

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 27 MAY 1875

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LEGISLATIVE ASSEMBLY.

Thursday, 27 May, 1875.

Ministerial Arrangements.—Swearing-in Magistrates.—
 Claims of the Rev. Dr. Lang.—Privilege.—Inland
 Bonded Stores.—Party Processions Act Repeal Bill.

MINISTERIAL ARRANGEMENTS.

The COLONIAL SECRETARY said: In consequence of the announcement I made yesterday, with regard to the office of Secretary for Public Lands, I took the opportunity last evening of having a communication with my honorable friend and former colleague, the honorable member for Maryborough, and to him I offered the department. That honorable gentleman, from personal reasons, and from personal reasons only, thought it desirable that he should decline it. I subsequently put myself in communication with the honorable member for East Moreton, Mr. Fryar. I offered him the appointment, and he accepted office. You have official intimation before you, Mr. Speaker, of his appointment to this office, in the *Government Gazette*; and that being so, I now move—

That the seat of William Fryar, Esquire, hath become and is hereby vacant by reason of his acceptance of the office of Secretary for Public Lands, since his election and return to serve in this House as member for the Electoral District of East Moreton.

I think, sir, that this motion is exactly in the terms of the Act; and, in making it, I have simply to observe, that the main object I had in view in asking the honorable gentleman to whom it refers to take the appointment, was, that I believe the Lands Department is probably the most important in the Government, and I was anxious to get a gentleman to accept it who would be prepared to devote the whole of his time to it.

Mr. DE SATGE said: Since the Premier had chosen to make particular remarks as to the capacity of the new Minister, which he believed was an unusual course, he (Mr. De Satgé) could only take objection, as a northern member, to the appointment of the honorable gentleman, whose acquaintance with the lands of the colony must be extremely limited, and did not in the slightest extend to nine-tenths of Queensland.

Mr. MILES said he had another objection to offer. But, first, he must say that he had no personal objection to Mr. Fryar. His objection was different from that of the honorable member for Normanby. Mr. Fryar's profession as a surveyor gave him an insight into the general character of the lands of the colony. What he (Mr. Miles) objected to was, that now the Ministry, with a single exception, the Secretary for Public Works, represented electorates located in or around Brisbane. That was very objectionable; no mistake about it. Any Government who were selected from electorates around the capital could not expect the support of the House. Why did not the Premier go a little further and take a colleague from the outside districts of the colony?

Mr. BAILEY rose.

The SPEAKER said: I think I am bound to say that this is a most unusual debate. I do not know whether honorable members will persist in pursuing it?—Will the honorable member for Wide Bay sit down? The honorable member must resume his seat. [Mr. Bailey sat down.]—If honorable members persist in pursuing it, I feel it my duty to point out that I think this is a most unusual debate. Had not the Premier taken the opportunity of making those remarks, I should have checked it at once.

Mr. GROOM said he must beg to differ from the honorable Speaker that this was an unusual debate. Not that he agreed with the observations that had been made, but, as a matter of Parliamentary practice, he rose to say so much. He durst say that the Speaker must remember that when the Colonial Secretary of New South Wales announced in the Legislative Assembly the appointment of Mr. Marshall Burdekin as Colonial Treasurer, the House not only took exception to the motion for the issue of a writ of election, but a motion was moved and carried that the member named was not a proper person to hold the Ministerial appointment, and that led to the breaking up of the Government altogether. The House had a right to discuss

any question, and that was a precedent for a discussion of the present question. Mr. Burdekin was declared by the Assembly of New South Wales to be unfit for the office of Colonial Treasurer, and the result was the breaking up of the Government.

The SPEAKER: I can only say that I consider the New South Wales Parliament as a very bad precedent for us so follow.

Mr. EDMONDSTONE, in answer to what had been said in depreciation of the appointment made by the Colonial Secretary, stated that there was no man in the House better conversant with the land laws, through his particular profession of surveyor, than Mr. Fryar, who had long labored in the Lands Department, and who was also an old colonist. The appointment would, he hoped, commend itself to honorable members.

Mr. BAILEY said, as a personal friend of the honorable member for East Moreton, he could not be accused of partiality in saying that he did regard his appointment as one carrying out the policy of centralisation which the present Government seemed to have initiated. If they went on as they were going, the Government would be a Brisbane firm; and, he must say, the distant and outside districts would resent the confining of all appointments in the Government to the representatives of districts around Brisbane. He thought the honorable gentleman was a fit man for the post. Perhaps he had been too much in the wretched groove of the former land laws; but it was to be hoped he would soon get out of it.

Mr. STEWART said he thought the honorable members who had spoken of centralisation had forgotten that the late Minister for Lands was a resident of Brisbane, while the present Minister for Lands was a resident of East Moreton.

Mr. MOREHEAD said the honorable member for Brisbane had forgotten one thing, that, with all his faults, the late Minister for Lands was a very able man.

Mr. STEWART: He did not prove to be so.

Mr. MOREHEAD: He said the gentleman referred to was an able man, and the House and the country had had his services for many years past.

Mr. STEWART: What good did he do?

Mr. MOREHEAD: And when a man became grey in the service of the public, as perhaps the honorable member for Brisbane might become, some day, it was not considered what district he represented. He (Mr. Morehead) could quite agree with the honorable member for Wide Bay, that there was too much of an appearance, at any rate, of centralisation—too much of the grasping, avaricious, Brisbane spirit. He had not one word to say against Mr. Fryar; that honorable gentleman might make a very good Minister for Lands, but he thought that the Premier should have considered before he offered the appointment to that gentleman. This very charge of centralisation levelled at

the Government—the Brisbanising of the whole administration of the affairs of the colony—showed that the House did not like the country to be ruled over by the capital. It was properly put, that the honorable gentleman knew nothing of nine-tenths of the colony. The late Minister for Lands, although knowing nothing of the outside districts, had a great grasp of intellect, and could deal comprehensively, according to broad principles, with the subjects presented to his consideration. He (Mr. Morehead) doubted very much if the present Minister for Lands possessed the same characteristics. He certainly thought that honorable members who represented outside, and especially northern districts, should enter their protest against the Brisbanising of the colony.

Mr. DOUGLAS said: I am glad to have listened to the few words addressed to the House by the honorable member for Mitchell in testification of his approval of the abilities of the late Minister for Lands. They came from him with a very good grace. I can hardly agree with what fell from my honorable friend, the member for Carnarvon, and the honorable member for Wide Bay. I think that the only qualification, strictly speaking, which we have a right to consider in a Minister is that of fitness for his office. No matter what constituency an honorable member represents, he is in all respects our equal in this House; he represents the whole colony as well as the district which elects him. I must submit that if a man is capable of filling an office, no matter what district he represents, for that office he ought to be chosen. I believe from all I have heard that the selection made is a good one. The office is certainly one for which the gentleman who is now Minister for Lands is said to have had considerable experience in connection with the land laws under which the administration has been carried on for some years. Being professionally a surveyor, also, he comes to the performance of his duties with singular advantage. For myself, I need not more closely refer to circumstances distantly referred to by my honorable friend, the Colonial Secretary, than to say that reasons exist that render it undesirable that I should accept office, amongst others, this reason:—I am bound to do my utmost for the constituency which I represent, and, under present circumstances, I feel I can do that best in an independent position.

HONORABLE MEMBERS: Hear, hear.

The COLONIAL SECRETARY: I think it right that I should rise to answer the statements made by honorable members, that the head of any Government is bound to look to any particular district to get its members from. It may be that I should have no objection to the principle; but when I am looking for a Minister for Lands, I am bound to look for one who has not only the necessary qualifications mentally, but who belongs to the party with which the Government is connected.

HONORABLE MEMBERS: Hear, hear.

The COLONIAL SECRETARY: If the argument advanced by the honorable member for Normanby is good, we might find ourselves in this position, that a majority of the House even could not go on with the business of the country, because the members of the Government had not been selected from particular districts of the colony which were not represented by a single individual on this side. I am anxious to represent all districts in connection with the Government; but it is the exception, and not the rule at all. The Minister for Works is from a distant northern constituency. If my honorable friend, the member for Maryborough, had accepted office, there would have been another distant constituency represented in the Ministry. There can be no argument against the appointment of the honorable member for East Moreton, inasmuch as, if the honorable member for Normanby meant it to apply to this appointment, it applied more strongly to the late Minister for Lands being in office, for he simply represented a Brisbane constituency. I trust that there will be nothing more upon that subject. With regard to the fitness of the honorable member for East Moreton, I have no hesitation in giving a flat contradiction to the assertions of the honorable member for Normanby, that the honorable gentleman knows nothing of the colony. He has been in the colony upwards of twenty years; he has been in the Government service for many years; and I have no hesitation in saying that there is not another man in the House who possesses the same knowledge of the land laws, and of the working of the Lands Department, as the honorable member does.

Mr. W. SCOTT said he thought it reflected very great credit on the Government to have made such a selection. There was not, on his side of the House, another man so capable of filling the office of Secretary for Public Lands, or with the same ability for it, as Mr. Fryar. He did not except himself.

Mr. MOREHEAD: Selection after survey.

Mr. W. GRAHAM said he felt considerable sympathy for the Government in appointing a Minister for Lands; and he thought he might congratulate them on having made a judicious selection. Although a certain amount of wind had been expended on the Opposition side, without which it seemed impossible to conduct public business, yet he thought that if honorable members on the Ministerial side of the House were satisfied with the selection made, there would be no objection on the part of the Opposition. There seemed to have been rather a difficulty in the selection; though he should not have put it in the way the honorable member for Mulgrave had put it, that there was not another man with the same ability for the office as the new Minister for Lands. The selection was a judicious one.

Question put and passed.

SWEARING-IN MAGISTRATES.

Mr. MILES moved the adjournment of the House. In looking over the *Courier*, this morning, he found that the judges of the Supreme Court had been making a new rule of court; and he thought the time fit to ask the Attorney-General if the judges had power vested in them to fix fees for swearing in magistrates of the territory? He remembered when he was sworn in as a magistrate, some years ago, that the fee was half-a-guinea. It appeared now, that by a new rule, promulgated by their Honors, the fee was raised to two guineas. He did not know whether it was from the numerous appointments of justices of the peace by the present Government that the judges were over-worked swearing them in, or what the cause for the increase of the fee was; but the object he had in making the motion of adjournment was to ask the Attorney-General whether the judges were justified in making the new rule. If they could increase the fee to two guineas, they could increase it to twenty guineas, if they chose. Another consequence would be, that the honorable gentleman at the head of the Government would not be able to find any more magistrates—unless he should put a sum of money on the Estimates to pay the cost of swearing them in. The judges were, he knew, queer kittle cattle to deal with; but whatever the consequences might be, he was prepared to protest, unless they had the power to do what they had done. If they had the power to increase fees at their discretion, it was high time that the Government should come down with a Bill to settle what the fees should be.

HONORABLE MEMBERS: Hear hear.

Mr. MILES: What took his fancy more than anything else was—

"That gentlemen desiring to be sworn in as magistrates of the territory should, unless it was highly inconvenient, be sworn in elsewhere than in that court, or before a judge of that court. The inroad made upon the judge's time in the performance of this very simple duty was very serious, causing distraction from the more important occupations in which they were frequently employed when required to assist in the performance of this ceremony."

The judges had not much cause, he thought, to complain of the inroads upon their time. They had little or nothing to do. There was a host of judges, of some sort or other. The most reasonable objection was to looking up the *Gazette*, "occasioning perhaps two or three interruptions," to see if the persons desiring to be sworn in were the proper parties; because the judge had a right to know who they were before administering the oath. That, however, could be very easily remedied. He thought it was a piece of impertinence of the judges to pass the rule. The only conclusion he could come to was, that as they were paid remarkably well, they

might discharge their duties. He presumed that the fees went to the judges.

The ATTORNEY-GENERAL: Oh, no!

Mr. MILES: That was the reason they should not have the power to increase the fees at their discretion.

The ATTORNEY-GENERAL: In answer to the honorable member for Carnarvon, he could only call the attention of the House to the provision of the statute upon the subject. He could not, under any circumstances, venture to say that a rule of court made by the judges, which they had taken the trouble to promulgate in the form of a judgment, was beyond their power. It would be extremely injudicious in him to do so. By the 52nd and 53rd sections of the Supreme Court Act of 1867, which was a re-enactment of an earlier statute, the judges had power to make rules for regulating pleading and practice, and forms of process, and the duties of officers of their court. The first mentioned section ran:—

"It shall be lawful for the judge or judges or a majority of them for the time being of the said Supreme Court of which majority the Chief Justice shall be one to make such rules for regulating the forms of process and mode of pleading in the said court and for the practice of the same in all its various departments and also for the government and conduct of the officers and ministers of the said court and such rules from time to time to repeal vary and alter as occasion may require."

Under that statute, or the statute that was in force in 1863, the judges made some rules, shortly after the arrival of the Chief Justice in the colony, by which the fee for administering the oath of allegiance was 10s. 6d. That had, by some method which he (the Attorney-General) had not been able to discover, always been made a guinea. He supposed the oath of office was considered to be a second oath, for which another 10s. 6d. was imposed. That was done by rule of court. Now it appeared that the judges thought that if a magistrate wanted to be sworn by a judge of the Supreme Court, it was worth another guinea. It seemed to him (the Attorney-General) that, under the statute, the judges could fix any fee they liked—five guineas or five hundred, but they would not be so unreasonable as to do so.

Motion, by leave, withdrawn.

CLAIMS OF THE REV. DR. LANG.

Mr. DOUGLAS said that the subject of the motion standing in his name had been on several occasions under the consideration of the Legislative Assembly. In the year 1864, he moved a resolution of a somewhat similar character, proposing to confer a grant either in money or land upon the Reverend Dr. Lang. The circumstances of the case were probably tolerably familiar to the House, and he should very briefly refer to them. He might remind the House that in the first

session of the first Parliament of Queensland, the following resolution was passed:—

"1. That the thanks of this House be given to the Reverend John Dunmore Lang, D.D., for his able and successful efforts to effect the separation of Moreton Bay from New South Wales, and to found the Colony of Queensland.

"2. That this resolution be transmitted to His Excellency the Governor with a request that he will be pleased to forward a copy of the same to Dr. Lang."

That referred to some proceedings of a committee that had previously deliberated on the subject. No practical effort was made to recognise the services of the reverend gentleman in a tangible form until the occasion to which he before referred, in 1864, when the resolution was passed; the House being in Committee of the Whole, the sum of £1,000 was voted to Dr. Lang. By some flaw, the full requirements of the orders of the House were not complied with, and the amount did not find its way into the Appropriation Act; though it was admitted, at the time, that the Government would have been justified in paying the money to Dr. Lang. There was a good deal of comment made upon the neglect to pay, in consequence of the Treasurer of that day having declined to pay, while, if he (Mr. Douglas) was correctly informed, other sums voted in the same way had been actually paid. A distinction was made as against Dr. Lang, which, to say the least of it, was hardly fair. Time went on, and last session a motion for a similar amount was discussed by the House. Now, partly from old friendship existing between Dr. Lang and himself, and partly because he had previously interested himself in the subject, the reverend gentleman had requested him to bring it under the notice of Parliament once more. He had much pleasure in doing so. He always looked upon Dr. Lang as one of the foremost politicians; most active and most uncompromising; sometimes, no doubt, somewhat extreme in the expression of his opinions; but always a man who held for the right: expressing himself perhaps too strongly, and sometimes probably unjustifiably; but, withal, his character was now generally recognised as that of a man who always endeavored to advance the rights of the people as against any glaring injustice, and who always stood on the side of generosity and liberty in their widest forms. Dr. Lang was now regarded as almost of the past generation—he had passed out of the political arena, in which he at one time occupied a prominent position—and, in his old age, after he had seen the Australian colonies grow into great aggregations of people, advancing in progress and intelligence, it might convey some additional comfort to one who had devoted so many years of his life to the public service, if some motion such as the one now brought before the House for a grant of money to him should be carried. The manner in which his services were originally

recognised by the Queensland Parliament might go for something; still, as honorable members now in the House were the judges, he (Mr. Douglas) might urge that they would be doing no more than justice in giving substantial form to that recognition. Dr. Lang had claims upon all the Australian colonies, on account of his devotion to the public interests; but still his claim upon the House must be based upon some particular service conferred upon this colony. For many years Dr. Lang had identified himself with the cause of the separation of the northern districts, now Queensland, from the mother colony of New South Wales. In 1844, thirty years ago, he took up the cause, when the population of those districts did not amount to 5,000. He went home, and while advocating the creation of this portion of Australia into a separate Government for local purposes, he endeavored also to promote emigration. In this he succeeded to some extent. He sent out ships in 1847-8, the well-known "Fortitude" and "Chaseley." There were facts connected with the immigrants which had been subjects of discussion in the House; but he (Mr. Douglas) did not intend to go into them. Dr. Lang's claims might be considered independent of them. Subsequently, by the action he took in representations to the Colonial Office, separation was rendered possible. The Act which conferred a constitution upon New South Wales contained the following proviso to a clause which reserved power to separate the northern territory into a separate colony:—

"Be it enacted that it shall be lawful for Her Majesty from time to time upon the petition of the inhabitant householders of any such of the territories in the said recited proviso mentioned as lie northward of the 30th degree of south latitude to detach such territories from the Colony of New South Wales and to erect such territories into a separate colony or colonies or to include the same in any colony or colonies to be established under the powers of the last-mentioned Act and all the powers and provisions of the last-mentioned Act in respect to any new colony or colonies to be established under such Act shall extend to any new colony or colonies to be established under this enactment."

That provision, which was inserted in the Act of 1850, was our charter of separation. In consequence of that, separation from New South Wales eventually followed, and Queensland ultimately exercised the power of separate government. He supposed that he need not justify separation, now, as in itself good. No doubt, there were some gentlemen who might dispute its advantages altogether, who might say that Dr. Lang did us no good by advocating separation; and that we should all be very much better if this colony had continued to be an integral part of the old colony. However, the political existence of Queensland dated from separation, and subsequent to it, great advances had been made in wealth, industry, and enterprise; and this colony

would hardly be what it is but for separation and the benefits of self-government. True, he had heard advocates of federation look upon separation as a drawback. But, before Australia could federalise there must be centres of political interest; and such was the case with separate colonies. Dr. Lang took a prominent part in the separation movement on behalf of this colony, and no man was more earnest in it than he. He devoted a great deal of his time and much of his money to the work, in the belief that he would confer a benefit upon the colony, and upon humanity. Such being the case, the House would be justified in considering Dr. Lang as a political benefactor. In the motion he (Mr. Douglas) had inserted the sum of £3,000, which was larger than what had been previously voted by the House; but it was a sum not in itself large for the services actually performed. Comparatively, it was a small amount. If the House should do anything, it were best to do it handsomely. The services rendered by Dr. Lang to Queensland were worth much more than the sum put down; and it would be much more dignified to give it than the amount passed so long back. The reverend gentleman was in his green old age, and was actually now concerning himself with the affairs of Australia. He had just returned from a visit to the mother country; and only a few days ago, in Sydney, he addressed one of the largest meetings held in that city on the subject of the annexation of New Guinea; and he was received there with the general favor that was ever accorded to him. If the motion was passed by the House, the grant proposed would certainly add to the comfort and delight of the age of a man who had devoted much of his life to the service of the public, and who had contributed largely to the foundation and building up of this colony, and had conferred benefits upon its people greater than they could take cognisance of. The motion was as follows:—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1875 the sum of £3,000, as a gratuity to the Reverend Dr. Lang, for his services in promoting and assisting in expediting the separation of Queensland from New South Wales, and in founding the said colony.

The COLONIAL TREASURER said that before this question was put, he would like to say a few words with regard to it. The same question came before the House last session in a different shape, and he might say in a much more modest shape than was now proposed by the honorable member for Maryborough. It was then proposed that £1,000 should be placed on the Supplementary Estimates, and on that occasion the Government supported it; and on the present occasion, on the understanding that in committee the sum should be reduced to £1,000, some members of the

Government would support it. It was a subject upon which the Government did not agree, and some of them considered that Dr. Lang had no claim whatever. He did not intend to say anything in reference to the services of Dr. Lang in connection with the colony, because any services of that kind were performed before he (the Colonial Treasurer) came to the colony. The claim of Dr. Lang, as it appeared to him to stand at the present time, was this:—In 1864 a resolution similar to this, so far as £1,000 was concerned, was carried by the House, and the Government of the day would have been perfectly justified in paying away that money the following morning, because it was invariably the practice that when the House had approved of money being placed on the Supplementary Estimates for a certain purpose, the money was considered legally available, and it was not necessary that it should go with the Appropriation Act. But he believed that in consequence of a letter Dr. Lang wrote, reflecting upon a member of the then Government, that course was not pursued, and the honorable member for Maryborough tabled a similar motion the following session, which he was not successful in carrying. It seemed to him, that the House having assented to passing the original motion of £1,000, they were in honor bound to carry it out, and that was the only reason he had for supporting the sum previously agreed to. He hoped the honorable member for Maryborough would understand, that so far as he was concerned, if he supported the resolution in its present shape, it would be on the distinct understanding that in committee the amount would be reduced to £1,000.

MR. DOUGLAS: Hear, hear.

MR. THOMPSON said it seemed to him the question the House had now to deal with was whether the honor of the Government was pledged to pay £1,000 to Dr. Lang, and unless he was satisfied of that he would not vote a penny. In the first place, he considered that they owed Dr. Lang nothing for his service; and, in the next place, he held that the question had been decided by the House, and the merit, of the case had no right to be again brought before Parliament in this way. It was simply a matter of pertinacity, until at last something was obtained; and such a thing as repeated applications, after a refusal had been made, ought to be scouted by the House. He thought, however, that if at any period of their history the word of the colony had been pledged to the extent of giving Dr. Lang £1,000, it ought to be granted. But, as he understood the matter, Dr. Lang had distinctly declined to receive £1,000; and, if so, he thought the honor of the country was no longer pledged to that extent, unless they took the stand which perhaps might be taken, that they should pay no attention to Dr. Lang's letter. But a man must be judged by his own action; the offer was gratuitous, and if Dr. Lang did not receive it in a fair spirit that

was his own affair. It was a present, and if he declined to receive it, he (Mr. Thompson) would not run after him with the money; and, if it were shown in committee that the honor of the country was no longer pledged to Dr. Lang, that he distinctly declined to receive the money, there should be an end to the matter. That was the only thing the House had to consider, and it would be a perfect waste of time to go into the merits of the case. It was the worst of principles that, by repeated applications and continual worrying, a man might get something; and if the matter went with committee, where perhaps it might be better discussed, he would take his stand on the simple question whether the faith of the colony was pledged in the way stated.

Mr. DE SATGE thought any claim of the kind might be considered as having expired by effluxion of time; but there was one point he would take his stand upon, and that was, with regard to benefits Dr. Lang had conferred upon the colony by separation from New South Wales. He was sure his constituents were beginning to feel that they would rather give a thousand pounds, or a great deal more, to be separated from the system of centralisation which was being carried on down here, than grant £1,000 to Dr. Lang for whatever he did in assisting to bring about separation from New South Wales. They did not feel inclined to give anything to the man who brought that about. The evils of that were rushing down upon them every day, and they felt that Dr. Lang had ceased to have any claim, because he had failed to confer any benefit upon them.

Mr. STEWART said he agreed with the honorable member for the Bremer, that the question now was whether the faith of the country was pledged to giving a grant to Dr. Lang or not. He thought that when the grant was once made, and refused—he believed in terms anything but complimentary to the Treasurer of the day, who, if he remembered rightly, was told it was like throwing a bone to a dog—the House and the country had liquidated the debt. He thought it was a great mistake to bring these matters up every session, and he could not understand the honorable member for Maryborough in referring to the services of Dr. Lang lately in regard to New Guinea; because, if he understood rightly, that gentleman advocated the annexation of New Guinea to New South Wales, and he thought they had no cause to bring that forward as a reason why anything should be given. And it was not so very long since Dr. Lang advocated separation in the North, and he thought these separation firebrands should not be encouraged, and by voting this sum they would be only encouraging him to do the same thing. He would remind the honorable member for Normanby that, if he desired de-centralisation or separation, the services of this gentleman were no doubt available, and the thousand pounds might be very well paid out of the

northern territory when it was proclaimed a new colony.

Mr. EDMONDSTONE said he wished every success to the motion, for that the House was pledged to it there was not the slightest doubt, in his opinion. When the money was voted, in 1864, it would undoubtedly have been paid had Dr. Lang refrained from writing an intemperate letter to Mr. McLean before he became a member of the Ministry. After he joined the Ministry, the then Colonial Secretary thought fit to prevent the money from going into the Appropriation Bill; and, when it was asked in the House why he had done so, he said, why should Dr. Lang have written such a letter as the one referred to? The money had never been offered to him, and therefore could never have been refused; but it appeared that, in talking to Mr. McLean, Dr. Lang spoke about the smallness of the amount, and said it was something like throwing a bone to a dog. A good deal had been made out of that, but possibly the manner in which Mr. McLean had irritated the Doctor was the cause of that expression. There could be no doubt as to Dr. Lang having assisted materially in bringing about the separation of this colony from New South Wales, and that he had in that way conferred a great benefit on its inhabitants. He did not care what the honorable member for Normanby or any one else might say, he was perfectly satisfied of that; and he would ask that honorable member, would they be in the position they were now had it not been for the influence of Dr. Lang in aiding and assisting to secure separation? If they had been residents of Brisbane they would know it was only since they had separation that they had been able to breathe the breath of life; not only the people of Brisbane, but the squatters, perhaps, more than any other class. He was very glad the matter had been brought forward, and he should gladly support it, knowing, as he did, that Dr. Lang had worked very hard indeed for this small amount of emolument that was asked for him.

Mr. MILES said, ever since they had had separation, this question cropped up session after session; and he entirely disagreed with the honorable member for Wickham, that Dr. Lang had done anything at all to forward separation. It was simply a question of time, and if Dr. Lang had been in Hong Kong, when population increased to a certain extent, they would have got separation. He denied *in toto* that Dr. Lang had done any service to the country. But he had done this much: He was a most sanguine individual, and he went home and got up a scheme of immigration, and induced a large number of people to come out here under false pretences. He believed the colony got the benefit of that, because he held the view that every individual introduced to the colony was a public benefit; but they must not be brought here by misrepresentation and false pretences, and

that was what Dr. Lang did. He induced these people to pay their passages out here on the distinct understanding that he was to procure them land equivalent to the amount of the passage money, although he had no right or authority to make any such promise or pledge, but they never got a single acre.

Mr. FOOTE: That is not correct.

Mr. MILES: It was not correct! Well, he was very glad to hear it, because he believed that the people introduced by Dr. Lang were a great acquisition to the colony. But it was no use for him to come forward and put in a claim to be recognized from the public funds for the action he took with reference to separation, because, as he had said before, it was only a matter of time, and when population increased, they would have got separation. It was a very extraordinary thing that this sum was increasing. It had been before the House he did not know how many times, and he believed on one occasion a resolution was passed that £1,000 should be placed on the Supplementary Estimates, in recognition of Dr. Lang's services. Whether the House was justified in passing it or not, he did not know; but he recollected that it was one of the first questions brought before the House when he first had a seat in it, and he had great difficulty in making up his mind how he should vote. He believed that if a pledge was made, faith ought to be kept, whether the party was entitled to what was promised or not; and, in his simplicity in those days, he appealed to the then Colonial Secretary, Mr. Herbert, and asked, would he be justified in recording his vote against the item on the Estimates? The reply he got was, that the Government were bound to support the resolution, but it was optional to any member, who objected, to vote against it. His impression was that he did not vote at all, but walked out of the House; but, on reference to the records of the House, he found his name on the division list as having voted against it. Now, they found that that £1,000 had swelled into £3,000, and what had Dr. Lang done since to entitle him to the additional sum? Was it interest, or on what ground did the honorable member for Maryborough now come forward and treble that sum, and say the House and the country was pledged to it? Was it because the honorable member thought that, by asking for £3,000, he would be sure to get £1,000? He should certainly like to hear some explanation on the point. He thought, however, that the very injudicious course pursued by Dr. Lang, in connection with the resolution passed in a previous Parliament, was quite sufficient to justify the House in voting against the motion. What did he do? He appeared to think his services and exertions in procuring separation so valuable that, when provision was made to give him £1,000, he said it was like throwing a bone to a hungry dog; and he vented his spleen in most offensive and bitter language—and any one who knew him

must be aware that he had a large amount of it—on a member of the then Government. It was a very old saying, "You should not look a gift horse in the mouth," and if a gift was offered it ought to be accepted. He remembered on one occasion, a man who was suffering from rheumatic pains and had left the hospital incurable, came to him with a subscription list, and asked him for some assistance. He put his name down for three guineas; and, on handing back the subscription list, the man said, "Oh, make it five;" and he (Mr. Miles) at once drew the pen through his name. Now, he looked upon this matter of Dr. Lang's in exactly the same light, and he thought every member of the House would be justified, even if they had voted for it on a previous occasion, in voting against it now. He did not think he would be doing his duty to his constituents or the country if he agreed to vote £3,000 for Dr. Lang; and, if he did so, he would be open to censure, and to be told that he was not fit to be a representative of the people. He had no doubt, if he voted in favor of the motion, his constituents would tell him, "Don't come back here; we did not return you to vote away the public funds and tax us, but to conserve them and endeavor to reduce taxation." If he recorded his vote for the motion he would never dare face his constituents, and whenever a division took place he would vote against it.

Mr. MOREHEAD said he was greatly surprised that the honorable member for Maryborough should have come down to the House with such a monstrous proposition as this; and he was the more surprised that that honorable member should have based his argument in support of the motion on the ground that Dr. Lang was the means of this colony being separated from New South Wales. He always thought, and had read, that the honorable member for Maryborough was an advocate for federation. He had made it his hobby, and had, he believed, lectured before a certain association—the Australasian Association—in favor of that principle; and yet he came down to the House and proposed to grant £3,000 to Dr. Lang, the chief point of his argument being that that gentleman had assisted materially in the separation of this colony from New South Wales. He (Mr. Morehead) certainly could not see his way to give £3,000, or any thousand, or any pound to this reverend gentleman. He did not think this Dr. Lang had proved himself to be either a good man or a great man. He thought there was a great deal that might be said on the other side. They had found him to be a libeller, a dishonest man—he repeated it, a dishonest man both in money and in lands. They had found that he had introduced not the very best colonists into this colony or into any other colony, or even attempted to do so. He did introduce some, and he also defrauded them of their land. He would not dwell on

these things on the present occasion, but he would let them rest until the matter went into committee, when more information would be obtained—if it got into committee. He thought it would be proved that Dr. Lang, instead of deserving payment from the colony, deserved punishment from the colonies. That he firmly believed, and he was sorry to find the honorable member for Maryborough coming forward with this most extraordinary demand that he now made against the taxpayers of the colony. He agreed with the honorable member for Carnarvon, that no representative of the people should consent to such a tax being placed upon them as would warrant this grant to this reverend gentleman. He certainly thought that if £3,000 was to be devoted out of the public funds to any purpose it ought not to be devoted to bestowing a gratuity—which he thought was an insulting word—on this reverend gentleman. He was satisfied that if the question went into committee, a great deal more, and perhaps hotter words than he had used, would be said; and he must enter his protest; and he thought almost every member of the House would agree with him, that they had no right to alienate this large sum of money, or any sum, to subsidise a man who had done no credit to the colony in any shape or form.

Mr. FOOTE said he knew he was a bad debater, and he felt that he would not be able to do justice to this motion. He was very sorry indeed that it did not lie in his power to pay that tribute of respect to Dr. Lang which he knew that gentleman was justly entitled to. He would ask what was the state of this colony, which was then a portion of New South Wales, in 1848, when Dr. Lang's immigrants arrived. Brisbane was then a penal settlement, or rather a settlement on a state of probation, and there were very few free people here, scarcely any but convicts. And even later than that, when he arrived in the colony, a free man was almost looked upon with suspicion and shame. Now, when he saw that the immigrants sent out through Dr. Lang, were the first to give the start, and the impetus which had enabled the colony to arrive at its present position, he thought it was a matter well worthy of consideration in connection with this question. Some honorable members had referred to Dr. Lang as a deceiver; that he had brought out persons under a pledge to give them land, and that he had not done so. The honorable member for Carnarvon said he never gave them an acre of land, but he believed that honorable member was now aware that that statement was not true. Some of them did get their land and some did not; and if it had not been for some arrangement made by Dr. Lang with the home authorities none of them would have got their land; and he regretted that, through a piece of shortsightedness, the home Government did not carry out the conditions they had entered into with that gentleman. He was very glad to find the honorable mem-

ber for Carnarvon's conscience was of such a tender character that he could not vote for this sum of £1,000. He said £1,000, because he believed there was an understanding between the honorable gentleman who introduced the motion and the honorable the Colonial Treasurer, that when it got into committee the amount should be reduced by £2,000. He hoped that honorable member's conscience would be equally tender upon all points. He was quite prepared to give this amount, because he believed it had been well and hardly earned. Dr. Lang had always identified himself with the interests not only of Queensland, but of the colonies generally. He had been instrumental in the separation of Victoria as well as Queensland; and he had no doubt there were many old residents who could remember the energy with which that gentleman advocated the agitation in favor of separation, and the time when he compared Sydney to an eagle with two large wings, the one being Victoria, which he described as being cropped off, and the other Queensland, which was about to be cropped off. He had no hesitation in saying that separation was principally brought about by the instrumentality of Dr. Lang, and that had it not been for his exertions they would not have got it as soon as they did by some five or even ten years. He was sorry that the House should keep up such a bubble about a paltry thousand pounds; and he thought it was not worth while taking up the time of the House in talking about it. He maintained that this colony was considerably indebted to Dr. Lang, who had been foremost in almost every project for its interests and advancement. The honorable member for the Mitchell had, he believed, alluded to Dr. Lang as a man of inferior ability; and all the harm he could wish that honorable member was that he was possessed of half the ability of that gentleman, and that he would make as good use of it.

Mr. MOREHEAD said he never compared himself to Dr. Lang. He would as soon compare himself to a pick-pocket.

Mr. FOOTE: He did not say the honorable member compared his ability with that of Dr. Lang, but what he did say was that the honorable member said that gentleman's ability was of a very inferior character.

Mr. MOREHEAD: I made no such statement.

Mr. FOOTE: He did not understand the honorable member as comparing his ability to that of Dr. Lang, and he had no doubt that if he had done so the House would have laughed at him. Reference had been made to Dr. Lang in terms not very respectful, as being a man of libellous characteristics; and he might say that a person of Dr. Lang's ability, and a gentleman who had been so much in the van of progress, and was perhaps half a century before his time, often laid himself open to charges of that kind. But he was a man of such genius, and such thorough

ability, that matters of that sort were not such as would put him down. There was another matter upon which he would make a few observations. There was no question that on a previous occasion a certain sum was voted by the House, but there was a question whether that sum had ever been offered to Dr. Lang. Some honorable members had stated that he had refused it, but he (Mr. Foote) questioned if he ever had the chance of refusing it; and he thought that no member of that House in the position of Treasurer, or in any other position, had any right to withhold from any party any sum of money that had been voted. He had very much pleasure in supporting the motion, and he hoped the House would carry it.

Mr. DICKSON said he intended to vote against this motion, but not on the grounds offered by preceding speakers, because, if he were as great an enthusiast as the honorable member who had just sat down, he should consider £3,000 quite inadequate for the purpose proposed. He looked upon the matter as having been already decided. If honorable members would turn up the preceding debates in the House, they would find that in August, 1864, the House affirmed that £1,000 should be given to Dr. Lang, for his services in connection with separation; and another motion of a similar character brought forward in 1865 was negatived. Now, it appeared to him that at that time the House must have had as full knowledge of the circumstances and the *bonâ fide* nature of Dr. Lang's claims, as they could possibly have now, and, the question having been put and negatived at that time, he considered it was virtually and satisfactorily disposed of. If those claims were to be set up again the whole matter must be commenced *de novo*, and satisfactory proof should be given respecting them. Dr. Lang should come before the House and the country as a petitioner in a new shape and not ask for a grant upon matters which had been already adjudicated upon. He thought it was very unwise that the claims of this reverend gentleman should be constantly persisted in and intruded upon the House by petitions of this kind, which, he must say, to his mind brought him under the character of those who were described by the honorable member for Clermont as "political mendicants." He thought their patriots who devoted themselves to their country's good, should not, as was invariably the rule, ask for pecuniary compensation as a reward for patriotism. With regard to the manner in which Dr. Lang conducted immigration, although it had been said that in some cases the conditions were fully carried out, still he knew there were some people who held worthless pieces of paper, which had not been taken up by the fulfilment of the promises made. He had never heard that there had been any feeling got up on behalf of these people; and he thought that if they were going to vote a sum to Dr. Lang

for his services, those persons, who had been induced to come out here under promises which had never been fulfilled, had an equal claim. On the whole, he thought it was very undesirable that the vote should be accorded, and he should object to it, both now and in committee, unless it could be shown clearly and unmistakably, that Dr. Lang had performed certain things, the knowledge of which had never been given to the public; and unless, also, he appeared in the shape of a fresh petitioner, and able to allege fresh facts in support of his claim. He objected to claims for pecuniary compensation coming up time after time, and more particularly when they had been adjudicated upon, and for this reason alone he should give the motion a distinct negative.

Mr. J. SCOTT thought that when claims of this character were made, they ought to be by persons of unblemished character, and he was of opinion that the case of this gentleman was far from being in that position. He had, he (Mr. Scott) believed, been several times convicted before the courts for libel, and once, if not twice, he had suffered imprisonment for it. The greatest libel he was connected with, as far as he (Mr. Scott) remembered, was one for which he was not prosecuted, simply and solely because the gentleman he so grossly libelled was not allowed to do so, and the Government would not do it themselves. He referred to Mr. Berry, of Shoalhaven, and amongst other things that reverend gentleman stated, there was something to this effect:—"That this old man would be down in the lower depths of hell, gnashing his teeth, and asking for a drop of water to cool his tongue, and he (Dr. Lang) would look on, and take care he got none," or words to that effect. He did not think that such a man was a fit or proper person to receive public money from that or any other Parliament.

Mr. C. J. GRAHAM thought the honorable member who introduced the motion would do well to withdraw it. He did not think it was either a pleasant or a desirable operation to rake up anything that had been said against a man who was now somewhat advanced in years, and who had been a public character for a very long period. As the resolution stood, they were not asked to carry out an old vote of the House, to which the country was pledged, and which had not been carried out; but they were asked to grant a certain gratuity, and, therefore, before they passed the resolution, they must have proof that this gentleman had earned the gratuity. As a general principle, he was opposed to gratuities for services gratuitously performed. If a man undertook to perform a certain thing with their sanction, it would be their duty to see that he received payment; but, with regard to a political agitator, who worked for a great many years for a certain purpose, it was not at all the proper thing that he should come down and ask, or get

his friends to ask, for a gratuity. No one asked him to do it, and if he did it gratuitously he (Mr. Graham) could not see that he could establish any claim. As well might a member of that House, who had held his seat a great many years, and been an active politician, and assisted in the passing of important measures, come down and say, "I have been a public benefactor; I have done a great deal of good to the colony; give me a thousand pounds." It also appeared to him that every member who voted for this motion would pledge himself to the separation of northern Queensland; because there could be no doubt that, as soon as the North had a population of 20,000 or 30,000, it would be as much entitled to, and would derive as much benefit from, separation from Queensland as Queensland did from being separated from New South Wales. That must be considered by those honorable members who were opposed to separation. He was not opposed to it; he was in favor of it; but not in the same way that Queensland separated from New South Wales. He did not think they would want a new Governor, or a new Parliament, or things of that sort; but they wanted separation to the extent of giving the North power to carry on its own affairs, the Executive power in Brisbane, which was an extreme corner of the colony, having been found, in numbers of cases, unable to do so. The principal reason why he thought the motion should be withdrawn, was that the question had already been fully considered, and a similar motion had been defeated. If that did not satisfy the honorable member for Maryborough, and they went back to services actually performed, those honorable members who opposed the motion would, no doubt, feel it their duty to refer back and rake up the correspondence with the Governor of New South Wales, in which, he believed, Dr. Lang was denounced as a swindler who had got money out of immigrants. Dr. Lang was also the man who first proposed the introduction of black labor into Queensland. It was a proposal made to the British Government anterior to separation, that a large number of blackfellows should be introduced from the West India Islands, on the condition that Dr. Lang should receive large grants of land about Brisbane, and that he should have the exclusive right of retaining the land. If the question was to be fully investigated, he should feel it his duty, and no doubt others would feel it their duty also, to look all these matters up, in order to arrive at a conclusion; and he thought, on the principle that discretion was the better part of valor, the resolution ought to be withdrawn altogether.

The SECRETARY FOR PUBLIC WORKS said he did not intend to speak on the question, and he intended to vote against it; but, after the remarks of the honorable members for the Mitchell and Springsure, he felt it necessary to say that he would vote simply against the principle of the resolution. He did not intend

to support the attack made on Dr. Lang; he knew nothing about his private character, but he knew that in former years he had taken a conspicuous part in colonial politics. With regard to the grave charge made by the honorable member for Springsure, that this gentleman told an opponent he would go down below hereafter, he thought that honorable member must look very little at the cloth to which Dr. Lang belonged, because statements of that kind were very common with those gentlemen. If ever a person trod on the cloth of a clergyman, he (Mr. King) did not care what denomination he belonged to, he would be sure to be told he would have a warm berth below; and he did not think that was a very serious charge against Dr. Lang. The reason why he objected to a gratuity being paid to Dr. Lang was that, if he were entitled to a gratuity, it ought to have been paid in an earlier period of the colony, when its inhabitants were those who benefited by Dr. Lang's exertions. At the present time, he had no doubt the majority of the inhabitants knew very little about that gentleman, and a great many had never heard of him; and, under these circumstances, he thought their constituents would have very good reason to find fault with them if they voted £3,000 to a gentleman about whom they knew nothing whatever. If the work performed by Dr. Lang was so valuable to the colony as the honorable members for Ipswich and Maryborough had stated, there was a much more satisfactory way of rewarding his exertions. If he had conferred such great benefits, especially on the southern portion of the colony, he would suggest that there must be at least 20,000 people who could afford to put their hands in their pockets and give five shillings each towards remunerating Dr. Lang. He thought that would be a much more satisfactory way of carrying the matter out; and there could be no better way of refuting the charges made against Dr. Lang's character. He hoped that course would be adopted.

Mr. DOUGLAS said he had very little to say in reply, but it was only, perhaps, fitting that he should take notice of a few remarks made on the other side, and by the honorable member for Clermont, who had challenged him to withdraw the motion lest some still more grave charges should be brought against Dr. Lang. Now, personally, he had not the slightest objection to the raking up of any charges the honorable member liked against the reverend gentleman, who, he had no doubt, would have no objection to such a course. And if the charges were something like those made by the honorable member for Springsure, he should think they would be very soon dispelled. He was quite aware of the circumstances referred to, and Dr. Lang, no doubt, did libel Mr. Berry. The libel was connected with some political agitation at a time when there was a strong feeling about farming at Shoalhaven, and some farmers thought they were not allowed

sufficient access through Mr. Berry's land. But he was not there to justify anything Dr. Lang had said. He was there to admit that, at times, Dr. Lang had expressed himself in far too strong terms. But he had been a man of strong feelings, of great energy, and commanding passions sometimes; and he (Mr. Douglas) did not think he was therefore less a man, and probably he was all the more a man because he had done so. No doubt he had his faults, but, he said, take him as a whole, he had been one of the most foremost men in these colonies. He had identified himself with all the interests which were great amongst them. He admitted freely that this gentleman had said and done things which he could not approve of, and he had no doubt that he (Dr. Lang), now looking back on his life, did not approve of them himself. But this was to be said of every man—of every man who had some stuff in him—and it was so with this old man whose merits and demerits they were discussing. With reference to action that Dr. Lang took in advocating the bringing of blacks here, if he (Mr. Douglas) was not misinformed, it was at the time of the American revolutionary war, and Dr. Lang expressed an opinion that it would not be an unfit thing that some of the enfranchised negroes should be brought or invited here; and, for his own part, he did not see why they should not. He was not an advocate of black labor, but he saw no reason why, if men were likely to be beneficially employed here, the mere fact that they were blacks should be imputed to them as a crime, or that the color of their skin should be made a reproach. That was the accusation now brought against this gentleman, and he did not think it was worth much. With respect to the suggestion of the honorable the Minister for Works, he would be very glad indeed to have seen some more popular demonstration in favor of Dr. Lang, but the time probably was gone by for that. He could not see many, on looking about him, who could go as far back as he could in connection with the reminiscences of this old man. He believed he had done good service, and that that service was to a great extent forgotten, and not known by new-comers; but to him it did exist, and he thought they were still worthy of recognition. He had now retired from the political arena, and he (Mr. Douglas) believed it was admitted by the people of Australia, and would be admitted hereafter, that he did good service in his day. He was not blest with wealth; he had still a little energy left, and possibly by voting this small sum, they would add to his comfort and happiness. He (Dr. Lang) thought it no dishonor to come and ask them to gratify him to that extent. But it was said he did not deserve it. Well, let it be so, in the opinion of those who thought he did not; and let those who did think so vote for the resolution.

The motion was then put and negatived on division.

AYES, 11.

MESSRS. Macalister, Henmant, Edmondstone, Groom, Douglas, Fraser, Low, Kingsford, Morgan, Foote, and Beattie.

NOES, 19.

MESSRS. Ivory, W. Graham, Buzacott, Dickson, Morehead, King, C. J. Graham, Thompson, Miles, J. Scott, W. Scott, Royds, De Satgé, Lord, Macrossan, Black, Amhurst, Bailey, and Stewart.

PRIVILEGE.

Mr. THOMPSON said he wished to call the attention of the House to a matter of privilege which was, that on two occasions reports of what had taken place in the Committee of Elections and Qualifications had appeared in the public press. This afternoon, the following appeared in the *Telegraph* :—

"THE LOGAN ELECTION.—The Elections and Qualifications Committee met this morning, and after hearing counsel, allowed Mr. Black to withdraw his petition."

He need not say that that was wholly incorrect. The committee did nothing of the sort—assumed no such power.

Mr. DOUGLAS : On the point of privilege, as the statement had been made, he merely availed himself of the opportunity to make the remark, that he presumed the news had not been obtained in any direct way—that was, the reporters were not present on the occasion of the deliberations of the committee. In his opinion it would be far better that the reporters should be present; they would then be responsible for the information given to the public. He knew that on rare occasions the reporters had been in attendance on committees; and it would be the preferable course to adopt always, as anything that transpired of consequence to the public would be given;—just as reporters were admitted to the House—at least, honorable members knew they were present, though there was no rule admitting them.

The SPEAKER said : It is totally subversive of the privileges of the Legislative Assembly that any evidence should transpire of what has been done in a committee of this House. Our standing orders declare that evidence is not to be published before it is reported to the House :—

"The evidence taken by any Select Committee of this House, and documents presented to such committee, and which have not been reported to this House, shall not be published by any member of such committee nor by any other person."

The practice of the House of Commons is to this effect :—

"Neither the members, nor the witnesses to whom these copies [of evidence] are entrusted, are at liberty to publish any portion of them, until they have been reported to the House. On the 21st April, 1837, it was resolved by the Commons, That according to the undoubted privileges of this House, and for the due protection of the

public interest, the evidence taken by any Select Committee of this House, and documents presented to such committee, and which have not been reported to the House, ought not to be published by any member of such committee, nor by any other person."

The authority from which I quote goes on further to say:—

"On the 31st May, 1832, complaint was made of the publication of a draft report of a committee, in a Dublin newspaper; the proprietor admitted that he had sent the copy, and stated that he was willing to take the responsibility upon himself, but must decline to give information which might implicate any other person. He was accordingly declared guilty of a breach of privilege, and committed to the custody of the sergeant."

Mr. DOUGLAS said he bowed to the Speaker's ruling with the deference it deserved; he had not examined the subject at issue so far as to be in a position to dispute it. But he must say that the proceedings of committees of the House of Commons constantly became public property before they were reported.

The SPEAKER: I think the honorable member is out of order. It is merely a question of privilege, whether a certain act has been done contrary to the standing orders of this House. It has been done, clearly. I do not think it is competent for the honorable member to discuss what should be the practice.

Mr. DOUGLAS said he knew the Speaker had great respect for the standing orders and for the practice of the House of Commons. Only by the last mail steamer he observed the proceedings of a committee of the House of Commons on a matter of considerable importance reported at length; and he knew himself, for he had often been present, that to the proceedings of committees held in large public rooms, the size of the Assembly Chamber, crowds of persons were admitted as a matter of course. Of course committees had a right to exclude strangers, as the House had a right to intimate that strangers must withdraw. Those rights were reserved, but, in practice, all matters of public interest were allowed to transpire. He trusted that he was not out of order in taking this opportunity of explaining his opinion.

The SECRETARY FOR PUBLIC WORKS pointed out that the standing order quoted did not apply to the complaint. It was a breach of privilege to report what did take place in committee. According to what the honorable member for Bremer said, the newspapers reported what did not take place. That did away with the breach of privilege.

The matter then dropped.

INLAND BONDED STORES.

Mr. Graham moved—

1. That, in the opinion of this House, it is desirable that Bonded Stores be established in all corporate towns within the colony, and that

goods liable to duty should be allowed to be transported to the same in Bond, under such regulations as to the Customs Department may seem desirable.

2. That an Address be presented to the Governor, praying that His Excellency will be pleased to take such steps as may be necessary to give effect to the foregoing Resolution.

He said this motion was to clear the way for the Government to remove one of the disabilities under which residents in the interior of the colony labored. He was not of those who considered that one man in his occupation was better than another man. He did not think that a man engaged in the producing interest was anything better than one engaged as a trader. In any civilised community all classes were necessary to each other. Whatever occupation a man followed, so long as it was not a vicious one, if it was desirable in many ways to the population, he had a right to be considered in any measure for the welfare of the community. There was no question that the general prosperity depended upon the prosperity of the producing interests. The producing interests of this colony were generally carried on in the interior, away from the seaports. In the seaports, it was true, the greater number of the population were concentrated, and the inhabitants had innumerable advantages which were not enjoyed by those colonists who resided in the interior. People went into the interior to make more money than they could make in the seaports; but they sacrificed other advantages for the sake of pecuniary profit. It was not, however, worth while inquiring if such was the case or not. He held that the prosperity of the seaports, and of every one living there, depended upon the success with which those engaged in producing carried on their operations in the interior; while the latter would derive advantages from any step that was taken to remove obstacles in the way of production. Unfortunately, in this colony it was found necessary to raise a large revenue by means of customs duties, which amounted annually to an enormous sum. A very considerable portion of that revenue was contributed by the residents of the interior who were engaged in producing. Traders in the seaports could leave the goods they imported in the bonded stores until they wanted them, when they paid the duties, and the goods went at once into general consumption. Not such the case of the trader in the interior. He had first to pay the duties on his goods, very often three or four months before he received the goods, and very much longer before he got them into consumption. The means of communication with the interior, owing to bad roads, were so difficult, and the course of traffic was liable to so many interruptions, that the inland trades had not only to pay duties three or four months before he received his goods, but he had to lay in an extra stock some months before-

hand, so that he should not run short of supplies through the long delays of the transit from the seaport. He could not make daily visits to the bond, or send at short intervals for supplies of the articles he dealt in just as they were required. That was a demand on his capital in addition to what was mentioned before. All his heavy preliminary expenses limited his importations to that extent; that was, his capital was reduced correspondingly with the amount of duty he had to pay so long before he received his goods. Consequently, it was frequently found, in the interior, that the necessities of life ran out, with many other articles found to be necessary only when they could not be obtained. He (Mr. Graham) wished the House to affirm an abstract motion, so that the Government could enable traders in the interior to get up their goods from the seaports in bond. It might be said that the chief duties were on spirits, and that the House should not give encouragement to trade in them. As every one knew, the profit on spirits was so much greater than on other articles that, if the duties were doubled in amount and every other obstacle to the trade increased, it would not be stopped. Often, in an inland town, the supply of flour ran out; but a scarcity of grog was never heard of. The general storekeeper, who imported all other goods, would have spirits;—he might run out of flour, sugar, salt, and all other necessities of life; but, it was a well known fact, he would take good care that he never ran out of spirits. The amount of money paid in the shape of duties on spirits at the bond at the seaport so long before the goods were brought into consumption, was so much taken away from the trader's capital that would increase the supply of the necessities of life, and that would be used over and over again, if the duties had not to be paid until the goods were received by him. It was necessary to expend such a large sum in payment of duties that it often very nearly equalled the value of the articles upon which the duties were levied. The trader must receive a per centage for lying out of his money so long; so, consequently, the increase of cost was paid by the consumer. The consumer paid profits to all the hands through which the goods passed, and also the interest on the capital used so many months before the goods came into consumption. The hardships of consumers were increased by the high prices they had to pay for their daily requirements. No one would deny that the producers in the inland districts suffered from the increased cost of goods arising from the necessity for paying duty so long before the goods were received by the trader. He (Mr. Graham) wished to avoid conveying the impression to the House that he was arguing for the trader; he was arguing for the consumer, and he only illustrated his argument by showing how the hardship came through the trader upon the consumer. He had pur-

posely worded the resolution to make it apply to corporate towns only. His reason for doing so was not that he thought corporate towns were more deserving of assistance than others, but because, in establishing a new system, the experiment should be tried within limits; and those towns that had taken upon themselves the dignified position of taxing themselves for local improvements should receive the first consideration. He knew one or two important towns that had not been incorporated; still they must occupy a secondary place to the others. It might be said that the corporate towns were subsidised by the Government; but the fact was, that incorporate towns got much more out of the Government than corporate towns, as the latter received only an amount of money in proportion to their revenue, while the former got what they wanted. A large amount of public money had been spent on improvements in the town of Gympie, which was among the incorporate towns; while other towns had received much less than a fair share of aid, though they had been taxing themselves for years. If the House should choose, he was quite prepared to apply the resolution to towns at a distance, say, of twenty or thirty miles from any railway station. There was no reason for bonded stores on the railway lines, because, as all the railways now ended at seaports, traders living on the lines could get up fresh goods out of bond every day. That was not the case in inland towns away from railway communication. The only inland town in the colony that had received consideration in the establishment of a bonded store was Ipswich; the reason being, that, although it had water communication with the seaport, yet the traders had difficulty in sending down to Brisbane for their goods. The delay was only a day. How much greater the evil, where the course of transit occupied from three to six months. The Government had intended to do away with the Custom House at Ipswich, because of the opening of the railway to Brisbane, and very properly so; but they had decided, again, to return to it, which strengthened him in his position in asking for bonds to be established in other towns of the colony. He trusted that the Government would adopt the resolution, and give effect to it. There were only three, or at most, four corporate towns to which to apply it. The other towns would not suffer any serious wrong; because, if the system worked well, it would be to their advantage to become corporate towns. The Colonial Treasurer would look at the resolution from a financial point of view; but he could not deny the justice of the case, or say that the object of the motion was not a legitimate one. His opposition would be based upon the difficulties in the way of carrying it out in actual practice. If the Treasurer should take that course, it would surprise him (Mr. Graham). If a Conservative Government were in power

he should consider it a principle with a Conservative Treasurer to be so tied up with old associations, so incapable of moving with the time, or of understanding the progress of the country, and the advancement of civilisation and its requirements, that he should hardly find him imbued with the spirit of the liberal people of the world. The colony had for some time the advantage of a Liberal Government that would not be hindered from moving in a given direction by any traditions that hung about the department over which the Treasurer presided. Honorable members all knew that from the officials his proposal would meet with opposition, for they all got into a groove; they were always conservative, and they would scout it as impracticable. He (Mr. Graham) looked for some enlightenment from a Liberal Government, and more especially from the Treasurer, that they would at all events give the proposal serious consideration. If there were difficulties in the way, they were only to be surmounted. Increased expense was no reason for abandoning the proposal; it was not therefore bad. All he asked was that the actual expense of carrying it out should be compared with the advantages it would give to the general public. The expense, as far as he could see, would not be more than £500 for the erection of a bonded store, and a moderate salary, about £200 a-year, for a locker in charge. Another difficulty that presented itself to his mind was, how smuggling was to be prevented. Several honorable members had joked with him, expressing a hope that the goods would not be sampled in transit; or, in other words, the difficulty was to prevent access to the goods before the duty was paid. It was not for him, in proposing an abstract resolution, to overcome every difficulty; that was for the department. But he would suggest that the difficulty could be readily overcome by allowing the goods to be transferred in bond only by licensed teams, as there were licensed drays in town; and the carriers should be bound themselves, giving substantial security, for the amount of duty upon the goods carried by them with their teams. The goods received by a carrier would be dealt with as if in the store; he would receive so many packages on which so much duty would be payable; nothing could be simpler than to compel him, before taking them, to find security for the total amount of duty on his loading. If he should sell the goods on the way to other parties, the Customs Department would always be able to fall back upon his security for the duty. Those who gave security would take care that no carrier should be allowed to take up goods in bond unless they knew him to be a trustworthy man and a man of substance. There were a few other objections to the resolution that the Treasurer had kindly mentioned; but he (Mr. Graham) did not think he should go into them now. He had intro-

duced the question as one affecting the residents of the interior. Goodness knew that they labored under sufficient difficulties in carrying on their avocations. It was not only the duty of the House, but it ought to be their cheerful duty, to remove any obstacles that were in the way of the progress of that portion of the community; as the prosperity of the country must react upon the towns; and the facilities that might be given to the inhabitants of the interior for carrying on their ordinary avocations and for increasing production would result beneficially for all other classes of the community and indirectly enhance the prosperity of all other interests. He should have the opportunity of saying a few words in reply, when he should endeavor to combat any objections that might be brought against the motion. What he asked was that the scheme should be carried out in a moderate way. He did not wish the Government to rush into it without deliberating. If the House expressed a desire that what he asked should be done, it would then be incumbent upon the Government to give effect to the resolution. He could not go into the question fully, because he was not in such a position to make inquiries as the head of a department was. If there should be found difficulties in the way that did not strike honorable members now, they would be advanced in excuse when the House met next session, if no action on the resolution should have been taken meantime. Of course, the passing of the resolution would bind the Government to take action, unless some very good reasons should justify them in leaving the matter alone. The residents of the interior districts had not received any great consideration, and they would be gratified by the passing of the resolution; which would show that the difficulties under which they labored were recognised by the House, and that there was a desire to enable them to carry on their operations with advantage.

The COLONIAL TREASURER said he thought that when the honorable member had heard the objections which it was his duty to raise to the proposal before the House, they would prove that he had sufficiently performed his duty to his constituents by bringing forward the motion, and he would not be disposed to press it further. He found, from a return which had been prepared by the Collector of Customs, that there were nine inland corporate towns in the colony which would be affected by the motion, in addition to the important towns of Gympie, Stanthorpe, Charters Towers, and Palmerville; and besides many others to which he need not refer, for instance, Georgetown and Gayndah. Of course, if the principle of inland bonds were established in corporate towns, there would be no justifiable reason why its advantages should not be extended to the other places he had mentioned that were not municipalities. In the first instance, supposing the proposal adopted, the Government would have to incur

the cost of the erection of buildings; because suitable premises were required for bonded stores, and for quarters for the persons in charge of them. That would involve an expenditure of £800 to £1,000 in each of those towns. Then they would require to employ some competent person, who would perform the duties of locker, and receive the revenue. It would not be safe, he considered, to place a person in such a responsible position under the salary which was paid to small sub-collectors of customs at the seaports, £350 a-year. Supposing that the salary would be only £200, it would be an annual item of expense; and another would be the salary of the storeman. Of course, a person in the position of the first officer named could not be expected to trundle casks about the store. Well, the two salaries alone would be about £400 or £500 a-year. He (the Colonial Treasurer) could not see what compensating advantages the Government would derive from the initiation of such a system. Another strong objection to the scheme was the risk the revenue would run while the goods were being transferred from the coast to the interior. It was an insuperable objection. Suppose, for instance, a dray started from Rockhampton to Clermont with a load of spirits. He understood that the honorable member who brought forward the motion urged that the customs authorities at the port should gauge the spirits, and that the duties thereon should be paid at Clermont, whether the goods arrived or not. He did not understand him to mean that an officer was to be employed as gauger at the inland bond, or that, in addition, an officer was to accompany the goods on the road. The carriers were to give sufficient security at the port to satisfy the Customs for the payment of the duties when the goods reached their final destination. That would be a very inconvenient arrangement for the Customs, because security given to-day might be perfectly good, and, in three or four months, it would be valueless;—in fact, while the goods were on the road, they might be made away with, and when the Government sought to enforce the payment of the bond covering the duties, it would be found that the persons who had given the bond were insolvent, and the Government would not be able to recover at all. Thus the revenue would suffer. There was not, he believed, such a thing known in any part of the world as the kind of bonds contemplated in the motion. Such a proposal could not be received with favor by the House. When the honorable member looked at the risk to the revenue and the expense of maintaining the inland bonds, he would be disposed to abandon the proposition. When he sat on the Ministerial side of the House, were not the objections now urged entertained by the honorable member's colleagues?

MR. GRAHAM: No; it was quite a new idea.

THE COLONIAL TREASURER: Well, he hoped the honorable member would not press it too

far. Ipswich was not an analogous case to that which the honorable member set up. Ipswich was a sea-port! Although it had not yet realised the dream of its most sanguine friends, nor witnessed the arrival of sea-going vessels of large tonnage from England, yet the day might come when they would be seen going through the swing-bridge of the Brisbane, and making their way up to the Basin. That was not like the places mentioned by the honorable member for Clermont, to which goods were three months going from the port of entry. It would be a dangerous precedent to grant bonds to such places, for if granted to municipalities they could not be refused to other important towns. At some places the whole of the revenue would be swallowed up in the expenses. The Government must guard the revenue of the Customs department. They knew, as far as revenue was concerned, it suffered already from the colony having such a multiplicity of small ports along the coast, many of which did little more than pay their expenses. He hoped that the honorable member, who was open to conviction, having ventilated the subject, would not ask the Government to incur the expense involved in the adoption of his proposal.

MR. THOMPSON said he did not know what the difficulties might be in the way of opening bonds; but he knew that there was no difficulty whatever in regard to Ipswich. Whether Ipswich was a seaport or not, was really nothing to the question, because goods went through to that town by water; and although that water happened to be fresh, yet the result was the same. Ipswich had a bonded store. Ipswich was an oppressed rather than a dominant community; but he said that it would yet be the centre of a far larger trade than the Colonial Treasurer had any idea of. Whatever might be the intention of the Government with regard to Ipswich, when the magnitude of its trade was considered, it would be many a long day before the Custom House there was abolished. The motion of his honorable friend aimed at putting the people in the interior of the country in as good a position as those on the coast; which was a good object. For himself (Mr. Thompson) he only rose to make a demonstration on behalf of Ipswich, which was completely put out of consideration by the Estimates, in which nothing was set down for roads and bridges.

MR. FOOTE regarded the motion as a step in the right direction; but he did not see how it could possibly be carried out. If the honorable member had added to his motion after the word "bond," "where such goods could be carried by water or by rail," there would be something in it. He did not see why parties living in the interior should not have the privilege of clearing their goods themselves. It was a monstrous absurdity that they should have to employ agents to pass entries and to clear their goods either *in globo* or in small parcels; the cost came to a large

amount. He endorsed what the honorable member for Bremer said for Ipswich, where the traders were all importers direct from England. He hoped that for the future they would all clear their goods in Ipswich, and the returns would show really what the extent of its trade was, and what a large amount of revenue was collected in connection with it.

Mr. BEATTIE expressed his hope that the honorable member for Clermont would withdraw his motion, as he could not see how it was to be carried into effect if it should be adopted by the House. He did not understand how the revenue would be protected when goods should be transferred in bond from Rockhampton to Clermont, say, unless such an addition was made to the Customs staff that the revenue would not pay the expenses of collection. Though the carriers should give a bond upon the goods gauged at the port before being despatched inland, it was just possible that the strength of spirits, for instance, would be decreased very materially on the road; and that on their arrival at the inland bond, the person to whom the goods were consigned would not accept them without they were re-gauged. He was afraid the addition to the expense of the working staff, which would be required to carry this motion into effect, would be such that it would not be of any advantage to the revenue of the colony. No doubt it would be of great convenience to traders in those localities, but he was sure it did not add to the good working of the Customs Department to be continually increasing the staff in connection with it; it was an immense staff now, even for Brisbane. If they were going to establish a bond in each of the inland towns of the colony, they would require two persons at each bond, besides, perhaps, some officer to go with the drays; because, unless this were done, he did not see how the revenue was to be protected. It was admitted, by the honorable member for Clermont himself, that loading was sometimes interfered with on the road; and supposing any casualty took place, by which dutiable goods were lost, the whole duty would be lost to the revenue. He was sure it would lead to the introduction of all sorts of schemes for the purpose of defrauding the revenue. It would not do for a man to receive a load in Rockhampton, to go to some inland town, and to say, on arriving there, that at some particular locality he lost his load—that it was swept away by the flood; and he was afraid his bondsmen would look rather blue if they had to pay for all that was lost by that supposed accident. He hoped the motion would be withdrawn, because he saw no material advantage to be derived from it, while, at the same time, it would be a very expensive piece of machinery to introduce into the Customs Department.

Mr. J. SCORR said the honorable member had stated that there would be great difficulty in conveying goods, without the duty being paid, from a port to any portion of the interior;

but he would point out that they were now carried with the duty paid, and they were, therefore, much more valuable in transit than they would be if this proposal were agreed to; and if they were not lost now, why should they be lost then? He thought there could be no difficulty whatever, because, if respectable men could be got to carry spirits with the duty of ten shillings per gallon paid, and to deliver them safely, surely men could be got to carry them safely when they were of much less value. And, so far from there being any difficulty with regard to the strength of the spirits, there could be none whatever, because they would have to be received at their destination in the interior at the same strength that they were gauged at the seaport. With regard to the proposed amendment of the honorable member for West Moreton, he held that towns that could be reached by rail, or by water, did not want bonds at all, and that was not the object of the resolution. The object of it was to relieve people in the interior from the excessive rates that were charged in consequence of the duties having to be paid so many months before the goods were received and consumed. Goods were very much higher in the interior than they were in the coast towns from that fact—that the duty had to be paid such a long time before they were received.

Mr. DE SATGÉ said he wished they could see their way to help the honorable member for Clermont in making this idea law; but he did not think it could be done without a great staff of Customs officers and some considerable difficulty. He could not see the great force of the argument of the honorable member for Springsure, with regard to the value of the goods. It appeared to him that, if the goods were stolen, they would be of the same value to those who stole them, whether the duty was paid or not. The hardship complained of was, no doubt, very great, and it could only be got over by improving the means of communication to the more important towns in the interior. There was no doubt that was the gist of the whole matter. If they could make good roads and extend useful, practical, and cheap railways to those towns in the interior, which, notwithstanding all obstacles, were rapidly improving and had large populations, who consumed considerable quantities of dutiable goods, the difficulty would be remedied; and it was the duty of the Government to improve the means of communication to such towns. He could well understand the hardship under which the constituents of the honorable member for Clermont labored. He (Mr. De Satgé) represented that town for some time, and he knew that no town had struggled through so many difficulties. Storekeepers had now to take in stock for six months' consumption, because they were liable, at times, to be that time without drays arriving; and he believed, in consequence of the heavy rains

and the flooded state of the country, drays would be fully four months between the terminus of the northern railway and Clermont this season. He could understand the difficulty the honorable member wished to obviate, but he could not see that it could be carried out without much application and great expense; otherwise he would support the motion with the greatest possible pleasure.

Mr. FRASER said he should be glad to support the motion if he could see that it could be practically carried out with any advantage to the country, or without incurring an unwarrantable amount of expenditure. No doubt merchants and traders in the interior did labor under disadvantages in having to lay in large stocks in the way that had been alluded to; but honorable members were well aware that, notwithstanding these disadvantages, there was a compensating element in the corresponding amount of profit derived. He could not see how the argument of the honorable member for Spring-sure had met the objection raised by the honorable member for Fortitude Valley. That honorable member said traders in the interior were compelled to accept spirits at the standard at which they were delivered at the seaport town; and that was perfectly true; but it must be borne in mind that the duty was paid when they were delivered at the seaport; and if the duty were only to be paid in the interior, and in the meantime the goods were tampered with and the strength reduced, why to that extent the revenue would be the loser, and there was no means of protecting it. That, to his mind, was a very fatal objection to the proposal of the honorable member for Clermont. As to the articles of flour and salt, to which that honorable member had alluded, it must be remembered that there was no duty at all attached to them, and, so far, his argument had no force whatever. He should recommend the honorable gentleman to withdraw the resolutions. They were utterly impracticable, and he was quite sure they would involve the country in an amount of expenditure which any advantage to be derived from the system would not at all justify. Another objection, to his mind, was, that the honorable member confined the resolutions to corporate towns, which, he thought, would be placing traders in towns which were not corporate at great disadvantage, which would not be fair; and, under all the circumstances, he thought the wisest plan would be for the honorable member to withdraw the motion.

Mr. C. J. GRAHAM said he wished to say a few words in reply, and he should allude first to the opposition raised by the honorable the Colonial Treasurer, which was based almost entirely on the cost of the scheme. He said that if it were carried out, there were nine corporate towns in the colony which would require buildings at a cost of a thousand pounds each, and a locker and storeman in each instance would cost about five hundred

pounds a-year. But he had distinctly stated that it was not intended that the motion should apply to towns along the railway lines or navigable waters, because those who resided in those places were very nearly in the same position as residents in Brisbane or Rockhampton. If they had a thousand pounds worth of goods in bond they could draw them out and pay the duty as they required them. If the scheme were applied to towns at a distance of twenty miles from railway and water communication, the number would be reduced to two or three; and as there were two corporate towns which were substantially one, the number would be only one or two. He allowed that the proposition was, to some extent, an experiment, and if the resolutions were amended as he proposed, they would have about two towns to which it would apply, and the experiment would not be a very extravagant one. Of course it could not be supposed that the expenditure would be anything like it was in connection with a large bonded store at a seaport, because in a small town the same supervision would not be required. It would be quite enough to have one or two days in the week on which goods would be received and issued; and, as there were always several Government officials in those towns, one of them could easily undertake the work, which would be extremely light, for small extra remuneration. As for keeping storemen, he considered it would be altogether unnecessary, because the people should find their own men for work of that kind. Therefore, if the expense were the only objection, he had shown that the cost would be very small indeed; and even if a small fee were imposed on the goods to pay the interest on the cost of the building and the actual annual expenditure, the profit to the district would be very large, and the residents of the district would consider it a great boon. He did not ask the House to rush into gigantic expenditure of which they did not know the result; but he did ask them, so far as they were able, to bring pressure on the Government, to try the experiment in two or three towns, and, if it should prove successful, it could be applied to all towns of sufficient importance. The honorable member for Fortitude Valley had said persons carrying goods of a certain strength would, perhaps, produce them much weaker at the place of arrival than when they received them, and he believed that was sometimes the case now. The owners of the goods had now to take all the risks of the road, which might arise from robbery and loss and delay; and the only new feature in connection with the scheme was that they should give security for the payment of the duty. With regard to losses which might occur through persons becoming insolvent, he thought they would be very trifling indeed. People who resided in the interior had to undergo risks enough; and even if there were some slight risk in the

matter, by adopting this scheme, which would be of great advantage to them he did not think that ought to be brought forward as an objection. At the most it was only a risk. He might mention that honorable members did not know much of the carriers in his district. They were generally men who were worth from £500 to £2,000, and by no means the typical Australian bullock-driver, whose only property was his whip and his bullocks. The majority of the class were highly respectable men, and even now, with all the advantages they had of robbing loads on the roads, they were really honest and trustworthy, and such losses were almost entirely unknown. He thought it due to the character of the carriers of the district he represented to say this much, because they were a class of men little known, who worked exceedingly hard; and he thought, considering the temptations to which they were subjected, they stood almost at the head of the various classes of the colony for honesty. As to comparing this colony with England, he was surprised that such a comparison should have been made by the honorable the Colonial Treasurer. In England there was no occasion for bonded stores in the country parts, because traders in even the smallest towns were within easy reach of London and other large cities by means of railways, and could get supplies without any difficulty. Here it was very different. They had towns from 200 to 500 miles from the coast, and the people there had to wait months before they received their goods on which duty had been paid; and that was the difficulty he wanted to get over, if possible. The honorable member for West Moreton had asked him to introduce an amendment; but that honorable member would observe from the tenor of his (Mr. Graham's) remarks, that such an amendment was diametrically opposed to the object of the motion, which was not brought forward in the interest of towns on the railways and navigable waters, but in the interest of towns in the far interior. In the former case, bonded stores were simply a convenience; but, in the latter, they were a great necessity. The honorable member for Bandamba had allowed that the motion was a step in the right direction, and that the principle was sound; and then he raised two or three objections, one of which was, that although traders in the interior suffered under the disabilities which he (Mr. Graham) wished to remove, yet there was a compensating element in the increased profit he received. But that carried out his (Mr. Graham's) argument; it was the increased charge he complained of. It could not be supposed that the profits were much greater; in point of fact, he believed they were much less in those places than in the large coast towns; but the prices were higher, and the increase had to be paid by the consumer. He was not arguing for the trader, but it was through the trader the consumer suffered; so

that the honorable member for Bandamba expressed his views exactly when he pointed out that in inland towns the profit, or the increase in the selling price, was much greater than at the seaport. But it was a great mistake to suppose it all went into the pocket of the storekeeper. He had to pay interest on money, and numerous charges and expenses, which came out of the pockets of the consumers by the enhanced price they had to pay, and it did not go into the pocket of the country. If there was a loss on one side and public gain on the other, there would be something in it; but it was not so. There was the consumer's loss, and nobody's gain. He thought he had now alluded to all the objections that had been raised, and he ventured to say he had made out a good case. He did not, however, wish to push the House to a division against the general desire of honorable members. He was perfectly aware that it was a new thing, and that in that House and in many other legislative bodies it sometimes took considerable time to force a new idea fully on the attention of honorable members. They might say a great deal about their liberalism and progress, but there was always an amount of conservatism underlying all, which a man, in coming before the House, or even before the country with a new idea, would find great difficulty in overcoming. This was at present a new idea; and it was one he brought forward, not as from any party, but entirely on his own responsibility. But as every honorable member who had spoken had expressed a desire that they should not go to a division, he would not force it to that extent. He had brought the matter before the House and country, and he had no doubt that, although the resolution must go now, they would find in the course of another year, when sufficient time had elapsed for honorable members to fully digest the arguments he had used, and see the advantages which would accrue to the people, from this scheme, would be carried out. With the permission of the House he would withdraw the resolutions.

Resolutions withdrawn accordingly.

PARTY PROCESSIONS ACT REPEAL BILL.

MR. BAILEY said, in moving the second reading of this Bill he wished to do so as calmly and dispassionately as possible, so that no tinge of acrimony should be imported into the debate. The foundation of the Bill was first brought into the House of Commons some forty years ago. It was a coercive measure and was introduced by the Government at a time when coercive measures were the fashion in dealing with Ireland. Measures of that kind were brought in one after another, and were in force in Ireland for a number of years, and the effect of them became so disastrous that in 1870 a Bill was passed by the House of Commons repealing them. That Bill was applied to the Party Procession

Act, and the Party Processions Act in force in this colony was more stringent still. It had been foisted upon them from New South Wales, where he believed it was made an enactment by the Legislative Council in 1846, and it was to be continued for three years. But in 1857 the Legislative Assembly of that colony revived the Act, and made it perpetual, and hence it appeared in the statute book of this colony. It was a measure that had never been before the Legislature of this colony, and therefore he took this step in order to obtain a declaration from that Assembly whether such a measure would remain on the statute book or not. When the Act was first introduced by the English Government, it was only brought forward year by year, and was never intended to be a perpetual measure. It was notoriously a measure for particular purposes—a measure coercive and oppressive, which even went to the extent of taking away the right of public assembly. The Act which was in force here differed from the English Act in that—

“the celebrating or commemorating any festival anniversary or political event relating to or connected with any religious or political distinctions or differences between any classes of Her Majesty’s subjects or of demonstrating any such religious or political distinction or difference and who shall bear wear or have among them any firearms or other offensive weapons or shall have publicly exhibited any banner emblem flag or symbol the display whereof may be calculated to provoke animosity between Her Majesty’s subjects”

were made crimes; and every person present at such assemblies was made guilty of a misdemeanor, and, upon conviction, was liable to be punished accordingly. At the end of the first clause there was a very curious provision which showed him very plainly that when the Act was placed on their statute book it was not very well considered. “Provided,” it said:—

“that nothing in this Act contained shall extend to any procession or assemblage held in the course of any election of any member to serve in the Legislative Council of New South Wales.”

Now, he did not know what they could have to do with any election in New South Wales here in Queensland. That, he believed, was the only exception made in the Act; and he might remark, in passing, that it was not punishment by fine; it was made a penal offence, and every person convicted of this so-called offence, which might be on the oath of one witness, was to be committed to gaol or house of correction for any time not exceeding one calendar month. When the Act was repealed by the home Parliament, he found that there had been previously a great meeting at Belfast, of which the Duke of Abercorn, a nobleman who, he believed, was respected by all classes in Ireland, was the chairman. At that meeting the following resolution was moved:—

“That, inasmuch as the Party Processions Act has greatly exasperated party feeling, and led to

the disturbance of the public peace, this meeting is strongly of opinion that a law which experience has proved to operate most unfairly against one particular section of the population, and which has remained a dead letter in its operation as regards other portions of the population of Ireland, is unjust, and ought no longer to be allowed to remain on the statute book.”

That was after some thirty-five years’ experience of the working of this law in Ireland. He found, on moving for the repeal of the Act, Mr. W. Johnston stated that it had been repealed by the unanimous consent of the Canadian Legislature. He found Mr. Vance said:—

“He thought the Government were acting wisely in consenting to the repeal of the Bill. The prosecutions under the Processions Act in the North of Ireland had never been of a formidable character, the parties generally being a few boys. Processions of a peaceable and loyal character ought to be permitted in the North, if it were only to counteract the effect of those of a disloyal and treasonable character in the South.”

Mr. Callan said in the same debate:—

“He did not regard the orange flag with the same horror as the Solicitor-General for Ireland, which reminded him of the terror which a red flag was said to inspire in a turkey-cock.”

Mr. O’Neill, another Irish member, said:—

“He would say, then, let Protestants and Roman Catholics walk equally in procession on any days that they might desire to do so; and, if breaches of the peace should arise from those processions, let them be punished, and punished, if necessary, rigorously, by the common law.”

Sir Hervey Bruce also said:—

“Though it was not intended, the present Act operated in a one-sided fashion. Its object when it passed was for the purpose of putting down orange processions in the North of Ireland, and it had only been applied to orange processions. He was not going to defend those processions, for he looked upon them as stupid and senseless ways of commemorating great anniversaries. They were, at best, meaningless, and he could not, therefore, uphold such party demonstrations; but if they were to be put down in one Province, he held that they ought also to be put down in another. It was certainly invidious, to say the least of it, that loyal orangemen in the North of Ireland should be prevented marching in procession to celebrate a great event, while rebels in the South, who marched under the green, not as the emblem of nationality, but as the symbol of sedition, should be allowed to do so without hindrance.”

The whole of the speakers, or nearly the whole of the speakers on the debate spoke of the Act as a measure which was brought in to put down the most loyal class in the community, and the seditious class were not affected by it, but were allowed to continue their unlawful practices. But the New South Wales Act, which they had in force here, was much more stringent than the Party Procession Act of Ireland. It not only prohibited party processions, but any public assemblage

for political purposes, if they had any insignia, or banners, or music, or anything of that kind. It was, in fact, a coercive measure which struck at the very root of the right of public meeting.

The ATTORNEY-GENERAL: No.

Mr. BAILEY: They were not allowed by this Act to celebrate any political event or anniversary in any public room, or to do any of the things he had before mentioned; and if they did so, then, upon the oath of one person, they might be hauled up and imprisoned, without the option of paying a fine. He moved—

That the Bill be now read a second time.

The ATTORNEY-GENERAL said he did not think the honorable member who had just sat down had stated to the House the exact nature of the measure he wished to pass. In the first place he had not exactly or correctly stated the nature of the Act now in force; and it would perhaps be convenient to tell the House a little more about that measure, and how it came to be law. He was quite prepared to agree with the honorable member that this law, or rather the necessity for it, was a reproach to their civilization; but, unfortunately, they were obliged to keep many Acts on the statute book which would, if they were a perfect community, be far better off. The first statute, 23 William IV. chapter 118, was passed on the 16th of August, 1832, and cited:—

“Whereas great numbers of persons belonging to different religious denominations, and distinguished respectively by various emblems expressive of party feelings and differences, are in the practice of meeting and marching in procession in *Ireland*, upon certain festivals and anniversaries and other occasions, and such processions are calculated to create and perpetuate animosities, and have been found to occasion frequent and sanguinary conflicts between different classes of His Majesty's subjects, for prevention whereof, and in order to guard against the recurrence of the tumults, riots, and disorder arising out of such processions, be it enacted.”

And he would now proceed to point out the difference between that statute and the one in force in the colony, which had been quoted by the honorable member for Wide Bay, but not with perfect accuracy:—

“That from and after the commencement of this Act any body of persons, who shall meet and parade together, or join procession, for the purpose of celebrating or commemorating any festival, anniversary, or political event relating to or connected with any religious or other distinctions or differences between any classes of His Majesty's subjects, or of demonstrating any such religious or other distinction or difference, and who shall bear, wear, or have among them any fire-arms or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated to tend to provoke animosity between His Majesty's subjects of different religious persuasions, or who shall be accompanied by any music of a like nature or tendency,

shall be and be deemed an unlawful assembly, and every person present thereat shall be and be deemed to be guilty of a misdemeanor,”

and so on. Now, he confessed he did not see that there was anything to be said against the preamble of the Bill. It was extremely undesirable that any persons should so conduct themselves as to give offence to the religious feelings of any particular creed; and if it were found that they were in the habit of doing so, the sooner it was stopped the better. That Act was passed for five years, and was allowed to become obsolete; and it was afterwards enacted in 1850, in consequence of some riots. Now, the colonial statute was passed in 1846, and recited not exactly the same as the English Act:—

“Whereas there are in the territory of New South Wales various societies or associations whereof some partake or are supposed by many persons to partake of a political character and whereas it is apprehended that any procession or meetings distinguished by any emblem expressive of party feelings or political events may create religious and political animosities between different classes of Her Majesty's subjects and are also calculated to occasion riots tumults and breaches of the peace and it is highly expedient to guard against the same Be it enacted”

It then went on to use words similar to the English Act. This statute interfered no more with the right of public meeting than any other statute on the statute book, and if such a thing had been discovered, he would be the first to wish it to be repealed. It provided that, under certain circumstances, certain acts should be illegal, and it was important to know what these circumstances were. In the first place, the assembly must be for the purpose of

“celebrating or commemorating any festival anniversary or political event relating to or connected with any religious or political distinctions or differences between any classes of Her Majesty's subjects.”

He was not prepared to say it was wrong to do this; there could be no objection to doing either one or the other, but these were only two of the elements, and there must be a third. There was this addition: That the persons who so assembled must

“bear wear or have among them any firearms or other offensive weapons.”

There was nothing to interfere with their meeting together, to celebrate any festival, anniversary, or political event, unless they armed themselves with fire-arms and offensive weapons, when there would be danger of a breach of the peace. And if they had not fire-arms the display of

“some banner emblem flag or symbol calculated to provoke animosity between Her Majesty's subjects of different religious persuasions”

would render it illegal. Now, it would be perceived that that was directed against public exhibitions of banners and the like;

they might have processions if they pleased, but they must not be accompanied by banners, the display of which was likely to provoke animosity amongst Her Majesty's subjects of different persuasions. What the statute aimed at was the prevention of acts calculated to provoke breaches of the peace. There was another element which seemed to have given rise to some doubt. It said—

"or who shall be accompanied by any music of a like nature."

Now, construing that as statutes were always construed, he thought it was obvious that these words, "music of a like nature," meant in a procession; that was, that a party procession, with music of an offensive character, calculated to provoke a breach of the peace, was unlawful. That was all there was in that statute, and it was to prevent breaches of the peace. Now, the honorable member for Wide Bay cited a passage from the debate in 1870 on the Party Processions Act Repeal Bill, which, he might state, was not passed until 1872, a long time after the meeting which had been referred to, and it was then brought in by the Government and passed. Public attention had been called to it for some years, and when it was found that public opinion was strongly in favor of repealing the statute, then it became time to repeal it. He thought that was a strong argument in the present case, and as a reason, he thought he could not do better than cite the passage cited by the honorable member for Wide Bay himself—the resolution moved at the meeting at Belfast, presided over by the Duke of Abercorn. [The honorable gentleman here read the resolution referred to.] Now, he fully concurred in the propriety of that sentence. If a statute were in force which had such an effect he should certainly agree to repealing it; but he must have been in the dark or asleep—in fact, he hardly knew of the existence of the Party Processions Act here until the honorable member for Wide Bay introduced this Bill, and he was sure it had not led to any such results as were described in that resolution. He did not know that any public meeting in the colony had expressed such an opinion as that. Of course, if the law were unjust, it should not be allowed to remain on the statute book; but he thought, and he was sure the Government would say, that until an opinion to that effect was expressed by the public it would be time enough to repeal it. He thought, in the meantime, it would be unwise to do so, simply because it had been repealed in England, where public feeling was strongly against it. Unfortunately, they were not entirely free from the religious and political animosities described in the preamble of the statute. There were said to be various societies and associations of that kind here, and he was sorry to say the fact had been forced upon his notice by the duties he had

to perform in his own office. He thought, therefore, under the circumstances, the House would not be acting in accordance with general public opinion if it were to repeal this statute at the present time. He had no doubt it was a statute which would be repealed sooner or later, and a discussion like this, initiated by the honorable member for Wide Bay, would be very likely the beginning of its repeal. It was a statute they ought not to be hasty in repealing, more particularly as public attention had now been called to it. If public opinion were in favor of its repeal, that feeling would be manifested with no very uncertain sound; and he thought, in the meantime, the honorable member would not do wisely by doing more than calling attention to the matter, which he had very properly done. He thought, under the circumstances, the Bill would not become law this session.

Mr. MACROSSAN said the honorable the Attorney-General had said so much on the subject that he had almost left him nothing to say; but, as the question had come before the public, there were a few matters that honorable gentleman did not say, which he thought it was only proper the public should know. In 1832, the honorable member said, the Party Processions Act was passed for Ireland, and such was the case; and he also said it lapsed five years afterwards; but he did not tell the House—perhaps because he did not know—the reason why it lapsed, and neither did he state why the New South Wales Parliament enacted the statute which the honorable member for Wide Bay wished now to repeal. He might inform the House that the reason why it lapsed in Ireland, and why it was afterwards re-enacted in New South Wales. The Orange Association in Ireland had become very strong previous to the passing of the Emancipation Act—and previous to the passing of the Reform Bill in England, it was much stronger. It was totally opposed to any measure of reform, and it became so demonstrative in Ireland and England, that the Act was passed to prevent exciting the people, and to prevent breaches of the peace. Now, in 1835, he believed, on the motion of Mr. Joseph Hume, a motion was introduced to the House of Commons calling for an inquiry into the question of Orange lodges; and the cause of that was, that suspicion had gone abroad that the Orange Association, which was most powerful—he believed it was the most powerful association that had ever existed in Europe—intended to subvert the succession to the Throne. The Duke of Cumberland, brother of William IV., was grand master of all the Orange lodges in England, Ireland, and Scotland, and the colonies, and it was supposed that the Orange Association intended to set aside Her present Majesty, and place him upon the Throne, as he was opposed to liberty and progress of any kind. Well, the committee was appointed,

after a great deal of opposition on the part of the Conservative members of the House of Commons. He had not had an opportunity of reading the report of that committee, but he had read the debates which ensued afterwards, on the resolution of Mr. Hume, in relation to that report, and he found that at that time there were 216,000 orangemen banded together in 1,600 lodges in Ireland. Each of those lodges corresponded with the Grand Lodge, and the correspondence and orders between the Grand Lodge and the subordinate lodges were not always in writing. It was stated by masters, by the chief secretary, and by the deputy grand master, that frequently orders came for certain purposes from the Grand Lodge to the other lodges orally; and the words used by those officers were, "because it was unsafe and improper that those orders should be placed in writing." That circumstance, also, was suspicious, and increased still stronger the suspicion that was entertained of the attempt at the subversion of the Throne. It was also proved by the committee that money had been subscribed for the defence of the association when members of it had been accused of outrages, and that the result was to screen the offenders from justice; it was proved that members of the association had been expelled from the association because they had voted for reform candidates—members not low in estate, but gentlemen holding high positions in Her Majesty's service, ministers of the Gospel, and sheriffs, in Ireland; it was also proved that an Orange association had been introduced into the British army, in contravention of the articles of war, and that, by orders issued by Duke Ernest himself; it was proved that Orangeism had been introduced into the militia, and into the yeomanry, and also into the colonies, at the same time. The resolutions which were adopted by the House of Commons at that time were for the purpose of condemning the introduction of Orange lodges into the army, and also for censuring His Royal Highness the Duke of Cumberland for having committed such a breach of military discipline. On the 10th of August, 1835, another motion was made to inquire into the subject in Great Britain as well as Ireland, and the members of the Conservative party took factious measures to oppose the appointment of the committee; but finally they were obliged to succumb to public opinion, and the committee was appointed. The disclosures of that committee led in the following year to the adoption by the House of Commons of a resolution condemning the existence of Orange lodges, and they would have been blotted out by Act of Parliament had not the Duke of Cumberland and the Orange lodges done it themselves; and the consequence was, Orange lodges were not in existence from 1835 to 1845. That was the reason the Party Processions Act was allowed to lapse, because lodges were no

longer in existence. In 1845, however, they were again organised; and in the following year the Act which the honorable member for Wide Bay said was repealed was introduced in New South Wales, because it was found that Orange party processions were about to take place in that colony, and the Government had reason to believe that party processions of other associations were about to take place also. The Act was passed for the prevention of breaches of the peace. It was passed for three years, then re-enacted for three years more, and at the end of that three years, allowed to lapse for two years; and then it was passed to remain in force in perpetuity. Now, the honorable member for Wide Bay, in quoting from the debate that took place in the House of Commons upon the repeal of the Party Processions Act, omitted to quote the most important part, which he (Mr. Macrossan) would quote for the benefit of the House. This Party Processions Act was repealed by the House of Commons, not from the same motive which had induced the honorable member for Wide Bay to move for its repeal, but because it was found to be inoperative, because it acted partially; it was found that in the south of Ireland party processions were held, and the Orangemen in the north of Ireland seeing that, held processions in the North in defiance of the law, which they broke. The Chief Secretary for Ireland, Mr. Chichester Fortescue, in consenting to the repeal of the Act, said he consented solely because it was for the purpose of introducing another Bill to enforce the suppression of party processions through all parts of Ireland without distinction of party. Those were the Right Honorable gentleman's words:—

"It is perfectly true that Ulster in many respects enjoys an amount of peace and freedom from crime of which it is justly proud, yet I cannot in any way connect that comparative peace with the practice of holding party processions. On the contrary, Ulster enjoys freedom from many kinds of crime not in consequence of, but in spite of, these party demonstrations, the effects of which are not confined to Ulster itself, but many of the worst results of which are felt at a distance. An orange demonstration in Ulster produces a green demonstration in Cork, and *vice versa*, and that kind of see-saw of party demonstration goes on between North and South year after year. Therefore I am not prepared to sing the praises of party processions in Ulster or anywhere else, and I am not prepared to accept the doctrine which my honorable friend lays down, very broadly and very candidly, that everyone is in this matter to be left by the law to do as he pleases. My honorable friend's doctrine is—'Let all, whoever they may be, have their processions, so long as we have ours;' and this is a simple and easy remedy, but it is not a rule of action which is at present consistent with the peace and safety of Ireland.

"While I say that the Government accede to the motion and consent to the second reading of the Bill, I must not be understood to imply that

the Government think that in the present condition of Ireland public open-air processions may be permitted without restrictions, or that we think it would be safe at present to deprive the Government of the power of dealing with such processions, no matter where, in what form, or under what circumstances they may be held. It will be my duty after Easter to bring in a Bill for the purpose of giving power to the Government of dealing with processions in Ireland, everywhere and under all circumstances; and I hope the provisions of that Bill will give satisfaction, and remove all sense of injustice as between one class of Her Majesty's subjects in Ireland and another." The honorable member for Wide Bay was not in a position to tell the House whether that Bill was brought in or not; but that quotation proved distinctly that the reason why the Government acceded to the repeal, which could not have been passed without the consent of the Government, was, that another Bill to apply to the whole country should be introduced. He (Mr. Macrossan) wished to give a warning note to the House as to the danger to the existence of the present Government, or any other civilised Government, from the existence or encouragement of such associations as Orange lodges. In Victoria the spread of the Orange association was becoming so great that the association was actually beginning to interfere with the administration of law and justice. Only lately it was discovered that a public officer in the employment of the Government of that colony, holding a respectable situation, was kept in office for seven years without having had any work to do in consequence of his corruption and incompetency, yet all the time receiving his salary; and it was publicly stated in the *Argus* when he (Mr. Macrossan) was in Victoria lately, that that man was kept in his office through the influence of the Orange association, as that man was himself high in the association. Was that a state of things to exist in any British community? He was certain that the House would not repeal the Act. The House and the public ought to be very careful of giving any encouragement or sanction whatever to any association which held meetings in secret, and which could bring such an amount of influence to bear upon the Government of the day. The honorable member for Wide Bay himself had not been prevented from attending public meetings of his order. It was only last year that he attended a meeting at Maryborough, where he displayed himself dressed up in the insignia of the Orange association, and nobody interfered with him, though he was acting in violation of the law. The records of that meeting he (Mr. Macrossan) tried to get; but he found that the newspapers, the *Maryborough Chronicle* and the *Wide Bay and Burnett News*, containing them, had been abstracted from the files in the Parliamentary Library. He had intended to quote the description given in those papers of the meeting; it would, he thought, have caused some laughter. He thought that the exhibition men made of

themselves at such meetings was in some sort a development of lunacy in a mild form.

HONORABLE MEMBERS: Hear, hear.

Mr. MACROSSAN: Not only the House, but every man of sense in the colony, no matter of what religion he was, ought to use his best endeavors to put such practices down.

HONORABLE MEMBERS: Hear, hear.

Mr. THOMPSON said that the honorable member for Wide Bay generally spoke good sense in support of what he introduced to the House; and he was surprised that a man of education should introduce such an element of discord as the Bill now before them. He should say nothing about the Party Processions Act—and he could wish nothing had been said—except that for good reasons, Mr. Plunkett introduced it in the Legislative Council of New South Wales, and that it had fulfilled a very good part in that and other colonies. If the House would take the advice of one who pretended to no other influence than his own single voice, they would let the dead past bury its dead. Let them have nothing to do with either the Orange or the Green, or any party or sectarian difference from the other side of the world. Let all meet as Queenslanders, and let this be the last time that the House would hear of the Bill or its objects. He was himself a native of Australia, and he had refused to join even the Australasian Association, because he considered that all national associations were bad. He considered that all secret societies were bad, even that association to which all his feelings might be supposed to lead him into sympathy. They all had a tendency to degenerate into cliques and conspiracies against the peace of the community. He hoped there would be no more discussion on the question, and that the honorable member for Wide Bay, seeing the sense of the Assembly, which had always been characterised by good feeling, would withdraw a Bill that could become nothing but an element of discord.

Mr. DE SATGE said he thought the honorable member who spoke last would have tended still more to throw oil on the troubled waters if he had not spoken of "all secret societies" as bad. Many honorable members belonged to societies which were secret, and they were not at all ashamed of their connection with them.

HONORABLE MEMBERS: Hear, hear.

Mr. THOMPSON: He was a member of one himself.

The question was then put, and the House divided:—

AYES, 2.

Messrs. Beattie and Bailey.

NOES, 26.

Messrs. Morgan, Thompson, King, Griffith, Hemmant, C. J. Graham, Dickson, Miles, Macalister, Edmondstone, McIlwraith, J. Scott, Low, Royds, Stewart, Amhurst, W. Graham, De Satgé, Hodgkinson, Macrossan, McDonald, Douglas, Black, Ivory, Buzacott, and Fraser.

Question resolved in the negative.