessary for him to expatiate upon them at any great length. He believed that they would be an admirable adjunct to that Bill; but, as he had good reason to believe that there would be considerable difficulty in persuading honorable members to pass them through the House

during the present session, he contemplated the withdrawal of them. Before doing so, however, he wished to say that, if they did object to the resolutions, upon them would rest the responsibility of their being withdrawn. He thought that he should ask for some expression of opinion from honorable members as to whether they should be suddenly withdrawn, as they had already been for a long time before the House, and, therefore, they were, to a certain extent, the property of that Chamber. He would simply elicit the opinion of honorable members on the subject, and, if he found that there was no general wish that they should be carried, he would withdraw them. He believed, however, most sincerely, that they would be of great value to the country; and those honorable members who did not agree with them would shew that they were shortsighted to the interests of the country. It was perfectly useless to create any discord amongst honorable members by endeavoring to force the resolutions; and, if he found that even a minority of the House were opposed to them, he should, as he had before said, withdraw them.

Mr. FYFE thought that the lukewarm way in which the honorable member had introduced the resolutions was an indication that the Government were not sincere in their wish to have them carried. He could see through the ideas of many honorable members in regard to the resolutions, namely, that they would give too much power to the Government; but he considered that they would be the best resolutions that could be carried, and he thought it was the duty of the House to support the Government, who should make a stand on the question. He would state as an argument in favor of the resolutions—and he would state it most unhesitatingly—that there would never be a bridge across the river Fitzroy at Rockhampton, where it was so much wanted, unless the Government had the power to subsidise a private company by giving them lands for the purpose. If the resolution had been limited, as had been at one time proposed, to the construction of a railway to Mount Perry by Mr. Vickery, he should have opposed it; but in its present form—and as any proposition entertained by the Government would have to be ratified by the Parliament—he should give it his support, as he felt he would be justified in doing.

Mr. BUCHANAN said that he had invariably noticed that the arguments used by the honorable member who had just spoken always tended to Rockhampton and the Fitzroy. He rose, however, for the purpose of saying that he thought the honorable Minister for Works was mistaken in supposing that he was opposed to the resolutions. What he had objected to on the previous evening was, that the construction of irrigation and other works, as affirmed by them, should have been introduced into a Railway Amendment Bill at the

last moment; introduced into the preamble in what, he must say, was rather a dishonorable way.

The SECRETARY FOR PUBLIC WORKS rose to a point of order. He objected to such an accusation being made by the honorable member.

The SPEAKER ruled that the language was disorderly.

Mr. BUCHANAN said that the object of the resolutions was, no doubt, very good; but he thought it was too late, now that they were at the close of the session, to give them that proper consideration to which they were entitled; and he would therefore suggest that the honorable member should withdraw them, and introduce them again next session.

Mr. HEMMANT said that the opposition which he had assisted in joining in on the previous evening, to allowing private companies to construct works, was not in opposition to granting land for such purposes, but because he did not approve of giving the Government power to make arrangements, which, although only called provisional, would, he ventured to say, be in almost every case carried out; for even honorable members opposed to such arrangements would feel themselves impelled to vote for them rather than place the Government in an uncomfortable position. He had no objection to the construction of public works by encouragement given to private companies to do them; but he contended that that House was the only proper place to decide whether that encouragement should be afforded to those companies; and he protested, for one, against any Government being allowed to enter into preliminary arrangements, and then asking the House for their sanction afterwards. He thought that, in all cases, companies desirous of constructing a certain work should, first of all, consult the Government on the matter, and then come down to that House with a private Bill, which would be referred to the proper quarter, namely, a select committee, to report upon. Some of the works proposed would, no doubt, be for the benefit of the colony; but it was well known that the immediate object of a company was, the benefit of its promoters, and therefore, it was quite right that such matters should be submitted to the scrutiny of a select committee, as to whether there were any conflicting rights in the way. For instance, he would suppose that a private company wished to build a bridge two or three miles up the river above the site of the Brisbane Bridge: well, the Government might enter into some provisional arrangement; but before anything could be done definitely, would not the matter have to be referred to a committee, and the corporation be allowed to shew whether their rights would be infringed by the erection of such a bridge? It was the case all over the world, that where companies had any privileges given to them, it was done by Parliamentary legislation.

Now, a great deal had been said, at different times, about railway construction in America; but he had been reading, lately, a pamphlet on the Northern Pacific Railway Company, from which it appeared:—

“The Land Grant of the Northern Pacific Railroad (whose *virtue* is elsewhere referred to) consists of 12,800 acres to each mile of track through Wisconsin and Minnesota, and 25,600 acres per mile through Dakota, Montana, Idaho, Washington and part of Oregon. The average for the whole length of the Road and Branch is over 23,000 acres per mile, and the total exceeds Fifty Million Acres. While any similar area necessarily embraces some inferior lands, the average of this colossal grant can be truthfully pronounced of excellent quality. Gov. Stevens, who repeatedly passed over the route, estimates that fully four fifths of the Northern Pacific Railroad lands are good for cultivation or grazing, while much of the remainder is in the mountain belt, and is covered with valuable timber or contains the precious metals. By the terms of the Grant these lands pass into the full possession and ownership of the company in proportionate instalments, as fast as each 35-mile section of the Road is completed and accepted by the Government.”

Now, whenever there was such a proposition as that introduced into that House, he would be prepared to support it, although, of course, the quantity of land given in exchange would have to be very different, as he thought the quantity given in America was extravagant for any other colony which had not land to give away in such large quantities. He believed that the insertion of the word “bridges” into the resolutions had been in consequence of a representation made by the Municipal Council of Rockhampton, as he recollected seeing in the papers, some time ago, something to that effect. But if that Municipal Council, or any person, wanted to undertake the construction of a certain work on the terms proposed by the resolutions; they should come down and ask the sanction of the Parliament to their scheme; and it would then be ascertained whether it would be worth the land which it was asked should be given as a consideration for the construction of the work. As regarded the majority of railways made in America, he might mention that until the lines were made, the lands through which they passed were perfectly useless, as they were too far away from any market; but in regard to Mr. Vickery’s proposal, such a scheme would not be entertained by any American Government, and it would be very much better that it should be left to the House to decide in the usual way—by referring the matter to a select committee before any provisional arrangement was made. It had been said by some honorable members that the Government already possessed the power to make provisional arrangements, by the Railway Act; but if they had that power, he could not understand why they should have been so anxious to have it again inserted in the Bill which had been passed that day, or

why they should have introduced the present resolutions. He had no objection to the resolutions, but he thought that if the honorable Minister for Works wished to carry the first, it would be well not to press the second.

Mr. JOHNSTON said that he thought the House should assist the Government to carry the resolutions, as they would thus place in the hands of the Government the power to encourage the construction, by private companies, of works that would be for the benefit of the country; subject of course, always, to the approval of Parliament. He would take, by way of illustrating the benefit which would arise from the passing of the resolutions, the case of an inland town, where half-a-dozen roads converged towards a river, and a bridge was necessary. The Government might be asked, session after session, to place the sum on the Estimates for the construction of that bridge, but still the House would not give its consent; but by the resolutions the Government would be enabled to enter into arrangements with a private party to erect such a bridge, either by a land subsidy, or, if that would not be suitable, by giving him a protection area of ten miles on each side of the bridge for a certain number of years, during which he might collect tolls without any fear of a new bridge being put up within that area. He did not see why the Government should not have the power to grant that protection; or, again, if a man wanted a subsidy of so much land for building a bridge, he did not see why the Government should not entertain the proposition—subject to the sanction of Parliament;—the same in regard to irrigation works or canals. He thought it was wrong to put impediments in the way of capitalists investing their capital in the way they thought advisable, when that way would be for the benefit of the country. He believed that the strongest objection to a measure of this sort was an impression that prevailed with many members of the House, and with the outside public in general, that endowments of land for the construction of railways was simply so much of the property of the country given away—that the projectors or promoters of those railways were to receive an amount of land at least equivalent to the cost of constructing the railway, and that the railway also was to continue to be their property for ever. He had heard it argued by some honorable members, both in the House and out of it, that such was the system adopted in America; but that was quite a mistaken idea. As far as the United States was concerned, he was not prepared to say what was the practice there; but as regarded British America he could state, upon the authority of works in the library, that no lands were given there for the construction of railways. The lands that were required for the construction of the railways in British America were paid for by the companies in cash, or something that was equivalent to cash. He found, from the inquiries he had made into

the matter, that the whole of the capital required for those railways was raised by debentures in England and in France. He found also that the various municipalities, and the small states throughout British America, which were desirous of being connected with the Grand Trunk Line, constructed lines for that purpose at their own expense. The only assistance the municipalities received from the Government was in the shape of a temporary relief when they became unable to meet their obligations, and an extension of the term of their debentures. There were no grants of land for the construction of those railways, but they were constructed from loans by persons who were desirous of investing their money in such undertakings. Though he was not distinctly informed as to what was the practice in the United States, it was his impression that a Government having such clear business conceptions as that of the United States would not endow a company with land to the extent of the cost of construction of a line, and allow the line also to remain in the hands of the company for ever afterwards. He had heard that such was the case, but he could not allow himself to believe it. Now, he thought it would be perfectly safe to put into the hands of the Government the power they asked for, in order to encourage private persons to undertake the construction of lines of railway and tramways, and other works of a public nature; but in all cases provision should be made by which the works, after a certain period of years, or otherwise, should become the property of the Government. He believed that to carry out such a policy would lead to the development of the resources of the colony, the investment and circulation of money, and that it would tend in many other ways to the advantage of the colony at large.

Mr. MOREHEAD said he would object to all of the resolutions, from the first to the third. Of course the third would be of no consequence if the first two were not carried. The resolutions referred to the construction of canals and irrigation works. Now, he believed he knew as much about the colony as most other members, and he could not imagine where the canals were likely to be—certainly not in the Mitchell. If irrigation works were required in the Mitchell district, the people there would make them for themselves, and without putting the country to any cost in the matter whatever; and he did not see why people in other parts of the country should not do for themselves in the matter of such works what the people of the Mitchell district were prepared to do. So far as the construction of bridges was concerned, he would be willing that privileges should be given to a certain extent for the construction of such works, but not in the shape of grants of land. What he would do would be to give the person, or persons, constructing the bridge, the right of collecting tolls for a period of years; but that was

properly a matter for private legislation. It was not a matter that should be taken up by the Government, and especially at the latter end of the session. To bring forward these resolutions at the present time, after they had been so long on the paper, seemed to shew a desire to force them through the House at the close of the session, when all legislation was hurried. He did not see that it was in any way advisable to encourage persons or companies to undertake the construction of such works as were referred to in the resolutions. He believed that if the works were likely to pay after they were constructed, they would find plenty who would be willing to undertake them; and if they would not pay, it was not right to ask that the country should have to suffer by subsidising either a company or an individual. The proposition for the construction of canals and irrigation works, seemed to him to be a perfect farce, and something more than a farce. It would be an act of utter extravagance to grant subsidies for such purposes; and if a Bill were brought in to give effect to the proposition, he believed it would not be allowed to reach a second reading. If the House decided to give privileges, not by subsidies of land, but by way of exacting tolls for the erection of bridges, and if it was found that they would benefit the colony, let the promoters of them be encouraged to undertake such works. Take the case of the Pyrmont Bridge, across the harbor at Sydney. Though the Parliament gave the promoters of that bridge the right of exacting tolls, they reserved the right of resuming the bridge at any time, on the payment of a certain sum. Now, if a provision of that kind were embodied in the first resolution, he for one, though objecting generally to the principle, might feel inclined to support it; but he could not support it in its present shape. He now came to the second resolution, which was as follows:—

“That this House approves of the Government entering into provisional arrangements, based upon granting Crown lands by way of subsidy, with any person or company that will undertake to construct, to the satisfaction of the Government, such works.”

Now, he wanted to know from the Minister for Works, and from the Ministry—for he presumed that the Minister for Works was in this instance the expounder of the policy of the Ministry—what was meant by the words “by way of subsidy” in the resolution.

THE SECRETARY FOR PUBLIC WORKS: Grants of Crown lands.

Mr. MOREHEAD: He knew it was; but he wanted to know if the grants were to be of the value of the works; and whether, after paying for the construction of the works in that way, the works were to be allowed to remain in the hands of the parties who constructed them. He felt sure, if that was the case, that no honorable member would be found to support the proposition. He wished,

also, to know if the parties who might enter upon the construction of railways, or tramways, after being paid for the works in land, were to be allowed to retain possession of the works, or whether they were to be handed over to the Government. If so, he would prefer to see any undertakings of the kind that might be considered necessary carried out by payment in money, because he considered that the land would be given to the constructors of the railways at much less than its real value. He should be sorry that the House should pass the first and second of these resolutions, and he should be sorry that the House should make itself so low as to pass the third, and afford the Upper House the opportunity of laughing at them. And if the resolutions were passed as they now stood, the members of the Upper House would laugh at them. He thought it would almost amount to treating the Upper House with contempt if they were to send the two first resolutions to them for their approval. Until some better reasons were advanced in favor of those resolutions than any he had yet heard, he would vote against them. If they were to pay for the railways in lands, and the works were then to become the property of the country, well and good; but even then, he thought, the country would be paying too dearly for them. He thought it would be much better to go on the old system of paying for the works in money, and then they would know what they were doing. The value of money was a known value, but the value of the land was not known, and it might turn out to be of enormous value, and, of course, the country would lose to the extent of the difference. It would be a great mistake to sacrifice the lands of the colony in this way—and it would be a sacrifice. If they were even to get the railways after paying for them in land, they would make a grievous mistake; and, he could not imagine what would be the effect if they were to allow the constructors, in addition to their having been paid in land for the railways, to continue to be the owners of them. The honorable member for Ipswich, Mr. Johnston, had said that the railways in Canada were paid for by private capital, and he (Mr. Morehead) sincerely wished that the same could be said of the railways in this colony. He believed, however, that in the United States, the Government gave grants of land for the construction of railways, and then left the works in the hands of the constructors of them; but that system, as they had seen, had led to the greatest amount of corruption, both in Congress and in the Senate. He hoped that such a state of things as they had witnessed in America would never be found to exist in this colony; but it was not unlikely that it would, if resolutions of this kind were allowed to pass; and he had no doubt they would pass, unless extreme steps were taken to prevent them; and he would not regret that he had raised his voice to pre-

vent such corruption and disgrace to the colony as they would bring about if they should be agreed to.

Mr. GRIFFITH said he could not support the resolutions as they stood, if it were only because they were too vague. He was prepared to admit that it was desirable to encourage the construction of railways and tramways by private persons; but he could not assent to the proposition contained in these resolutions. He maintained that if they were to have railways constructed in the way proposed, they would have the same state of things here as existed in America, in connection with the Erie Railway, which, as they all knew, was a disgrace to the whole of America. If the American lines were under the control of the Government, he apprehended that the state of things would be very different there from what it was. He thought that legislation in the matter of the construction of railways, canals, or irrigation works should be carried out in the same way as any other private matter, and that was by a private Bill. Now, there was this difference between a public and a private Bill, that private companies had to prove before a committee of the House that such a work as they proposed to undertake was necessary, and to undertake that they would provide against individuals sustaining injury by the works being carried out; and the committee, when they had concluded their inquiry, brought up their report and evidence to be dealt with by the House. But if the matter was entirely in the hands of the Government, the Bill might be brought in at the close of the session—though it was not likely it would be—and hurried through the House without due consideration. If the Government were to lend themselves to the carrying out of the projects of private companies, and of private individuals, it would lead to a system of lobbying and corruption; for, when honorable members committed themselves to a private measure, especially for works of the kind proposed in these resolutions, they became as much interested in its being passed as the parties who were directly concerned. If those resolutions were to be passed, they might have a great many propositions, similar to that of Mr. Vickery, from all parts of the colony, for the construction of works, whether they were necessary or not, and whether they would be beneficial or not. Now, he had been told—for he did not know anything of it himself—that the country through which the line proposed by Mr. Vickery would pass, comprised some of the most valuable mineral lands in the colony; and he also understood that a great deal of it had been applied for, to be taken up for mining purposes. Now, he would not consent to the mineral lands of the colony being alienated in this way. If they were to do so, they would inflict a grievous injury upon the colony and upon the people of the colony, for a long time to come. The second resolution, he thought, was altogether

too vague; and proposed that everything should be left to the Government in the way of making arrangements. Of course it was said that those arrangements would only be of a preliminary character, as they would be subject to the approval of the House; but he did not look upon that as of much practical value, though, nominally, it might appear to be of some value. For those reasons he would oppose the resolutions.

Mr. MACDEVITT said that, really to hear the jeremiades of the honorable member for East Moreton, Mr. Griffith, and of the honorable member for the Mitchell, one would think that it was the desire and intention of the honorable the Secretary for Public Works to bring the colony to destruction. Now, for his own part, he must say that he did not see anything in the resolutions to cause alarm; but, on the contrary, he thought the country was to be congratulated on the spirit of progress which they indicated; and if the propositions were taken advantage of, the result might be one of great benefit to the colony at large. The honorable member for East Moreton, Mr. Hemmant, in describing the system pursued in America, of which this, to some extent, was a copy, pointed out that the lines there passed through rich agricultural lands, but which, without the railways, were not worth a penny an acre, as they could not previously be cultivated to advantage. Now that, he thought, contained in itself a sufficient answer to all the rest of the honorable member's speech; because it was the railways that brought into requisition the millions of acres that would otherwise have lain dormant, and from which there would have been no advantage derived. The other honorable member for East Moreton was rather more technical in his remarks, and he pointed out that if this matter were left to a private company it would be necessary to proceed by way of a private Bill; and he then proceeded to shew that when a private Bill was presented it was referred to a select committee for inquiry, and to report on to the Assembly. Now, what was there in the course proposed to prevent the utmost caution, by referring the matter to any number of select committees? but if the Government were to act in a judicious way, in the exercise of the powers that those resolutions would give them, they would be able to do far more than a select committee could do; for, by having their officers all throughout the country, they would have power to investigate it better than a private company could. But even that would not destroy the check which the House held of requiring the matter to be referred to a select committee. In most of the speeches which had been addressed to the House, in opposition to the resolutions, they had been told that in America the railways had been constructed by grants of land, and hence all the corruption that had ensued. Now he entirely failed to see any connection as between cause and effect in the two things.

He failed wholly to see how the granting of lands for the railways came to be the cause of corruption. But, if there was corruption, it was a kind of corruption that had been copied from the United States by Canada—their nearest neighbor. Canada, as was well known, was held up as a model of colonial government, and it was only lately that the Governor, Lord Lisgar, congratulated the community over which he ruled, on the passing of a measure by the Legislature for the construction of a railway to the shores of the Pacific, which was to be paid for by grants of land. Now, if there was any place where things were carried on with prudence, it was in Canada; and yet they found them imitating the example of America; but, notwithstanding that, this House was told that if they were to adopt the system of America, the colony would be visited with all the evils referred to by the honorable member for East Moreton, and the honorable member for the Mitchell. Now, he thought they would do more justice to themselves if they would allow themselves to be guided by the example set them by America and by Canada. The Dominion had had the best opportunities of seeing and knowing all about the system of America, and the corruption of it; and if corruption followed upon the construction of railways by land grants, they entered upon it with their eyes open. For his own part, he was strongly in favor of the resolutions, for he believed they were calculated to make that of use, which was, at the present time, as if it were not. At the present time, they subsidised the miners by allowing them to enter upon the occupation of lands for the purpose of developing the minerals that were in the land, and which were of no use until they were brought to the surface; and in the same way, by subsidising companies by grants of land to construct railways, they would promote the development of the resources of the lands of the colony, and turn them to more useful purposes than the feeding of sheep and the growing of wool. As honorable members were aware, it had long been in contemplation to erect a bridge of prodigious proportions at Rockhampton; and what more likely or advantageous way could there be of accomplishing a work of the kind than by inducing a company to undertake it on this principle? And, again, one gentleman, he understood, proposed to erect a bridge over the Burdekin to the satisfaction of the Government engineers, if he were subsidised by grants of land for doing so. Why, he would ask, should anyone object to a policy that would secure the construction of such necessary works? It seemed to him to amount to the completest retrogression not to take steps to place those benefits which these resolutions were calculated to produce within the reach of the people. The honorable member for the Mitchell said, that if they were to make railways and tramways, they should pay for them in money, of which they knew the

value, and not in lands the value of which they did not know; but, he would ask the honorable member, where did he expect they were to get the money for all the works that were necessary and which might be carried out in this way? for it ought to be borne in mind that they had not the money but they had the land, which was of comparatively little value until means were adopted for its development, and one of the best means for that purpose was railways. He hoped the honorable the Minister for Works would not withdraw the resolutions, as it had been suggested he should do, but that he would press them to a division.

The SECRETARY FOR PUBLIC LANDS said he might state that the principle involved in these resolutions formed part of the first address he delivered to the electors of Ipswich, and he believed it was mainly upon that policy that he was elected—that they should make their public works by granting lands instead of paying for them in money. He did not think there was any danger to be apprehended from these resolutions; and he believed there was more likelihood of corruption taking place under a system of money payments than under a system of payments by grants of land. If people wanted to be dishonest it would not be possible to prevent them. It was an old maxim that they could not provide against fraud; and, if the Government wished to act dishonestly, these resolutions would afford no greater facilities for their doing so than existed at present. He thought the resolutions were eminently suited to the circumstances of the colony, and he considered that anyone who opposed them was an enemy to the settlement of the colony.

Mr. WIENHOLT said that he was not an enemy to the settlement of the colony, and still he would oppose the resolutions; and that for the reasons which had been so well stated by the honorable member for the Mitchell and the honorable member for East Moreton; and because he did not believe in the principle of the Government subsidising companies. If such works as were mentioned in the resolutions were to be carried out, it should be done by money payments and not by land subsidies. He believed it was better to leave such works to be undertaken by private companies, if they would pay; and afford them facilities for carrying them out, but not to subsidise them; and if they would not pay, it would be better to leave them alone. That was his opinion on the matter. He was opposed decidedly and totally to the Government parting with the wealth of the colony, which was in great part the land of the colony, and he was opposed to the Government parting with it in this way. He would rather that the Government granted subsidies in money than in land, if subsidies were to be granted, and they would then know what they were doing. If they allowed the Government to barter

away the lands of the colony for such purposes, they would soon find themselves in a very peculiar state. If they gave the lands away in this way, they would, in a short time, not be able to sell lands, for the lands that would be saleable would all be absorbed in subsidies, or asked for as subsidies, for the carrying out of such works. In all parts of the colony where there were good lands, or lands that were known to be rich in mineral deposits, works would be projected in order to get possession of the lands, though ostensibly for the purpose of constructing works that were required in the district, and that would be of benefit to the public. The real object, however, would be to get possession of the land. He was of opinion that it would be far better for the honorable the Minister for Works to allow this matter to stand over; and he thought it was a foolish thing, on the part of the Government, to press a question of this kind at this period of the session. Even if they were to pass the resolutions through this House, he did not think there was much chance of their being passed by the Upper House this session. There were many members, no doubt, who would support the Government in this matter.

Mr. LILLEY: Hear, hear.

Mr. WIENHOLT: And he would ask the honorable member for Fortitude Valley, who said "Hear, hear," if he was such an advocate for disposing of the lands of the colony, why did he not see that he had the opportunity of carrying out his views that afternoon, of disposing of a portion of them to the pastoral tenants of the Crown? If he had done so, he might then have had some useful works as the result. For his part, he thought it would be better to dispose of the land to those who had a settled and permanent interest in developing their resources than to speculative companies who were not so interested—than to encourage New South Wales and English companies to come forward with propositions to carry out railways and other works with the view of securing to themselves millions of acres of land. He should certainly oppose the resolutions.

Mr. LILLEY said that as the honorable member had asked him a question, he felt bound to answer it. The honorable member had asked him, why he had refused that afternoon to give lands to the pastoral tenants of the Crown? Now, he would tell the honorable member that if the pastoral tenants would enter upon public works of the kind to which the resolutions before the House referred, he would not object to encourage them with grants of land for that purpose. He had no preference for foreign capital over that of the colony, but he objected to the pastoral tenants wishing to help themselves to two square miles of country.

Mr. WIENHOLT: They pay for it.

Mr. LILLEY: He did not care whether they paid for it or not, but he objected to

their fixing the price and helping themselves. Now, he believed thoroughly in these propositions; and to say that they would lead to corruption was only one of those old stock arguments that were of no value whatever, for there was no proceeding they could initiate in that House that could not be turned to that. They might have as many safeguards as they liked, but corruption would still be possible. They must, in the first instance, have some degree of trust in the honor and integrity and fair dealing of the Government, and, to some extent, of their fellow colonists. If they were to require safeguards to prevent persons over-reaching, or to prevent corruption, they would be unable to have any legislation whatever. Now, to come to the resolutions, they would gain nothing by passing the first one only, except to affirm that it was desirable to encourage companies to undertake the construction of railways, tramways, bridges, canals, and irrigation works; and the second gave the Government power to make provisional arrangements for doing so. Now, he thought the Government was to be commended for these resolutions, and he did not think that it was too late in the session for them to be passed by this House, and also by the other House. It must be remembered that the last railway commission that was appointed, and whose labors had been of great value, and which had led to the initiation of those great public works which they were now to go on with, was appointed within about a quarter of an hour of the close of the last session. He had thought that the honorable member for East Moreton, Mr. Griffith, came into the House as a progressive member. When he was on the hustings he said he was not in favor of the old ways, but that he was a progressive liberal. Now, the honorable member had told them to-night that he was in favor of the old ways; and there was scarcely a single progressive measure which had come before the House during the present session in respect to which he had not voted in favor of the old ways; and he shewed that particularly in the case of the Married Women's Property Bill, when he went so far back as Genesis to prove that the old ways were the best. (Laughter.) Well, those shewed that the ideas of the honorable member were rather backward. Then there was the Law Reform Procedure Bill, and the Bill for the amalgamation of the two branches of the legal profession, and in those the honorable member was in favor of the old ways—

MR. GRIFFITH: The right way too.

MR. LILLEY: Although the honorable member was professedly in favor of law reform, his idea seemed to be that there should be no reform. He was quite sure that his honorable friend was as antiquated a politician in his ideas as there had ever been; but he hoped yet to see the honorable member change his views, and become really in favor of a progressive policy; at any rate, he

had yet to learn what the honorable member's progressive politics were. He had no doubt that when the honorable member grew older, he would not be so fond of his old ways, and would learn that they were not always the best. Now, the argument which had been put forward by the honorable member and his honorable colleague was, that the resolutions would place too much power in the hands of the Government of the day. But that was absurd; and the honorable member must yet learn that confidence must be placed somewhere—that there must not be a standing feeling of want of confidence in all Ministries. It might be that they would be disappointed from time to time in the persons in whom they placed confidence—that they might find some persons not quite so honest as they expected to find them; but, even supposing they did so, in the main, he believed that a policy of the kind contained in the resolutions would be of immense service to the country. What had astonished him was that gentlemen who had actually been returned to that House under the *ægis* of the liberal party should be now broaching doctrines in the contrary direction to those held by that party for years past. He had always advocated that they must have public works and immigration, and must make the land be the medium through which the public would be recouped for the money so expended—they must make the land the basis upon which that great public action was founded. He was not sure whether he had always made that understood to honorable members on his side of the House, or whether they had seen fit to go back from their opinions in utter opposition to the party they had been returned pledged to support. He did not know whether they were going back from those opinions; they might, probably, be the nucleus of that great third party of which the House had heard so much, and which was rising into such prominence just now. But, if that was the case, then he would say, "Save us from that party," for it would be a party of retrogression. At all events, he would rather have the present Government in power than that third party which asked them to adhere to their old ways—for they must go ahead in some way safely, if they did but go ahead. Now a great deal had been said by the honorable member for East Moreton, Mr. Hemmant, about the Erie Railway; but, he would ask, what was the extent of that railway? Almost six thousand miles had been built, and that was done entirely on the principle contained in the resolutions before the House.

MR. HEMMANT: It is greater in extent than will ever be the case here.

MR. LILLEY: The honorable member laughed, and said it was larger than would be the case here; but he would tell the honorable member, as he had mentioned before, that the colony of Queensland was exactly the size of thirteen American States, and, therefore, to say that this colony might

not some time or other have the same extent of railway, was simply absurd. He had been astounded at the speeches he had heard from the honorable members for East Moreton; and he hoped that they would have those honorable gentlemen brushing up a little on those matters, and coming nearer to the front of their own party, if they really belonged to that party at all. He must confess that it was with feelings of the deepest regret that he had seen the names of those two honorable members recorded in the list of those opposed to a measure of so progressive a kind as that before the House on the previous day.

MR. HEMMANT: Oh, oh!

MR. LILLEY: The honorable member might laugh; and he had no doubt that the honorable member's colleague would laugh also; as they generally shouted in chorus. He would like to know what they had been sent into that House to do? He ventured to say that they had been sent to that House to support the very policy they were now opposing. They were sent into that House under his shield—

HONORABLE MEMBERS: Oh, oh!

MR. LILLEY: He would repeat—they were sent under his shield to advocate the very policy they were now opposing; because, if he had been teaching anything for years past, and more especially during the last few months, it was such a policy as was embodied in the resolutions before the House. He would like to know, then, what answer those honorable members had to give—what reasons they had to shew—that the colony would be in danger if the resolutions were passed? The honorable member, Mr. Hemmant, said that he could not trust the Government, but that all applications should be referred to a select committee of the House. But he would ask, what was that House but a committee of the country; and what was the Government, but a committee of that House? He could not say much in favor of committees—they might be trusted, no doubt; but the result of his experience was, that their decisions were not always very favorably viewed by the people outside. He contended that the Government was a trustworthy committee: at all events the highest personage in the colony was at the head of its deliberations, and it certainly seemed to him that they thus had the best national committee they could have for investigating proposals of the kind referred to. Now, he would suppose that no provisional arrangement was made by the Government, and that the course proposed by the honorable member for East Moreton, Mr. Hemmant, was adopted. Well then, supposing the matter went before the House, would they, he would ask, escape the lobbying of America? And when it went before a select committee!—Was the Government likely to be more corrupt than that small committee of the House chosen for the purpose of

inquiring into the Bill? If the Government was corrupt, would a committee appointed by their majority be likely to be less corrupt? If the fear of corruption was to stop all progress, then it did not matter how it was done, the corruption would still be the same. He hoped that he had not said in his joking way anything that would give offence. He had, perhaps, great intolerance of what were called "old ways," and he liked to see his young friends, and young Liberals, a little a-head—certainly not behind the old Government which they had abused for so long as being behind the times in their notions of liberalism.

DR. O'DOHERTY said he must say that he considered the lecture which the honorable member for Fortitude Valley had just given to the honorable member for East Moreton, came with rather bad grace from that honorable gentleman.

HONORABLE MEMBERS: Hear, hear. No, no.

DR. O'DOHERTY: The honorable and learned gentleman seemed to forget that a few weeks back he had voluntarily, without being pressed to it by honorable members on his side of the House—indeed he ventured to say against the expressed wishes of honorable members on that side of the House—resigned his position as leader of the Opposition. Now, as one honorable member on that side of the House, he could safely affirm that he had never stated or uttered one syllable having reference to the action of that honorable gentleman in resigning the post of leader of the Opposition, which he had assumed at the request of his party at the commencement of the session. As had been very truly stated by the honorable the Premier, he (Dr. O'Doherty) had always regarded the position of leader of the Opposition as one of as great importance and responsibility as that of Premier, within the walls of that Parliament. He had no hesitation whatever in saying that any disorganization, if any had been shewn, of the party on that side of the House—that any want of fealty to the ideas and opinions which the honorable gentleman might entertain on the leading questions brought before the House; any difference of opinion which affected that honorable gentleman—that if any of the things existed, the honorable gentleman himself was directly responsible for it. He had no hesitation in saying that, when an honorable member assumed the position of leader of the Opposition, he was bound to accept the responsibility of that position, and to stick to his post. But the honorable member had voluntarily resigned it, against the express wish of his party, and he had no hesitation in saying that the action thus taken by the honorable member had left himself and other honorable members in a very difficult position on many occasions, regarding the position they should take when he had freed them from all responsibility to himself—

Mr. LILLEY: Yes, but not to your principles.

Dr. O'DOHERTY: The honorable member ought therefore to be guarded when he spoke of honorable gentlemen—whom he spoke of as having brought into that House, under his shield—because those gentlemen might happen to differ from him in the matter before the House. Now, if there were any question of principle involved in the debate on those resolutions that evening, or in the measure which had been discussed on the previous evening, he quite agreed with the honorable member that there would have been strong grounds for complaint of the conduct of the honorable member for East Moreton—that was, presuming the honorable member had retained his position of leader—but he denied that it was a question of principle at all—

Mr. MACDEVITT: Oh, oh!

Dr. O'DOHERTY: At any rate, so far as he understood it—and he did not see why the honorable member for the Kennedy should interrupt him with his “oh, oh!” except to shew to the honorable member for Fortitude Valley how completely a disruption had been caused by his action. He did not believe, as he had said, that there was one particle of principle involved in the objections of the honorable member for East Moreton; for, as he had understood the objections put forward by those honorable gentlemen to the resolutions, they simply amounted to this—that they objected to handing over to a minister the power proposed by the resolutions, of acting without the sanction of the House. If he was wrong in that, he demanded that the honorable member for the Kennedy should get up and say so. If he was right in maintaining that the question was not founded upon principle in the slightest degree, then he submitted that the objection of the honorable members for East Moreton was a sound one. Although he had voted with the honorable member for Fortitude Valley on the previous evening, and was disposed that evening to support the resolutions of the honorable Minister for Works, still he maintained and insisted, that the honorable members for East Moreton, without the slightest violation of principle, had a perfect and undoubted right to vote on the opposite side. He himself believed that it was doubtful whether the Government should have the power of making even preliminary arrangements with anybody or any company, without first having the sanction of that House; but he was prepared to give it to them, rather than lose the immense benefit which the policy comprised in the resolutions, would confer upon the country. He thought, however, it was a great question whether the same purpose could not be accomplished by according to that House the power to control more strictly the action of the Government in entering into those matters. He confessed that he could not go so far as the honorable member for Fortitude Valley in his estimate of the qualifications of the Government as a

great committee, even although they might be presided over by the highest personage in the land. He confessed that the history of the colony had told him, that even that great committee was not one which that House and the country could look to with perfect safety, so far as the interests of the colony were concerned. On the contrary, if honorable members looked at the history of the colony, they would find that as far as the economy of the public money, and as far as the taxation of the people were concerned, that lauded committee of the honorable member had proved itself to be a most unsafe committee indeed. He would say again that one of the enormous benefits that would be inaugurated by the adoption of the policy of the resolutions would be, that it would, to a large extent, take out of the hands of that committee, the power of making ducks and drakes of the public income of the colony in the construction of public works. During the present session, he believed that the House had committed a great mistake in handing over to that committee the vast sum of money they had done for the further progress of the railways, and for the further construction of roads and bridges—handing it over without almost any control whatever. He might be told that he was inconsistent in making that statement, after voting for it as he had done, a few evenings ago. But he denied his inconsistency. He could not help himself. There was no choice; and, if he were asked to point out the honorable member who was to blame for his having no choice in the matter, he should point to the honorable member for Fortitude Valley, who had resigned his post as leader of the party—who had told his party that the battle was fought and won, and that there was nothing to do for the leader of the Opposition. He had always regretted that the honorable member should have followed that course; but it came with bad grace indeed from that honorable gentleman to pick up any honorable members in the way he had done the honorable members for East Moreton, because in the exercise of their opinions they might differ from him. In regard to the resolutions, he believed they were in purport the same as the Bill which was discussed on the previous evening. He believed that the sooner they saw inaugurated a policy by which companies could be induced to come forward and construct public works—the sooner they could exchange their lands in payment for such works—the better it would be for the country. There would then no longer be the necessity of taxing the country by borrowing money to construct public works, and constructing them, generally speaking, rather extravagantly. They would no longer incur the risk of such a heavy burden of taxation as there was at present on the colony. For those reasons he was prepared to support the resolutions, and, with the honorable member for Fortitude Valley,

to incur the risk, which they most undoubtedly would incur, in handing over to the high committee mentioned by the honorable member the powers contained in the resolutions.

Mr. LILLEY rose for the purpose of making an explanation. He denied that he had ever in any way deserted his post as leader of the Opposition, and the honorable member who had just sat down should have been the last to make such a charge against him. The honorable member knew very well that, even at the commencement of the session, he had offered to resign the leadership of the Opposition. The honorable member knew very well that he had never expressed any desire to hold that position, but that it was at the urgent request of the honorable gentleman himself, and other honorable members on his side of the House, that he accepted it. The honorable member must have known that he (Mr. Lilley) was aware that he was dealing with men on that side of the House who would have cut his throat in 1870. He must also have known that there were some honorable members who, whilst under his leadership, were dealing with the other side, and who were totally unreliable from the very commencement of the session. He was not such an innocent as to allow himself to be deserted at the end of the session by men who professed to follow his lead; and it was time, when he found that, as a man jealous of his honor and his political character, to resign his trust, rather than allow those honorable members an opportunity of betraying him. They might have trusted him, but he did not trust them. He had been very cautious in all his conduct with those honorable members. He had led the people outside of that House, and not the men in that House; and they knew very well that it was by means of his leading the people, he put them there. He knew at the commencement of the session that there were among them honorable members who were treating with members opposite, whilst they affected to be following him—

HONORABLE MEMBERS: Name, name.

Mr. LILLEY: The two honorable members for East Moreton, and the honorable member for North Brisbane, Dr. O'Doherty.

Dr. O'DOHERTY: I have no hesitation in stating in the most emphatic manner that it is a falsehood.

HONORABLE MEMBERS: Order, order.

Mr. STEPHENS: I rise to a point of order. I submit, Mr. Speaker, that the honorable member must withdraw the expression.

Mr. MOREHEAD: A charge had been made against the honorable member, and I submit that the honorable member has a right to make a personal explanation.

The COLONIAL SECRETARY: I submit, Mr. Speaker, that the word must be withdrawn. No personal explanation can justify the use of such language in this House.

The SPEAKER trusted the honorable member would withdraw the expression.

Dr. O'DOHERTY trusted the honorable Speaker would protect him from having levelled against him a charge which was without a scintilla of foundation, and which struck at his honor in that House.

The SPEAKER said the honorable member was charged with having stated that what had been said by the honorable member for Fortitude Valley was a falsehood; which expression was unparliamentary, and the honorable member must apologize to the House in a suitable manner.

Dr. O'DOHERTY said that there was not a man of that House who desired less than himself to infringe the rules of Parliamentary decorum; but so long as he held a seat in that House he would not allow any honorable member to charge him with political dishonesty, without telling him that it was a falsehood.

The SPEAKER said the honorable member must withdraw the expression.

Dr. O'DOHERTY: Well, sir, I withdraw the words.

Mr. GRIFFITH rose to make a personal explanation. As foul a charge had been made against him that evening, by the honorable member for Fortitude Valley, as could be levelled against the honor of any honorable member of that House. He believed he was correct in saying—and he was assured, every honorable member, except the honorable member sitting at the head of the Opposition benches, would agree with him—that there never was an allegation made accusing a man of personal dishonor, which had less foundation than the statement made against him by the honorable member for Fortitude Valley. That honorable member knew himself, that from the commencement of the session to the present day, he had never had a more faithful follower than he had been.

Mr. HEMMANT said he felt bound to say in reply to what had fallen from the honorable member for Fortitude Valley, that that honorable member had not the slightest foundation for making the charges he had made against himself and his honorable colleague. He could conscientiously say that until the honorable member for Fortitude Valley had resigned his post as leader of the Opposition, he had most loyally followed that honorable member. He had certainly on one occasion followed him against the dictates of his own conscience, on a question, which, through its being made a party one, he did not feel justified in deserting the honorable member. He referred to the occasion—

The SPEAKER: The honorable member cannot make a speech upon other matters. He can only make a personal explanation.

Mr. MOREHEAD moved—

That the House do now adjourn.

He thought that they had had quite enough of recrimination at the commencement of the

session. He certainly was very sorry to see that the late honorable leader of the Opposition, had now become the leader of discord, by making such serious accusations against honorable members on his own side of the House.

The SPEAKER: The honorable member having already spoken on the question before the House, he cannot now move the adjournment.

The COLONIAL SECRETARY thought it was getting very like an Irish row, but he had not the least doubt that honorable members opposite would all meet as friends on the next day. He hoped that before they separated, the little warmth of temper that had been exhibited, would not prevent them from carrying the resolutions. He believed most firmly, that the policy contained in those resolutions was a most liberal one, and one worthy of adoption by the House and the country. He did not care who had initiated that policy or from what part of the House it came; but it was one worthy their adoption. He knew that before he entered that House, he had always advocated the construction of public works by means of the lands of the colony. He believed that all that had been said about the immense power to be conferred upon the Government by the resolutions was bunkum, as, according to his opinion, the Government already possessed far greater powers than would be given by the resolutions, as nothing could be done then, without the sanction of Parliament. He liked any supporters of the party in power, or anyone else, to bring forward schemes which would be for the benefit of the colony; but he denied *in toto* that his Government, or any other Government that he had ever heard of, would be likely to make themselves the partisans of persons whose schemes they approved, but they would only bring them forward and support them, if they were worthy of that House and the country. It was idle for honorable members to talk about the powers conferred by the resolutions; as, if they would only take the trouble to read up for themselves, and take the present Railway Act and study it carefully, they would see that there were enormous powers in the hands of the Government already—in fact, that they had powers enough to do what was proposed in the resolutions. The wish of the Government, however, in bringing forward those resolutions, was to obtain the sanction of the House, as to how far they should carry out the powers they now possessed. He believed himself, that they had ample power to do all that was mentioned in the resolutions; but they wished to obtain a special opinion from the House as to how far they should act on them. He was very sorry they had been introduced at so late a period of the session; but as honorable members were aware, there were many reasons which had prevented their being brought forward earlier. Owing to the unhappy commencement of the session—which was that

evening, however, nearly terminating in anything but a dead-lock—it was impossible to proceed with any questions of the kind; but it was never too late to pass resolutions, and if they were passed by that House, they need not take five minutes to pass through another place; they might take five hours or five weeks; but if honorable gentlemen in the other Chamber agreed to them, they would not occupy five minutes. He believed that those honorable gentlemen were far-sighted enough to see that the resolutions proposed the proper way of providing for the construction of public works; and that the policy contained in them would be for the benefit of the country. Honorable members had, on the previous evening, agreed to the same policy in regard to tramroads and railways; and, therefore, he thought it was not too late for them to agree to bridges, canals, and other works being constructed on the same principle. There had been a sort of wild proposition made during the last session in regard to canals; but, like other wild propositions, it had been put on one side by the Government; and he might say that the only propositions that would be entertained by them, would be those likely to be sanctioned by that House. Now, he firmly believed that it would lead to the benefit of the country, if capitalists understood that the Government were willing to receive offers from them for the construction of bridges on the terms mentioned in the resolutions. As he had mentioned to the House on the previous evening, he knew of one instance where, in a very short time, a company might be induced to perform a very useful work which he did not think it was the duty of any honorable member to ask the Government to undertake—he alluded to the bridge across the River Fitzroy, at Rockhampton. There, there was any quantity of land, which would not necessitate any payment of money; and he would point out to the House that the very fact of those companies being paid in land would necessitate their making use of it. It was impossible to suppose that any company, if paid in land, would not use their best efforts to utilise that land. He did not care whether the land thus given contained minerals or not, inasmuch as, so long as those minerals remained buried in the land, they were useless to any one; it was only the returns from those minerals which made them valuable to the country, and also the labor and capital employed in bringing them to the surface and utilising them.

HONORABLE MEMBERS: Hear, hear.

Mr. HANDY said he was in favor of the resolutions, which had been for so long a time on the business paper that they could not be regarded as new to honorable members; hence, honorable members had had ample time to consider the object of them. At the first blush, he must confess that he was opposed to them, because he thought that they would confer too great power on the

Government—no matter what Government that might be—without a Bill being passed specially for the purpose. But in view of the Railway Bill, which had been passed on the previous evening, and in view of nothing being done, beyond provisional arrangements, without the sanction of Parliament, he could see no danger in them whatever. The first part of the motion referred to was what every honorable member of the House must agree to. Then, as to the second, which was—

“That this House approves of the Government entering into provisional arrangements, based upon granting Crown lands by way of subsidy, with any person or company that will undertake to construct, to the satisfaction of the Government, such works,”

he thought, after what had been said, that no objection could be made. In regard to what had fallen from the honorable the Premier about the powers contained in the Railway Act, he admitted that that was a source of information which he had never dreamt of at the time; but, on since reading that Act, he found that it contained all the powers proposed by the second clause of the resolutions. Viewing the question in all lights and circumstances, he agreed that the resolutions were such as the House should allow to pass.

Mr. BUCHANAN rose for the purpose of moving as an amendment—

That the word “canal” be omitted from Resolution No. 1.

Mr. HEMMANT said he would take the opportunity afforded by the amendment, of making a little more lengthened explanation than the forms of the House had allowed him to do when he last rose. He must say that the remarks which had been made by the honorable and learned member for Fortitude Valley were entirely uncalled for.

The SPEAKER: I must inform the honorable member that that is not the question before the House.

Mr. HEMMANT said it did appear very extraordinary to him that he was not allowed to refer to what had fallen from the honorable member for Fortitude Valley. Surely there could be no objection on the part of the House—

HONORABLE MEMBERS: Hear, hear.

Mr. HEMMANT: The honorable member for Fortitude Valley had stated that he (Mr. Hemmant), amongst other honorable members, had deserted the principles which he had been returned to that House to support. Now, he would ask, whether a more unfounded charge could have been made against him? He had stated on the previous evening, that he was in favor of the principle contained in the resolutions, when the Railway Bill, which contained similar provisions, was under discussion; but at the same time he had objected to so much power being placed in the hands of any Government. Now, he would ask, what had been the tenor of the advice given

by the honorable member for Fortitude Valley, ever since the present Parliament met? Why it had been not to trust the present Government. Therefore, he had not deserted the principles laid down by the honorable member. And, now, because that honorable gentleman had chosen to change his opinion, and say that the Government could be trusted, he (Mr. Hemmant) was not going to change his. It was not once, or fifty times, that the honorable member had stated in that House, and elsewhere, that he could not trust the Government; and was he (Mr. Hemmant) to be blamed because he now had a mistrust in giving to that Government the powers contained in the resolutions? The policy affirmed by the resolutions might be a part of the policy of the liberal party; but it had been no part of the policy of that party to hand over such immense powers to the Government of the day. Therefore, the arguments which had been put forward by the honorable member, and the honorable member for the Kennedy, were of no force whatever, because all he had objected to, was to give so much power to the Government. He did not know what the Government had done since Parliament had assembled, to induce honorable members to put that trust in them, which they had been told by the honorable member for Fortitude Valley at the commencement of the session, they should not place in them. The honorable member stated, also, that he (Mr. Hemmant) had been in treaty with honorable gentlemen opposite; but he must say, that that was not founded upon fact, as the only scintilla of foundation for the statements of the honorable gentleman, arose from what had taken place between some members of the Opposition and some honorable gentlemen on the independent benches opposite, in regard to a desire to put a stop to the unfortunate dead-lock. He believed that it was mainly owing to the action taken by some independent members of the Opposition, that that dead-lock was terminated. Now, he thought he could shew that he had very good reason for saying that such powers, as were proposed by the resolutions, should not be handed over to the Government. He had been engaged during the last few weeks on a committee, before whom certain things had appeared—

The SECRETARY FOR PUBLIC WORKS rose to a point of order. The honorable member and himself were the only members of the committee in question now present in the House; and he would tell the honorable gentleman that he was not in order in referring to the proceedings of a committee the report of which had not yet been considered by the House.

Mr. HEMMANT thought he was rather unfortunate that evening in his references to matters. However, as the Erie Company had been referred to, he should, perhaps, be in order, in replying to some of the remarks on that subject. The honorable member for

Fortitude Valley had accused himself and his honorable colleague with shewing some ignorance in reference to that; but he had now before him a copy of the "Westminster Review," which contained an article on that company. It said:—

"This property was, in effect, like all the great railway corporations, an Empire within a Republic. It consisted of a trunk line of road 459 miles in length, with branches 314 miles in extent, or 775 miles of road in all. Its capital stock amounted to about £7,000,000. Its gross receipts exceeded £3,000,000 per annum. It employed not less than 15,000 men, and supported their families."

Why he ventured to say that those 15,000 men, with their families, amounted to nearly the whole population of Queensland.

"Over all this wealth and influence, greater than that directly swayed by any private citizen, greater than is absolutely and personally controlled by most Kings, and far too great for the public safety either in a democracy or in any other form of society, the vicissitudes of a troubled time placed two men in irresponsible authority; and both these men belonged to a low and degraded moral and social type."

Now, he thought, that when honorable members referred to the Erie Railway as an instance of what they should avoid, they had not been conjuring up a phantom. There they had a gigantic railway, the proprietors of which employed a population almost equal to that of the whole of Queensland, and whose revenue was far greater than this colony was likely to have for many years to come. He thought that sufficient had been said by himself and by his honorable colleague to shew that their opposition was not to grants of land being given for the construction of public works; for, as he had stated, he believed that principle to be a good one, and had instanced its success in America; but because the system was a good one, it did not follow that honorable members were to place such implicit confidence in the Government as to give them enormous powers which might have the effect of saddling the colony with a corporation, second only in its magnitude to that of Erie.

Mr. LILEY thought that the honorable member had greatly misunderstood him, when he stated that he (Mr. Lilley) had advised him never to trust the present Government, as regarded the expenditure of money, for, from his knowledge of the honorable gentleman at the head of the Government, he would trust him with millions, so great a faith had he in the honesty of that honorable gentleman. But who had told him to treat the Government with distrust but the honorable member himself—the honorable member for East Moreton? And was he (Mr. Lilley) now to distrust the Government—now that they had given to the country what the honorable member and others had been howling for, for years? Was he now to be asked to distrust them in the expenditure of money for public works, or in

the use of the powers provided by the resolutions before the House? If the honorable member and those honorable members near that honorable gentleman, would not trust the Government, let them put the Government out: if they could not do that, why, then they must trust them. He had trusted the Government, without saying that he had in their political action such confidence as would lead him to accept any proposition they might bring forward; but he had trusted them as far as he would trust any other Government, so far as regarded their personal honesty. He did not believe for one moment that it was different with honorable gentlemen opposite, when he was at the head of affairs, as regarded himself; he did not believe that they had ever had any personal distrust of him; on the contrary, he believed that they had held his personal honor in the highest esteem. And, now, in regard to the Erie Company; what he had said was, that compared with the extent of railways in the United States, that Company was a mere bagatelle; he did not say that it was a small concern, but that, when compared with the enormous railway system in America, it was small. Why, the whole railways of America consisted of 61,000 miles, whilst the Erie Company had only 773 miles; but if every member of the Erie Company had been dishonest, instead of only two or three, would that justify the assertion that the United States should not go on making railways, on a principle which had been found so profitable to that country? There was a time in England when every company was corrupt—when corruption was carried to such an extent that it was found necessary for the State to interfere with legislative enactment—and that had the effect of causing a reform. And, perhaps, the example of Erie would lead this colony to be cautious; but to say that it should lead to distrust of the Government, was absurd. He would say again, that when men in a great political struggle, without consulting their avowed leader, made overtures to members opposite, they were not behaving properly to that leader; and the honorable member and others had done so. That had justified his mistrust of the honorable members; but it was not upon that alone that he had rested his distrust. He had known from the beginning that those honorable gentlemen had not pulled with him. So far as his leadership was concerned, he had acted honorably; as he had tendered the resignation of it over and over again. Those honorable members knew well enough that he was not anxious to retain it, and they knew that he only resigned it when the time had arrived, when every principle for which he had fought had been conceded. He had done his duty to the Opposition and to the country, and he maintained that he had not been without justification in the remarks he had made. He would say again, that the attack of the

honorable member for North Brisbane, Dr. O'Doherty, in accusing him of having acted dishonorably in resigning his leadership, was most unfounded. Why had not that honorable member spoken of it before? Why had he allowed week after week to elapse without making the charge against him? It was true, no doubt, that the honorable member had not wished him to resign his leadership; but was he to remain tied to men in whom he did not believe? He was not, and he never would be. He had always been the independent member for Fortitude Valley. He had not been sent into that House to lead any party, but to represent that very important constituency he had always had the honor to represent. He was happy to say that he could always return to his duty as a private member. But he would ask, did his resignation of the leadership justify a departure from their principles of the honorable members who had professed to follow him? If they had been desirous to tie the hands of the Government in the present matter, why had they not moved some amendment? Why had not the honorable member for East Moreton, Mr. Hemmant, or his honorable colleague, done that; instead of seeking secretly to defeat the resolution? How was that? If the dishonor was anywhere, it was not with him. He had done his duty to those honorable members while he was their acknowledged leader. He had done it at great personal sacrifice; and he had done it against his own will and feeling many a time when he had been ashamed to think that he was leading men who had betrayed him so shamefully as they had done in 1870. But it frequently happened that a person made use of tools which he afterwards had occasion to despise.

Mr. J. SCOTT moved—

That the debate be now adjourned.

Mr. GRIFFITH said that he trusted that he would not lose his temper in the few observations he was about to make to the House. He would not allude to the extraordinary charges which had been made against him by the honorable member for Fortitude Valley, further than to say that he believed that if he lived for a hundred years he would never have occasion to regret the part he had taken towards bringing to an end the unfortunate dead-lock. If that was what the honorable member was pleased to call political treachery, then all he could say was, that he was not ashamed of it. So, so far, that charge fell like water from off a duck's back. In matters of politics he had always loyally followed the opinions of the party to which he belonged, but in private matters he had claimed the right of exercising his own private judgment; and, when he ceased to be allowed that right, he would cease to hold a seat in that chamber. As to the speech of the honorable member for Fortitude Valley, he must say that he could not congratulate

him upon the candour, or fairness, or good taste of it. He would leave it to honorable members to judge as to the good taste, and to say if they thought the honorable member displayed good taste in the remarks he made as to the manner of his (Mr. Griffith's) coming into the House. As to the fairness, he maintained that it was most unfair. When he (Mr. Griffith) said, in the course of his speech, that he preferred the old tracks, he was alluding to the manner provided by the Standing Orders for a measure of this kind being introduced as a private measure, and, because he did that, he was accused by the honorable member for Fortitude Valley of retrogression. Now, he did not call that candour. Then the honorable member went on to shew what an abandoned character he (Mr. Griffith) had become, and the instance that was given was, that he had ventured to exercise his private judgment and go against the Married Women's Property Bill, because he thought the details of the measure, whatever the principle might be, were not suited to the circumstances of the colony. Then as to the Legal Practitioners Bill, if he was not in the way of progress on that question, he thought the honorable member could not throw stones at him; and he did not think he should be accused of want of progress in that matter beyond the walls of the House. Now there was nothing else the honorable member could find to accuse him of, although that he did not do so, was certainly not from lack of will. As to giving grants of land for railways, he had never said a single word against the principle. He spoke only against the manner and form of the resolutions, and on that was founded the singular proceedings they had seen that evening. He would scorn to retaliate with accusations against the honorable member, similar to those the honorable member had made against him, although numberless such charges would suggest themselves to the mind of every honorable member.

The SECRETARY FOR PUBLIC WORKS said that the adjournment of the debate having been moved, he would, if it was fair for him to do so, take it, in the event of its being carried, as tantamount to a postponement of this question till next session; and he should do so with the earnest hope that he would then be able to convince honorable members more effectively than he had been able to do this session as to the advisableness of carrying out the policy introduced in those resolutions. If this was to be the end of the debate, he hoped it would also be the end of the acerbities they had witnessed to-night. He hoped they would not extend beyond the present evening. He believed that honorable members opposite thoroughly understood each other; and perhaps what had taken place arose from their knowing too much of each other. Now with the best of feeling towards honorable members on both sides of the House, he would accept of this as the end of the debate on this question for the present session, and

he hoped that during the recess honorable members would so qualify themselves by information on the whole subject, as to be able to see the wisdom of the policy embodied in the resolutions, and to discuss them in a somewhat better spirit.

Mr. ROYDS said he hoped the adjournment of the debate would be agreed to. It was his intention to vote against the resolutions, not that he disagreed with them altogether, as his vote last night proved, and he would be glad to do the same thing with regard to other public works, but, he objected to resolutions of this kind being brought in when the session was at its last gasp almost. The resolutions had been on the paper for a long time, and if the Government had been in real earnest upon the subject, they might have been brought forward at an earlier period of the session.

The question, that the debate be now adjourned was then put and passed.

MR. JOHN BOURNE—DALBY RAILWAY
CONTRACT.

Mr. ROYDS moved—

That the Report of the Select Committee on Mr. John Bourne's Contract for the Dalby Railway be now adopted.

The motion was agreed to.