

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**WEDNESDAY, 9 JUNE 1875**

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## LEGISLATIVE COUNCIL.

*Wednesday, 9 June, 1875.*

The Law of Alienation of Crown Lands.—Standing Orders as to Resumption of Land and Railway Bills.—Leave of Absence.—Payment of Members' Bill.—Cession of Fiji and British Claims on New Guinea.

## THE LAW OF ALIENATION OF CROWN LANDS.

The Hon. F. T. GREGORY said: Honorable gentlemen—In introducing the series of resolutions in connection with the Land laws, which stand in my name on the notice paper of this day, it is desirable that I should state briefly the causes which have led to their being brought forward. It must be so plainly evident to most honorable members who have been within reach of the discussions recently carried on in connection with the proceedings in the Supreme Court, taken by the Government against land selectors, that they have produced a wide-spread feeling of distrust and alarm. If they only produced alarm in the minds of those men who have attempted to acquire the land by fraudulent processes, honorable members would have no sympathy with them, or care for them, or take any steps to remove the disabilities under which they labor. I feel perfectly satisfied that the adoption of the course which the Government have thought fit to take, by proceedings in the Supreme Court, in all cases where there was any doubt that the selectors had not fulfilled their conditions, has resulted in a great deal of hardship in reference to those who are innocent of any intention to defraud the country, or to commit a fraud of any description. In my own mind, I am thoroughly convinced, and I conscientiously believe, that in more than one instance in which proceedings have been taken, the parties have as honestly fulfilled the conditions of the Act as any selectors in the colony. They might be upset, but if so, it would be because they had failed in some technical *minutiae*, and not in endeavor or willingness to comply with the law. I am not attempting now to enter into a defence of any particular case; but persons have in some instances failed from no fault of their own, or intention to transgress, and, consequently, to enforce severe measures against them will be a great hardship upon them. The resolutions which I move are to meet the injustice which is likely to occur to those who have been totally innocent not only of fraud but even of having failed to fulfil the conditions of the Act; and I propose to go a step further and to offer facilities to those who have failed in detail simply, or through inability have not fulfilled certain minor conditions, without in any way assisting the dummy to obtain land by fraudulent practices. In regard to

selectors who have attempted to obtain land in an improper way, there is no honorable member of the Council more averse to and more determined to oppose them in every possible way, than I am. There is another point in connection with this subject which it is quite time for us to consider, as it is really one of very considerable importance to the colony, and that is, the name we are acquiring elsewhere on account of the uncertain condition of the land administration—the difficulty of procuring deeds of grant after they are justly due for issue—the action of the Government in withholding deeds in those instances where there is no pretext for so doing beyond simply saying, “We have a doubt.” I personally have applied for deeds of grant, which I was quite satisfied that I was as justly entitled to obtain as any one in the colony, and I have been told simply, “Oh! there is a mark against your deed—it wants inquiry.” This has gone on for twelve months. If it was only my own case, or if it affected myself alone, I should not trouble about it; but I know a number of cases in which a similar course has been pursued. Of course, it is very difficult in any proceedings conducted in the Supreme Court, where they can be conducted only in accordance with law, for all matters to be considered. The law, the judge, and jury, can have no sympathies for those who unavoidably or accidentally have failed to fulfil their conditions. The Supreme Court gives judgment in pursuance of the statute made and provided. The hardships which I hope to be able, by the adoption by the House of these resolutions, to remove, is consequent upon the inability of a strictly legal tribunal to do otherwise than proceed according to the Act as it stands. The question at issue is one ~~which should not be a party question~~, in any way;—it ought not to be a political question. Not only that, but I can clearly point out, that if it is made a political question, it would defeat itself. Ministers are not permanently in office. One set of men cannot depend upon holding their seats from month to month. We see even the strongest Ministry fail on some particular point, or yield to the feeling of the country, and give place to others. The resolutions I have introduced are equally applicable to all parties; no matter what set of politicians are in office, they will relieve the whole question of the administration of the land from party bias. I look upon this as a very essential point. With the view of preventing the resolutions from assuming anything like a party question, I have not attempted to draft a Bill of which they are the basis. I might be fairly asked, “Are you prepared with a Land Bill which will render these resolutions operative?” I might fairly answer, that I should be prepared, if I did not think that by drafting a Bill I should be taking out of the hands of the Ministry of the day what is properly in their province exclusively. Should

these resolutions be carried, and the Government introduce a measure to give them effect, I shall use my utmost endeavors to promote it in every legitimate way. Although I purpose, in committee, to deal with each resolution by itself, I may at once indicate a few salient points which it is essential should be prominently brought forward. The question will be raised, no doubt, and naturally, as to this process of mine being expensive; and I think it is very likely that honorable members may object to it on the ground of its cost to the country. I shall at once say, that I did not introduce into the resolutions the *modus operandi* by which it will not cost anything to the country, because it would be a step beyond what is required by a motion of this nature, or in a series of resolutions. There was a clause introduced in the Land Bill, last year, that was finally thrown out, to provide for a commutation on failure to fulfil conditions—that commutation to be levied as a fine, according to the circumstances of each case. I propose that a similar measure shall be introduced to carry these resolutions into operation. I think no selector who has failed to fulfil absolutely the conditions as required by the Act itself, whether from unavoidable causes, or, it might be, even neglect to fulfil the conditions within the time required, would object to a fine. That fine should be sufficiently heavy to deter anyone from neglect in the future; but it should not be excessively heavy, particularly for the sake of the poorer class of selectors, who are those who will suffer most, if this measure is not carried;—it would be quite adequate to meet the whole expense of the Board, and not only that, but the salary of a secretary, and any other collateral expense required for travelling, or other necessity. I would suggest, although I have not made any reference to it in the resolutions, that they might very fairly be made retrospective; that is, to this extent:—Those parties who have been already proceeded against in the Supreme Court might be allowed, on certain conditions, which will have to be considered in committee, to remove their cases out of court and to bring their titles before the Board. Of course, there would be the question of costs already incurred, and other collateral questions, which embody the reason why I did not wish to introduce this into the resolutions, and thereby open out a wider series of questions than are here comprised. In reference to the election of the Board by the two Houses of Parliament, I find there is an idea abroad that the members are to belong to the Legislature. It has been suggested to me that such should be the case; but I at once strongly objected, and I think I shall find the majority of this Council take the same view as I hold, that it is not desirable we should select the members of the board from the Parliament. I think, first of all, there would be a constitutional question at issue.

But, setting that entirely aside, I should object to it. My object in saying this is, in order that honorable members who are not within reach of this preliminary discussion, shall be fully aware that I have no intention to consent to such appointments. It has been brought to my notice, since I drew up the resolutions, that there is an Act—or, rather, that two Acts were passed in New South Wales, one in 1833, 4 William IV., No. 9, and the other in 1835, reenacting, with some amendment, the first Act which had expired—in which it is provided that three commissioners shall be appointed to deal with the lands of the Crown. The difference is, that they were appointed by the Government. In those days, New South Wales was a Crown colony, and all powers were vested in the Governor and his Executive Council. Therefore, I think that that mode of appointment will not bear upon the present question at all. Since we have a new class of institutions, with responsible Government, we now wish to act up to them. The reason I have for removing the appointments out of the hands of the Executive of the day, and to have them made by the Parliament, is, to place the members of the Board apart from all party feeling, or prejudice, or prepossession. There is no doubt that there are a great many points left unprovided for in these resolutions; but, directly we come to discuss them in committee, *seriatim*, I shall be quite prepared to meet any questions which may be put to me by any honorable member. I think that I need not now detain the House any further, except to point out another issue, which I should have liked to have embodied in the resolutions, had it occurred to me at the time; that is, that should a vacancy occur in the Board during the period the Parliament is in recess, the Governor in Council should have the power to nominate a person to fill such vacancy, such nomination to be legal in all transactions of the Board while the member so nominated holds office; but it would be necessary that the nomination should be agreed to by the House, or that it should be approved of by Parliament when next in session. Having disposed of all the points which it strikes me it was necessary to allude to before I proceed to them in detail, I now beg to move—

That the House be now put into committee for the consideration of the following resolutions:—

1. That the existing laws relating to the alienation of Crown lands by conditional purchase are defective, and their working is unsatisfactory.

2. That, with a view to amendment, it is expedient a Board be appointed to investigate the claims of conditional purchasers for deeds of grant prior to their issue, such Board to be constituted in the manner and to possess the powers embodied in the following resolutions:—That it consist of three members, one to be appointed by resolution of the Legislative Council, one by the Legislative Assembly, and

the third to be nominated by the Legislative Council, and submitted for the approval of the Legislative Assembly. If they do not concur, they shall nominate another for the approval of the Council, who shall concur or again nominate another person, such proceeding being continued until a nomination shall be concurred in; and such members shall not be removable except with the sanction of both Houses of Parliament.

3. That the Board shall hear and determine all claims upon the equitable merits of each case, based on the present Land Laws, or any modification thereof that has the sanction of Parliament, and shall not be compelled to decide upon technical grounds.

4. That no deed of grant for land acquired by conditional purchase shall be submitted to the Governor for signature until after the claim for the same shall have been investigated and approved by said Board.

5. That no forfeiture of a conditional purchase shall be declared during its currency until the grounds of such forfeiture shall have been submitted for the consideration of the Board, and by them recommended to be carried into effect.

6. That claims for deeds of grant may be submitted to the Board, either by the Secretary for Lands or by the party claiming, either personally, or by agent.

7. That upon a claim being submitted by the Secretary for Lands, public notice shall be given by the Board of the date on or before which caveats may be lodged, and the day upon which the same shall be considered.

8. That, when application is made to the Board by persons claiming deeds of grant, the Board shall notify the same to the Secretary for Lands, with the date before which written objections may be lodged, and the day on which the claim and any objections thereto will be considered.

9. That the Board shall have power to take evidence either *viva voce* or in writing, to summons and examine witnesses upon oath or otherwise, and all matters shall be heard, and the decisions promulgated, in open court.

10. That the Board may hear and determine claims either in Brisbane or the district in which the claim arises.

11. That no order or other proceeding made or taken by the Board, arising out of the provisions of these resolutions, shall be liable to be quashed or vacated for want of form only, or be removed or removable by *certiorari*, or any writ or process whatsoever, into the Supreme Court; but the Governor in Council may direct the Board to reconsider any decision or recommendation which they may have made.

12. That the Board shall have power to make regulations for governing their proceedings, such regulations being subject to the approval of the Governor in Council.

13. That upon acceptance of office, the members of the Board shall take an oath that they will faithfully and impartially hear and determine all matters submitted for their decision.

14. That the Board shall keep a formal record of all proceedings and decisions arrived at, and shall make annual report to Parliament on their proceedings during the past year.

15. That the members of the Board shall receive a fixed annual salary, and travelling expenses, when necessary.

16. That the principles embodied in the foregoing resolutions be incorporated into any Land Bill that may come before Parliament during the present session.

17. That the foregoing resolutions be transmitted to the Legislative Assembly for their concurrence, by message in the usual form.

The POSTMASTER-GENERAL: Before the House is put into committee, I have one or two observations to make on the resolutions. In the first place, I must state that these resolutions are altogether unconstitutional. They propose to take away from the representative of the Crown what belongs to him, and to place his authority in the hands of an irresponsible Board. I have also to state for the information of the House, and of the honorable gentleman more especially, that so far as I am given to understand, the Land Laws of the colony are not working at all unsatisfactorily. It has never been brought to my notice that they are. And, so far as the cases mentioned are concerned, I can assure the honorable member that these are legacies bequeathed by the late Government to the present one. I am not aware, so far as he is concerned, that there is a mark against him—so far as he is concerned, I only know it from his statement, now; but I can assure him, if that is the case, it was made by the former Government. That former Government failed to bring the matter to an issue. The present Government, in the interests of all parties, deemed it right to have the cases decided one way or the other; and with that view, we have taken them into the Supreme Court, with the results that are known to the Honorable Mr. Gregory and others. If any irregularity has been committed, it is the fault of the late Government; but in a short time we shall have it put right. But it does not concern my department, as the honorable member knows better than I do; and as the Honorable Mr. Prior knows. The Alienation of Lands Act of 1868 works admirably. If there are complaints against it, and if they are well founded, it is the duty of the representatives of the people in another place, and of honorable members here, to censure the Government. It has been alleged by the Honorable Mr. Gregory, but not proved, that complaints exist. I hope the House will not approve of the resolutions. If the Government fail in carrying out properly the Land Act of 1868, of course, that will be a matter for discussion in another place, where honorable members will castigate the Government. I have not heard it outside the House—nor elsewhere; but one or two members here complain against the Government on account of it. The honorable member has not proved, nor has any one else, that the land law is working unsatisfactorily; consequently, I shall deem it my duty to oppose the resolutions.

The Hon. A. H. BROWN said he was somewhat astonished at the remarks of the Postmaster-General, and at his stating deliberately that the Land laws at present in force were working satisfactorily. It was patent to the whole colony that the reverse was the case. Some fifteen years had elapsed since the first Land Act was introduced in the Legislature of this colony; and, though there was not a new one, perhaps, each year since, every other year a new measure was passed to improve upon its predecessor; but, up to the present moment, he (Mr. Brown) had not been able to ascertain that any of the Land laws of the colony was as perfect as it should be. In fact, those laws appeared to be a criticism, or worse, a satire, upon the land administration of Queensland. Each week there was some complaint with reference to the operation of the existing Land law. The honorable gentleman who represented the Government could not surely have been abroad from the city of Brisbane very much not to have heard the lamentations and complaints which he (Mr. Brown) had heard in reference to the Land Law. He had told the House that the resolutions were unconstitutional. That was not a point the House would discuss at the present moment. He had told the House that in one or two individual or personal cases which the Honorable Mr. Gregory had referred to, and which were marked, that the mark had been made for several years. Surely, when those virtuous gentlemen who formed the present Government entered office, they could have dealt with the bar sinister upon the title deeds! There was no reason why, if the previous Government had failed in their duty, the present Government should have failed too. The honorable gentleman flattered himself very much indeed in taking credit to the present Ministry, and throwing such a shade of blame upon the preceding Ministry. Referring to the main subject of the resolutions which had been introduced with great ability by Mr. Gregory, he (Mr. Brown) thought that if they could be passed, they would be of great benefit to the country. The great difficulty, at present, was the unrestrained power that rested in the hands of the Minister for Lands, which was used at present as a political engine. Pressure was brought to bear on that Minister, which he could not check or control. He (Mr. Brown) defied the strongest, the most virtuous man, not to be influenced by political considerations in dealing with the questions that came before him. It was for the purpose of having an irresponsible and independent Board, perfectly unfettered, to deal with questions connected with the land, that the resolutions were brought forward. The Honorable Mr. Gregory had gone so fully into the matter, that little was left to be said, except to express an intention to support them. The great difficulty of the day was compliance with the conditions imposed upon

selectors under the Acts of 1866 and 1868. Those conditions were the great stumbling-block in the way of the proper administration of the lands at the present time; because it was almost impossible for selectors to comply with them, being so indefinite. There were many points which, if considered equitably under those statutes, would, it was believed, ensure the relief of many persons from the conditions. Recent circumstances on the Downs showed that in many cases the action of the Government was arbitrary. There were cases in which the action of the Government was justifiable and proper as the custodians of the public lands. But it was now become a question for serious consideration whether the Government had not been extremely injudicious in appealing to the law, when the cases might have been settled in a better manner—somewhat, as the resolutions pointed out, rather as matters of equity. In putting the Supreme Court in motion, the Government seemed to have forgotten the injury done, not only to the selectors themselves, but to the colony of Queensland, by preventing from coming here that desirable class of colonists that were so sought for, and that the Government professed themselves so anxious to secure—people with means to pay their way to the colony and to settle themselves on the land. The honorable gentleman representing the Government in the Council must surely have heard of the great reflux of such men who had intended to settle here, but who were naturally alarmed, as in common prudence they should be, when they heard of the Government prosecutions. It was known to every person. In a letter he (Mr. Brown) had from the South, the other day, he was asked, “What do the Government mean?—are they going to drive the colony to the devil?” It really appeared to him that that was the direction they were taking. One point of the present Land laws appeared to be anomalous. It had been ruled by the Supreme Court that the *ipse dixit* of the commissioner should be almost final. There was no appeal beyond the commissioner. What was a commissioner? A land commissioner was a man appointed almost by accident; a man uneducated in dealing with the Land laws. In some cases he (Mr. Brown) knew, the necessary expenses attendant upon the office were considered so heavy that it was added to the office of sub-collector of customs. Besides other districts, that was done in the district in which he resided, Mulgrave. He had nothing to say against the character or the ability of the gentleman so appointed. He was aware of his reluctance to accept that office, being before unacquainted with the duties of land commissioner; but the office was now filled by him, and his decisions were final—he had the responsibility of dealing with the land upon all the important considerations that came before him. Therefore, it was argued that some more fair and promising mode of

dealing with the land should be found out—that was, that the whole subject should not be left entirely to such individuals. The commissioners were fallible, he presumed. In the papers that were laid before the House, the other day, in connection with the resolutions for the resumption of runs, it struck him that the reports of the commissioners of the several districts were very varied in their character. Some of the officers appeared to have comprehended what was required of them by the Minister for Lands, and replied accordingly; others appeared deficient in ability; and some entirely misapprehended his intentions. Therefore, it appeared that honorable gentlemen should look with some suspicion upon the actions of persons entitled to deal with the land as those gentlemen were. He could conceive of no objection to the appointment of the Board as recommended in the resolutions. It would partake of the character of a grand jury. It would be a body uninfluenced in any way by political feeling. It was not intended to select the members from the Houses of Parliament. If that had been the Honorable Mr. Gregory's intention, it would be for the members accepting such an appointment to retire. Speaking from his (Mr. Brown's) own knowledge of the sense of the public in the district where he lived, and of persons with whom he had conversed, all alike expressed their dissatisfaction and suspicion at the land being dealt with by the Minister for Lands, their objections being based mainly on the ground that the Minister must be influenced by his political feelings in dealing with such questions as came before him. Therefore, it was desirable that the public should be made feel more confident before the court in which their cases were brought. It might be all very well for residents in the towns to speak of the imposition of such conditions as were put upon the acquisition of land, and to say that having been undertaken from the first, the cases of non-fulfilment of conditions should be brought before the Executive, or the Cabinet; but they appeared to forget that purchasers in towns and in the city had no conditions to observe; when they bought land, they could hold it for years, without benefit to the country, while it increased in value; they had no condition, even of residence, imposed upon them. That was a point which had not been sufficiently dwelt upon. As he said, the conditions were difficult to carry out, and unworkable. Therefore, the resolutions should have the consideration which they deserved. The Honorable Mr. Gregory had a large experience, as a surveyor, as a resident, as a holder of land, as a colonist; and the fact of him suggesting the resolutions made him (Mr. Brown) inclined to support them, apart from the circumstance that they were in accord with his own views. If passed, they would be beneficial to the country, because the public would believe in them. If there was any

difficulty about constitutional irregularity, which would cause them not to be entertained, he should be very sorry. He hoped, however, that they would pass, and that the Legislative Assembly would entertain them in the same spirit in which they had been conceived. In concluding, he might remark, that the House could hardly expect any document such as the series of resolutions before them to be perfect; when they got into committee, there was a variety of improvements that could be made, and which he hoped would be made in them. He was not inclined at this moment to enter into details. Honorable members should now express their opinions upon the resolutions generally.

The Hon. H. G. SIMPSON said, if he thought the resolutions were directed against the Ministry of the day, he should not give them his support for one moment. He looked upon the resolutions as tending to bring about an object which he had many times advocated in the House; that was, the taking out of the hands of the Executive Government a great number of details which would be very much better vested in other hands. He believed that the power and interference of the Executive in details of administration in this colony were unparalleled in any other part of the world; and he agreed perfectly with what had fallen from his honorable friends, Mr. Gregory and Mr. Brown, as to the pressure which must be brought upon the Minister for Lands, whosoever he might be. He did not speak with regard to the present Ministry, for he felt that the lands had been as well administered by the existing Government as by any other that preceded them; but he had noticed that whatever Government were in power, the Opposition always cried out about the administration of the land. When the late Government were in power, the then Opposition, now in power, cried out about the maladministration of the lands, just as the party in Opposition did now. There might be a change in parties, but there was no change in that respect. The only way to get rid of that state of things was, to vest the administration of the lands in a body wholly separated from political influences and in no way likely to be guided by party considerations. He guarded himself from being supposed to have said that there had been any intentional maladministration of the lands by any Government. The method proposed in the resolutions would be better than administration, as now, by the so-called responsible Minister of the day, who, so long as he could command a majority in another place, was an irresponsible officer. He trusted that the consideration of the resolutions in committee would not be pressed forward too quickly, because there were some minor points to be looked into. But, on the whole, he thought they were good. One or two objections occurred to him when he first read them, which Mr. Gregory had disposed of in his speech;—first, with regard to filling a vacancy on the Board when Parlia-

ment was not in session; and, second, that the members of the Board should not be members of either House. There was another matter to be looked into, with regard to the cases in the Supreme Court; and that must be very carefully considered. Supporting the general views of the honorable gentleman, he (Captain Simpson) suggested that the House should have a little more time allowed before going into the resolutions *seriatim*.

The Hon. E. I. C. BROWNE observed that there was a great deal in the resolutions to recommend them to the approval of the House. The object in view was in the minds of many honorable members; but many would not be able to vote for the resolutions, because he did not see that they would take that practical form which would be of any use if they were passed. What, after all, was the value of the resolutions? The last but one said—

“That the principles embodied in the foregoing resolutions be incorporated into any Land Bill that may come before Parliament during the present session.”

Well, as mere resolutions, supposing they passed both Houses, there they remained—merely a dead letter. They would have to be incorporated into an Act, to give them any force. The House could not create a court such as that proposed in the resolutions; it could not be created unless by the passing of an Act of Parliament. Therefore, what was the use of passing mere resolutions, now? Why not wait until a new Land Bill was brought into the Council, and then, if they could do so, incorporate the principle of the resolutions in that Bill. It did not appear to him that the Council would advance a step by passing the resolutions. There was a good deal in them that he perfectly agreed with. He agreed with what had fallen from preceding speakers, that it was not desirable that the administration of the Land Act, so far as granting deeds, should form part of the Minister's duties, or that it should remain in the hands it was now in.

HONORABLE MEMBERS: Hear, hear.

The Hon. E. I. C. BROWNE: He could hardly believe that any Minister would think such a position desirable. Some legislation was necessary to relieve gentlemen who had taken up lands under the Land Acts now in force from situations which they had unfortunately placed themselves in, and in a great many cases, he (Mr. Browne) believed, with scarcely any fault of their own, but from other causes by which they had been misled. There should be some legislation to relieve them from the unfortunate position in which they found themselves; but he did not see how it could be effected by the resolutions. When a Bill came up for their consideration, it would be time enough for the Council to carry out what was now attempted by the resolutions.

The Hon. F. T. GREGORY said he should like to answer the objections of the Post-

master-General. That honorable gentleman spoke of the Land laws having been administered so perfectly to the satisfaction of the public generally, that he never heard of their being the reverse. He was certainly so taken by surprise, that if the honorable gentleman had asserted that he was not aware of a case having been brought into the Supreme Court, he should not have been more astonished. From one end of the country to the other, there was a cry about the way the Land laws were administered and parties were called upon to prove their claims for titles. He (Mr. Gregory) really could not understand how the Postmaster-General could make such a statement. As to the remarks of the Honorable E. I. C. Browne, that the resolutions were premature, his experience was, that a series of resolutions was frequently passed as the basis upon which legislation should be carried. It seemed to be putting the cart before the horse to prepare a Bill first, and then to pass resolutions upon what should be the nature of the Bill. After the resolutions were passed by both Houses, the Government would have a firm basis to go upon for future legislation. There would then be no cry that theirs was party legislation. Surely, they would not require anything better to relieve them from the responsibility and the odium which they had now to bear for the action they had taken in the matters in dispute under the present law. There were several other points to which he should like to direct attention; but they would come under consideration in committee.

The Hon. W. WILSON said the resolutions were ill-timed and premature. It was questionable whether it was advisable to move in the matter at all. He thought something of what the Postmaster-General said. He was not sufficiently up in constitutional law to speak decisively; but it struck him that it was unconstitutional to try to take the administration of the lands out of the hands of the Government. The proper time to move in the matter, if it should be necessary to move at all, was, as the Honorable Mr. Browne had said, when the Land Bill should come up. He believed there was a Land Bill on the road to the Council at the present time, and it would soon be in the power of the Council to deal with the subject. If they must go into the resolutions now, he thought that strong objections could be taken to the form of court proposed. He was very doubtful whether the court constituted would be better than the existing tribunal. Considering that there was a Land Bill, and a Bill to Relieve Selectors, coming up from another place, to meet the objects contemplated by the resolutions, he could not support them.

The Hon. A. B. BUCHANAN suggested that the resolutions should be taken into consideration in committee to-morrow.

The Hon. F. T. GREGORY: If it was the opinion of the House that more time was

required, he had no objection. He merely proposed to go as far as there was no difficulty; and, if time was required, he should move the Chairman out of the chair, report progress, and ask leave to sit again to-morrow.

The Hon. H. G. SIMPSON and the Hon. E. I. C. BROWNE: Get into committee.

The Hon. A. B. BUCHANAN moved an amendment to the effect, that the House be put into committee, to-morrow, for the consideration of the resolutions.

The POSTMASTER-GENERAL raised a question of order. No mention was made in the notice of motion on the business paper that the House would be moved into committee to consider the resolutions. The Honorable Mr. Gregory would have to commence *de novo*. It was not competent for the House to go into committee without fresh notice on the part of the honorable member.

The PRESIDENT: I think the honorable gentleman is mistaken. Where notice is given that the House will be asked to adopt certain resolutions, it is quite competent for the honorable gentleman who has charge of the resolutions to move the House into committee to consider them. It has been found much more convenient for the House to take them *seriatim* than to adopt them *in globo*. I think it would be a loss of what is frequently a convenient measure, were we to decide that such cannot be done.

The question was put, and the word "now" was struck out of the original motion. On the question that the word "to-morrow" be substituted, the House divided:—

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The Honorable E. I. C. Browne, H. B. Fitz, W. H. Long, D. F. Roberts, W. Wilson, W. Yaldwyn, J. C. Heussler, and G. Thorn.

Resolved in the negative. Thus the House refused to go into committee on the resolutions either to-day or to-morrow.

#### STANDING ORDERS AS TO RESUMPTION OF LAND AND RAILWAY BILLS.

The PRESIDENT said: Honorable gentlemen—I did intend to postpone the motion which stands in my name, inasmuch as I supposed that a long debate would have taken place upon the matter which was before it on the paper; but, as what seemed to promise much discussion is disposed of, I will now, without having given that preparation to the subject which I should be desirous of doing, place it before you for consideration, and ask you to agree—

That it be an order to the Standing Orders Committee to prepare and lay before this House, for adoption, Standing Orders as to the manner in which resolutions in reference to the resumption of Lands, and proposals for Railway Bills, shall be received and provided for.



I have classed these two subjects together, because they require the sanction of Parliament in an especial manner, as being both of very great importance to the public and to private individuals. The first portion of the motion has reference to the resolutions required by the Land Act of 1868 to be put before both Houses of Parliament for the resumption of land from the Crown lessees. We have had resolutions of that description put before us by two different Ministries, representing two different parties in politics; therefore, as far as this House is concerned, we can approach this portion of the subject without, I think, being accused of taking a party view of it. Both Ministries have put before us resolutions *in globo*, asking for our consent to the resumption of large quantities of Crown lands as, in their opinion, necessary for the settlement of the country. The first Ministry who placed resolutions before us, when my honorable friend, Mr. Prior, was the representative of the Government in this House, sent them up within a very few days of the conclusion of the session; and there was hardly time to give them that full consideration which the subject demanded. There was a good deal of doubt as to the wisdom of passing them; but they were actually forced through the House, almost because the session was coming to a close, and there might have been some little inconvenience to the Ministry or the country from our not receiving them. In the latter instance, resolutions were brought in by the present Ministry, certainly at an early period of the session, and we had ample time to consider them, had we thought fit to do so; but they passed in one evening with very little debate indeed. Now, I cannot believe that when it was first decided by Parliament, that the precaution of resolutions of the two Houses should attach to the tenure of the remaining halves of the runs, of which Parliament itself took away one-half, before the land is resumed—I say, when the Legislature decided that resolutions of Parliament should attach to that tenure, it did not contemplate resolutions being carried through in the abrupt and hurried manner which has attended the two instances we have now on record. They were brought in, in the first instance, *in globo*, without, I think, any reports attached from the Commissioners of Crown Lands of the different districts;—I must not forget, by-the-by, that we called the Commissioner for Moreton, Mr. Coxen, to the bar of the House, and examined him in reference to the proposed resumptions. In the next instance, the reports of the commissioners were appended to the resolutions. I do not know how they appealed to the reason of other honorable members; but, for myself, those reports were not satisfactory as to the justice or desirableness of resuming the land which they recommended; in fact, it struck me, that, in trying to get out of one difficulty, we had got, if I

may use so vulgar an expression, “out of the frying-pan into the fire.” We attempted to bar, in the first instance, the influence of the Crown; we refused to put it in the power of the Governor in Council to resume the lands; we refused—at least the Parliament did—to allow the Minister for Lands to be the dictator of the resumptions; but, now, it appears, we have allowed the commissioners in the various districts to be the authority which shall decide what runs are to be resumed. Now, honorable gentlemen, I ask you to consider what a vast power you place in the hands of a local commissioner of Crown lands—a man who may be affected by local partialities, local jealousies, or local envies. He has it actually in his power, by his recommendation, to ruin any man within his influence, or, at all events, to draw him very near to his ruin. There are instances amongst those papers before you in which the commissioner of a district recommends the total resumption of runs;—that is to say, the present occupation of the holders of those runs must be swept away from under them, and they are told to seek elsewhere another livelihood. I think such a power resting in the hands of any individual is one that Parliament never contemplated, and certainly never ought to allow to exist. I do not know whether you will feel with me on this subject, honorable gentlemen; but I do feel it very strongly, as an interference with the liberty of the subject which ought not to be allowed to exist, no matter how much the policy of the Government of the day may require such an exercise of power. What ought to be our view is this. When we are asked to consent to such a measure, we should be furnished with full information not only as to its policy, but as to its justice;—its policy in reference to the settlement and progress of the country, and its justice in reference to the individual interests affected. I stated, when the question of resumptions was first brought before us, two sessions ago, that I should bring this subject under the consideration of the House. I have never had an opportunity of doing so until the present moment, and I am not prepared to address the House fully upon the subject this evening. But the general heads of the subject I have considered for some time; and I now briefly bring them under your consideration. What I propose is, that, if this instruction is given to the Standing Orders Committee, the whole question shall be gone into by them and reported upon, and their report will be brought before you for discussion hereafter. The Standing Orders Committee shall be instructed, after considering the whole question, to draw up certain rules which will require, when this House is asked to consent to any resumption of the description I have stated, the reference of the whole matter to a Select Committee, to procure such evidence, and to distribute it amongst honorable members, as will warrant this

House in its corporate capacity in giving its consent to so tremendous a measure, affecting properties of large value amongst the people of this country. Honorable members know very well that in another place political influence, political pressure, can be brought to bear, almost compelling members who desire to continue in the representation of their districts to provide land—no matter at what cost of justice or individual interests—for the progressive settlement of those who wish to occupy it. We, in this House, as I think under a wise provision of the constitution, are free from that very strong pressure, and we have time given us to consider not only what the public voice desires, but what is judicious and requisite for the true settlement and progress of the country. That is the first portion of the question, which I desire should be, by an instruction to the Standing Orders Committee, provided for by rules and regulations to be framed by them. Of course, when those rules are prepared by the committee, the whole matter will come up for discussion again in the House, as to the wisdom with which they have been prepared, and the desirableness of adopting them. The second portion of the motion is with reference to proposals for Railway Bills. Now, honorable members are well aware that private Railway Bills, when brought before the Parliament at home, are subject to a very long consideration, that those whose interests are affected by them shall have an opportunity of inquiring their reasons *pro et con*. In this country, hitherto, and I hope it always will be the case, railways have been carried out by the Government. But still, with the experience we have now gained, we are quite aware that Parliament has, in every case almost, given its consideration to the proposal for a railway simply under the advice, I may say, of the Minister for Works of the day. We have gone through the form, once or twice, of examining witnesses at the bar of the House in reference to the proposed expenditure for those railways; but a greater farce than our latter examination has proved upon this point, can hardly be imagined. We went into the consideration of the extension of the railway from Ipswich to Brisbane, the expenditure upon which, we had evidence to make us believe, would only amount to a certain sum; and I now understand that that sum is doubled. It is not satisfactory, I think, that the consent of this House to proposals of such magnitude, affecting the revenue of the country to a very large extent, should be obtained under the experience that, as I said, we now have, without further evidence. I think any Railway Bill calling for a very large expenditure of public money should also be subjected to the consideration of a Select Committee, and that the best evidence obtainable upon the subject of the Bill should be furnished before this House is asked to give its final consent to any measure of this sort. Those are the foundations of the proposal I shall

bring before the Standing Orders Committee, if you make an order that the Committee do consider them. I will leave it to the House to determine whether they are questions which they think it necessary should be provided for, to guard us from coming to too hasty, or, perhaps, unjust decisions. I move formally the motion which I have read.

The POSTMASTER-GENERAL said he could not see his way to support the motion. Things in the past had worked very well in the Council, and he was afraid that if the motion was adopted, and if "Resolutions in reference to the resumption of lands and proposals for Railway Bills" should be referred to a Select Committee, no resumption of land would ever be made, and no railway would be extended in the colony. Honorable members knew very well what the effect of sending resolutions or Bills to committees meant—shelving them for the session. That was his opinion, at any rate. He could not, for the life of him, see what the mover of the resolution was driving at, in altering the mode of procedure in regard to those matters. Now, he thought that when the last resolutions for the resumption of land came up, he did not take them hurriedly through the House. He waited the proper time. He gave honorable members a fortnight's notice, and he voluntarily asked them to go into committee to consider the resolutions. The House adopted the resolutions unanimously. It was competent for any honorable member to alter or amend the resolutions in committee, if the resumption did not please the House; but the House did not seem inclined to touch them; consequently, they received the unanimous approval of the House. With regard to Railway Bills, they knew very well that, if any alteration was made in the Standing Orders, no Railway Bill would pass this session; or, if it should be passed, it would be after a session longer than any yet held. The only good that would result from sending the Bill to a Select Committee would be, that Parliament would be in session six months or the Railway Bill would be shelved. He could not see what good would come out of it. The good old practice of summoning engineers to the bar of the House was preferable to the alteration of the procedure proposed. When the Standing Orders Committee should bring up their report, honorable members would have a better opportunity to discuss the subject than now; but he warned the House against consenting to the change. In his mind, to send measures to select committees was, all over the world, to shelve them practically for the session.

The Hon. T. L. MURRAY-PRIOR remarked, that the President had alluded to the resumption of land made by the former Government, when he had to bring the resolutions through the Council. The honorable gentleman certainly corrected his first statement, that the resolutions were hurriedly brought forward, by stating that Mr. Commissioner Coxen was

called to the bar of the House and examined. If honorable members would refer to that resumption, they would see that the resolutions were not so hurried as the President seemed to think; and that maps of all the runs from which land was resumed had been placed on the table; and that, in fact, everything was fully discussed by the Council. He agreed to a certain extent with his honorable friend opposite, that referring matters of this sort to a Select Committee would very often tend to shelve them. But, then, they must be looked at from two points of view. He had the honor of being the representative of the Ministry in the Council for some time, and he had been told rightly that Bills were brought in much more hurriedly than he should wish. Honorable gentlemen had assisted him in passing those Bills of which he had charge, and it was of very great consequence that they should pass at the time; but he must confess, that if he had not been a Minister of the Crown, he should certainly himself have opposed going on with many of them. He did not think that matters of great public importance should be brought forward at the end of the session, and passed, merely because the Minister of the day represented to the House the difficulty he was in. However, on those occasions, he felt very grateful to honorable gentlemen for having assisted him in the way they had. At the same time, it was within the province of the House to put a veto on anything of the sort. They were not obliged to consider them, if they did not choose to do so; but on the other hand, there might be occasions on which it was almost necessary that the work should be proceeded with. He hoped that the committee would think of those things when they came to frame new orders. He need not say much more;—when the orders were brought up, it would be time for honorable members to decide how they would act.

The Hon. A. H. BROWN said he should not like to be entirely silent upon the question. He somehow overlooked it on the paper, until it was brought forward. He was pleased to see the Postmaster-General, who appeared to be the most self-satisfied of the Ministers: perhaps that was the reason why the honorable gentleman was presented by his colleagues to the Upper Chamber. Herepeatedly told the House that everything in the Government was working well—things past and to come—and that honorable members could not expect to better them by any change. They were indebted to the President for bringing under the notice of the House matters of such importance as resolutions for the resumption of land. Perhaps there was nothing introduced during a session that dealt with such large interests as resolutions for resumption of runs; and he should be very much pleased if, by any resolution of the kind proposed, the House could deal with them. There was no doubt that resumptions had been made much in excess of what was

necessary; at the same time, when they came before the House, it was hardly for the Council, as he before expressed it, to deal with the runs *seriatim*. It would have been invidious for the House to have erased any portion of the resumptions, or to have added to them. But the duty of inquiring into the justice of the resumptions might have been delegated to a Select Committee. He had before spoken of the reports of the commissioners. In one instance, he noticed that the commissioner for the Gladstone district had recommended by far the largest resumptions of all the commissioners, and yet the demand for land in his district was very limited. The Minister for Lands, in dealing with that particular recommendation, apparently perceived the error of his subordinate, and did not avail himself of that recommendation. This was mentioned to support the views of the President, that those officers were not sufficiently qualified to deal with matters of such large interest to the public as the resumption of land.

The Hon. E. I. C. BROWNE said he should vote for the motion, at the same time that he should reserve to himself perfect liberty to vote against the report of the Standing Orders Committee, if he should think fit. For the present, he should not be inclined to send a Railway Bill to a special committee; but he did not see that any harm could arise from the House passing the motion.

The Hon. H. G. SIMPSON said he thought it would be advisable to carry the motion. He should like to see it put in more general terms, referring not only to the resumption of land and to Railway Bills, but to the general method of dealing with resolutions coming up from another place. Of course, if the Standing Orders Committee took the instruction, they would frame provisional Standing Orders, which would have to come before the House for adoption before they could take effect. Being a member of that committee, he should not vote for the motion, though he thought he might express his opinion upon it.

Question put and passed.

#### LEAVE OF ABSENCE.

Leave of absence for three months was granted to the Honorable Robert Ramsay, Esquire, on the motion of the Honorable A. H. BROWN, who stated that the honorable gentleman, on whose behalf he made the motion, had intended to return from the mother country to resume his seat this session, but that some difficulty had occurred to prevent him.

#### PAYMENT OF MEMBERS BILL.

The POSTMASTER-GENERAL said: Honorable gentlemen—In asking you to read the Bill for the Payment of Members a second time, I will first observe that this measure has passed the other House of Legislature on four different occasions, and it now only awaits the final approval of this Chamber to

become the law of the land. This Bill has passed the Assembly, not, as on other occasions, by simple majorities; but at every stage by large majorities. I think I may say, that with the exception of one or two honorable members of that House, compensation to members of the Assembly is approved of unanimously—two or three members disapproving altogether of the principle of giving compensation for their attendance in Parliament. That being the case, I ask you, would it be wise for us any longer to refuse our consent to this Bill? In the southern part of the colony, at the present time, honorable members receive payment for their services. I have no hesitation in stating that those who reside beyond Ipswich, and on Darling Downs, receive something like £100 a-year in the shape of travelling expenses;—not merely members of the Assembly, but members of this House. The Honorable Mr. Gregory seems to laugh at it; but it is, nevertheless, a fact. The very fact of those honorable gentlemen having free railway passes saves them a good deal of money, something like another £100 a-year, which honorable members have to pay who have to reside in town during the session. Honorable members who live on Darling Downs can go home after two days in this Chamber, and three days usually in the other Chamber, which they could not do, two or three times a week, but for their free passes. That being the case, I may regard it as a strong reason why we should give honorable members living in the North, from Maryborough upwards, in our large colony, some compensation for their attendance in Parliament. Our colony is very large, and the capital is situated at the extreme southern end. If payment of members is advisable in the colony of Victoria, with, comparatively speaking, a large population and a small territory, we should regard it as much more advisable in Queensland. Payment of members is no longer an idea in British colonies, judging from the number of them where payment is the law of the land at the present time. That being the case, I think we might try the experiment in Queensland, seeing that the people, through their representatives in another place, have so unmistakably pronounced in its favor. We know very well that honorable members of this House are very jealous of their privileges. No occasion on which their privileges have been invaded has been allowed to pass without those who have attempted to invade them being sat upon at once. Now, this matter concerns only honorable members of the other House, and not honorable members of this Chamber. Of course, it is competent for you, honorable gentlemen, to kick the Bill out altogether; but I will point out, as a reason why you should not refuse your consent to it, is, that it does not concern this Chamber. In support of this measure, I will say, that we know very well that the extreme northern consti-

tuencies, especially, can only be locally represented by very wealthy men, and that there is not the slightest chance of having men properly qualified to represent them unless they elect as their members men who reside in the metropolis. I can safely assert, that before very long, if something like this is not given to them, they will be represented by pastoral lessees or lawyers. These are the only two classes that can give their time to politics in the extreme north of the colony. By means of payment of members, we shall have a far greater choice for the Assembly than can otherwise be had, and we shall have the voice of public opinion in the colony properly heard and represented there. Some honorable members of this House may state that it is derogatory for honorable members in another place to receive payment for their services; but I deny altogether that it is in any way derogatory. I will ask, does the Speaker, or the Chairman of Committees, think it derogatory to receive payment for his services, any more than the Chairman of Committees in this House?

The Hon. A. H. BROWN: Or the Postmaster-General.

The POSTMASTER-GENERAL: Or the Postmaster-General, or any Minister? I do not look upon it in that light at all. There are other reasons why we should give compensation to members of the Legislative Assembly. I do not think it will be necessary to go into all the arguments that have been heretofore advanced in this House. They will not assist the measure, which I am induced to hope will pass without them. We have before debated the measure in the Council, and I am led to believe, that some honorable members who formerly opposed it have since changed their minds, and will now vote for it. I am glad to notice the Honorable Mr. Fitz in his place, as he will support the Bill on the present occasion. If I recollect aright, he stated on a former occasion that payment of members was not likely to be resumed in the colony of Victoria, from which he had just returned. In answer, I said that it would be again enacted. Not long after Parliament prorogued and this House had separated, that law was again passed in Victoria. Of course, in Victoria, members of the Legislative Council are paid, the reason being, that they are elected by the people, on a higher franchise than the members of the Lower House. I have no doubt, that if honorable members of this Chamber were elected by the people, provision would be made for the payment of their expenses and for their attendance in Parliament. I am sure that honorable members of this House would not like to have it said that they hold their seats with £200 or £300 a-year for life: they have too high a sense of honor to vote themselves pensioners of the State. I am quite certain that no honorable gentleman in this Council would care about receiving payment under the circumstances. I do not think I

need say any more. I might go on at great length, to use arguments in support of the Bill. I do not think it is necessary. They have been used over and over again, in this and the other House, and in the other colonies. But I will say this, that in our great territory, and with our small population, and in the great difficulty we have in getting proper representatives—when I say this, I mean the difficulty of securing a true reflex of the opinions of the people of the outside districts—some compensation is desirable for their representatives. Some people may say that payment of members will destroy the independence of members of the other House. Now, I deny altogether that it will. I need only point to the colony of Victoria. When payment of members became the law of the land, the Ministry that came in under the auspices of the paid Parliament with the policy of payment of members, were shortly turned out of office; thus showing that a paid House are not less independent than one unpaid—that they do not fear a Ministerial crisis which would send them to their constituents again for re-election. On the other hand, there will not be the same office-seeking which, I may say, is practised at the present time, and under the present circumstances. Men will not go into the Assembly for the sake of getting office. I am quite sure that legislation will be conducted in the other Chamber with all the security and efficiency that have ever obtained, and with enhanced guarantees for a due regard to the wishes and interests of every class and interest in the community, no matter how remote from the seat of the Legislature of the colony. This Bill is somewhat different from the former measures that have come before this House. It is a very short one—of but five clauses. The first clause enacts that members shall receive compensation for their services, and that the amount shall be £200 per annum. The last Bill specified that the compensation should be for sixty-four days, at three guineas per diem. The second clause enacts that a travelling allowance, also, shall be paid at the rate of one shilling and sixpence a mile for each mile travelled by land to and from the place of nomination to the nearest seaport or railway-station, in addition to the cost of passage by steamer each way between the seaport and the place where Parliament meets. The next clause provides that the travelling allowance shall be paid only at the end of the session, except in the case of the adjournment of the House for over thirty days, when it shall be paid at the end of the sitting preceding each adjournment; in other words, the travelling allowance will, in that case, be paid twice. Without any further preface, I beg to move—

That this Bill be now read a second time.

The Hon. F. T. GREGORY said the Bill, in a slightly different form, was so recently

before the Council, that it was really difficult to find fresh reasons for or against it. He thought the weight of evidence was so very great against it, that, as on a former occasion, he could not for one moment believe that the measure would pass the Council. It was very well to say that it had been passed by a large majority in another place. But, why? Not because there was a pressure from the constituents of the country, but because it was known that, if the Bill should not be supported, certain individuals in another place could no longer hold their seats. In other words, there were members who would not, in fact, be able to continue to hold their seats in the other Chamber unless they had pecuniary assistance to enable them to do so; consequently, where the Ministry had such a large majority, it was not to be wondered at that such a measure should pass.

The POSTMASTER-GENERAL: This Bill applied to another Parliament.

The Hon. F. T. GREGORY: He did not think that altered the case at all, except that they did not vote the money into their own pockets? But that was a point he should not cavil at. Under any circumstances, it would be difficult to say whether the members who passed the Bill, if it was for their immediate benefit, would continue to sit after a dissolution. The Postmaster-General had also drawn attention particularly to himself (Mr. Gregory) for laughing at the idea that honorable members received equivalent to £100 a-year compensation already; but he failed altogether to see that a free pass on the railway justified that idea, for every honorable member from one end of the colony to another stood alike in the same position as the holder of a pass. One honorable member might reside on the railway, and another away from it; but for any, it was nothing like compensation of £100 a-year. Those honorable members who attended to their duties in the Council, and who lived at a distance, Dalby or Warwick, might certainly, if they put all their travelling expenses together, find them run up to something approximating to the amount stated. He was as frequent in his attendance at the House as any honorable member, and, putting all his railway fares together, they would not amount to £50 a-year. Consequently, he did not see that there was any comparison between the two—the railway pass and the compensation provided by the Bill. The railway free pass was not compensation. He would go a step further, and say, he should be perfectly willing, provided it was done to everybody else, if the pass was withdrawn, and that none was permitted except to those who travelled in pursuit of official duties. It would make no difference to him as to the number of his attendances, whether more frequently or less. The honorable gentleman who represented the Government in the Council had said, also, that it did not concern the House what honorable members elsewhere

got. It was very material to the House; it was the duty of the Council to see that the funds of the country were not lavished unnecessarily; it was a paramount duty, when £7,000 or £8,000 a-year was likely to be spent. But he looked upon the expenditure as comparatively insignificant, when regard was had to the low tone that would be introduced into the Legislature, and the demoralising influence that payment of members would be sure to exercise upon the House. He was so satisfied of that, that nothing but the most urgent necessity should ever for one moment allow the Council to entertain the question. There were many men holding an inferior position in the colony who could very easily make a livelihood out of the amount of compensation proposed, but whom honorable members would be very sorry to see in an ordinary municipal council: men who were leaders of party opinion amongst the most uneducated class of the public. He might say, also, that it was quite possible, and, indeed, probable, that occasionally, men of considerable ability, whom the House would be glad to see representing the country, might be excluded from the House for want of means to enable them to meet their expenses; but he (Mr. Gregory) was absolutely certain, that for every fit man thus lost three men would get into Parliament, whose presence and voice in the Legislature of the country would be deeply regretted. He should not detain the House longer, having so recently said all he had to say on the subject under consideration; but he would move, by way of amendment,—

That the word "now" be omitted, with the view of adding, at the end of the motion, the words "this day six months."

Question—That the word proposed to be omitted stand part of the question.

The Hon. F. H. HART said he hoped that the honorable gentleman would not press his amendment to a division. The Bill had come before the Council on several previous occasions, and the majority of the House always voted against it. He had not altered his opinion as expressed on those occasions, and he was still as much opposed to the payment of members of Parliament for their services whilst attending the Houses as ever; but he always contended that members had a right to have their travelling expenses paid. By the Bill, he was glad to see that provision was made for the payment of travelling expenses, and he should like the Bill to go into committee, in order that that provision might be carried.

The Hon. T. L. MURRAY-PRIOR said he trusted that the Honorable Mr. Gregory would press his motion, and he should support him, for several reasons which he had before stated in the House. He believed that the tone of the Legislature would be very much injured by the payment of members. Honorable members of the Council were in their

position to do what they believed was right; and he saw no reason to alter his opinion as yet. He trusted that the Bill would be thrown out.

The Hon. H. G. SIMPSON intended, he said, to vote for the second reading of the Bill, for reasons very different from those the Postmaster-General had given. He had opposed the Bill hitherto. He disbelieved in it still. But, at the same time, there had been so much said, and there were so many plausible arguments brought forward, to show that there would be an improved class of members in another place by means of carrying out the measure, and the experience of other colonies had been brought forward to support that view, that he thought the Council would do no harm by reading the Bill a second time, and, in committee, taking upon themselves the responsibility of limiting the operation of the Bill, which they had the power of doing, to a certain period—say, for three years—so that if, by the end of that time, things assumed the roseate hue from payment of members which was anticipated, and which was never seen before, then the Act could be renewed in perpetuity. If they should then find that the composition of another place was not improved—if they found that it was deteriorated—they had the power to put things in the position in which they stood now. The Postmaster-General had referred to Victoria. It was true, that within a short time after the House rose, last session, payment of members was renewed in that colony. But, how? For one year, by a majority of one! If the honorable gentleman thought it would be renewed after the experience of that year, he would find himself mistaken. He (Captain Simpson) did not agree with the principle of the Bill at all; but, seeing that there was a very strong opinion in favor of it, the House might agree to give it a trial under the conditions he had stated. He did not see why honorable members of the Council coming from a distance should not have their travelling expenses paid in the same way as members of another place; and he thought a clause to that effect was very necessary to introduce in the Bill. To come back to the question of the quality of members likely to be introduced to the Assembly under payment of members, he believed that there were many cases in which very desirable men were prevented from entering the House by the attendant expenses. At this moment, there were very good and able members of the Assembly who found it difficult to keep their position there without some aid or assistance. But for one such good man who would be returned to Parliament under the Bill, there would be three very inferior characters brought in. Indeed he believed, that if the Bill became law, those very good men whom it was expected would be brought into Parliament, would be displaced by others of a very different, because inferior, character. He should vote for the Bill, as an experiment.

The Hon. A. B. BUCHANAN said he was astonished to hear the statement of the Postmaster-General that the Bill was not a matter which concerned the Council; and he trusted that the castigation given him by the Honorable Mr. Gregory would make him feel ashamed of himself. He had voted against the Bill on two occasions in another place, and on a third occasion in the Council. He had endeavored to convince himself that the majority must be right; but the more he thought over the subject, the more convinced he was that the measure was a thoroughly bad one for the country; and he was quite positive that the effect of it would be to bring forward into the Legislature political adventurers—men of the most objectionable class; and the business of the country would fall into their hands. Another ill effect that he was sure would arise from the Bill was, that if a bad Ministry should get into power, there would be but slight chance of their being thrown out of office. The inducement to members receiving pay, whose bread and cheese depended upon their receiving it, would be very great to support a Ministry and to preserve their own seats. It would be a very great temptation to men of the class that he believed would be brought into the Assembly under such a Bill, to keep any Ministry in power, rather than run the risk of an election in which they might have to give place to others. He knew there was an impression abroad, that when a measure was passed by the majority of the other House, it ought to be passed by the Council. He could not view the question in that light. He felt that he was in the House, under oath, to vote according to his conscience for what he believed would benefit Queensland. How that conscience was to be swayed by majorities in the other House, even by votes given unanimously, he could not see. And he did not think honorable members could act otherwise than he did. He was perfectly certain that the measure was brought forward persistently, session after session, with the sole hope that by some fluke it would slip through. He hoped that honorable members would always stand out against it. They had seen members of Parliament in Victoria publicly accused of having accepted bribes for their votes. Most likely, if the Bill passed, the same would be seen in Queensland. As for passing it as a trial measure, for two or three years, that was perfectly absurd. If adventurers were introduced into Parliament, dependent upon the pay, was it likely that they would vote themselves out of the money? Fully believing in all that had been said by the Honorable Mr. Gregory, and agreeing also with the Postmaster-General, that it was unnecessary to bring forward every argument *pro et con.*, the measure having been so often and so lately before the House, he sincerely trusted that the amendment would be passed.

The Hon. E. I. C. BROWNE said he should vote on this occasion differently from the way he voted when the question was last before the House. Then, he said he should like the measure to go through another ordeal before the Council adopted it. That had come to pass. He could not say that in the vote he should give to-night, he should give it with any pleasure, or because he saw the advisability of the measure. But, as it had passed the other House so often, he was strongly influenced by that fact. Another consideration which pressed more forcibly upon him, and induced him to vote for the Bill, was the position in which honorable members living at a distance, especially in the far North and West, were placed; out of the line of direct communication and away from the railways, they could not take advantage of the free passes that were issued to all members of the Legislature alike; they were not put in a fair position with respect to other members. There was another consideration which more especially affected the North—it was a strong reason, though, perhaps, not a very good one—which would influence the question, and which led him to desire to see the measure in operation. There was no doubt that constituencies in the North must have a difficulty in finding representatives to come down to Brisbane at their own expense, to look after the public interest. He must agree with what had fallen from other honorable members, and disagree with the Postmaster-General about the Bill concerning the Assembly only. Honorable gentlemen sat in the Council not for their own particular interests, nor for the interests of any class, but for the interests of the whole colony; and he hoped that they should not again hear such an expression of opinion from the representative of the Government. Last session, when he voted against the Bill, it was expected that Victoria would not again pay her members, finding the practice injurious; but the question was again decided in the affirmative there. He did not support the Bill before the House heartily, but for the reasons he had stated he should vote for the second reading. He should prefer the Bill if the first clause were left out, leaving provision for travelling expenses only. That the present Parliament was not to be paid he was glad to see; it was the next Assembly that they were legislating for. Under the circumstances, he thought the House might consider the Bill in committee.

The Hon. A. H. BROWN said his opinions relative to the measure before the House was not changed since last session, as he still thought that it would be unwise in the Council to concede payment to members of the Assembly. If he thought that it would improve the tone and character of the members who came from different parts of the country, he should cheerfully support it; but he

believed it would have the contrary effect. The honorable gentleman, in introducing the Bill, reminded the House that the majority of members in another place approved of it—that, with two or three exceptions, the whole House had voted for the money to be given to them. He (Mr. Brown) had great respect for the opinion of the other Chamber, and if he should feel inclined hereafter to vote for the second reading of the Bill, he should reserve to himself the right to support it on either points now put forward. As he understood it, the policy of the measure was changed since the opening of Parliament. In the Governor's Opening Speech, it was referred to in the following terms:—

"The difficulty of procuring representatives in our Legislative Assembly for distant electorates, renders it desirable that the question of compensating members of that House, for their attendance in Parliament, should again be considered. A Bill dealing with this subject will be submitted to you at an early date."

But in addition to compensation for the representatives of distant electorates, the Bill before the House would provide compensation for gentlemen residing in Brisbane. To put the two cases on a parallel was perfectly absurd. In the one case, members were at no loss, and sustained little inconvenience, by attending to their Parliamentary duties; in the other case, members left their homes and their businesses, and came long distances, at considerable inconvenience, through floods and other difficulties, and were obliged to stay a long time in Brisbane, and to make a new home for three or four months while Parliament was in session. The members who lived in Brisbane had no claim whatever to payment. Members of Parliament had many privileges. Their position was not without honor, and it had its conveniences. They had the use of one of the finest libraries in the colony—in the colonies, perhaps. They had the distinction of legislating for the colony—though, perhaps, that more belonged to the representatives of the people—and it was one to be grateful for. There was another consideration, which it seemed was almost lost sight of, and which bore against payment of members. Whenever there was a vacancy for a constituency there were always two or three candidates in the election; in proof of which he referred to Maryborough, Logan, and other recent contests for seats in the Assembly, which showed that there was no want of ambition on the part of persons to become members of Parliament under existing circumstances. There would always be found gentlemen to come forward to represent constituencies, who would be proud of the honor of a seat in Parliament without payment. He did not believe payment would in any way improve the tone of the Assembly. Doubtless, there were some gentlemen who could not afford to sit in Parliament, without compensation, that any

constituency might be proud of. But if their services were required or availed of, the constituencies could privately compensate them without any damaging effect upon either. Speaking as a resident of one district, he should cheerfully agree to that. Such men as were eligible, who were valued for their talent and ability, if they lacked means, would, he thought, be provided for voluntarily, without any appeal to the State. He denied emphatically that the public was in favor of payment of members. In fact, for his district—Wide Bay, Mulgrave, Maryborough—speaking from intimate knowledge of it during twenty years, he could say that it was untrue to assert that the public was in favor of payment of members.

The POSTMASTER-GENERAL: Your members voted for it.

The Hon. A. H. BROWN: That did not say that the constituencies approved of it. The Council had to consider the public in this matter. The people did not wish that an additional tax should be imposed upon them for the payment of members of Parliament. So long as they could get efficient representatives without payment, so long would they object to pay them. They would be best pleased that members would come forward in a voluntary manner, without the suspicion that the pay was an attraction, or that members offered themselves for hire. It was not improbable that there was sometimes a difficulty to get local men, as argued; and country constituencies had, it was true, been afflicted with Brisbane representatives. It had been said that wealthy men only could represent the northern electorates, failing whom, the electors would have to fall back upon lawyers.

The POSTMASTER-GENERAL: And pastoral tenants.

The Hon. A. H. BROWN: It was a painful position for a constituency to be placed in, no doubt. The Postmaster-General took very queer views of matters. Victoria had been quoted by him. New South Wales had been forgotten. That colony indignantly repudiated payment of members. In Victoria, which had been held up as an example for Queensland to imitate, payment of members was at last carried by a majority of one. If the Council should be guided by the precedents of the other colonies, they should be led to reject the Bill. As to the statement of the Postmaster-General, that certain honorable members were compensated to the extent of £100 a year in travelling expenses, by their free passes on the railways, he (Mr. Brown) was astonished that the honorable gentleman's conscience could permit him to receive it himself. That honorable gentleman, who went so often to see his station, must feel an exquisite delicacy about travelling on the railway without paying his fare. He, perhaps, wished all others to be in the position to receive compensation as a salve to



his conscience. He (Mr. Brown) understood the honorable gentleman to suggest that if the Council saw fit to make an addendum to the Bill to pay their own expenses, he should not object. Well, he should be very sorry to see anything of the sort introduced into the Bill. As long as the Council existed, he trusted it would be an independent branch of the Legislature. Nothing would induce him to vote for the payment of members of the Upper Chamber. They were not in the same position as members of the Assembly, who were much harder worked, and who were elected by the people, while the Council were nominated by the Governor. He regarded it as great delicacy not to make any mention of the Council in the Bill. If payment was granted to the Assembly, it would not be an improvement. The conduct of elections was so much in the hands of publicans, who had a large influence in the return of members, which influence was not wholesome, that he dreaded any cause for making a particular class of the community prominently active when elections were pending. While objecting to the payment of £200 a year to all members of the Assembly, he was constrained to say that as compensation for expenses incurred or services performed, it was inadequate in the case of northern members;—with the travelling allowance of 1s. 6d. a-mile added, they would still be losers. If compensation was offered, it should be something like what they were entitled to. On that ground he objected to the Bill. To pay members as proposed would be like giving so many appointments in the Government service, and they would be objects of ambition to persons who were perhaps competent to make an oration without being fit to be trusted with the work of legislation. The Postmaster-General said members now looked for official patronage, and that payment would relieve them from that. Though introducing an inferior class of men, yet payment would not be likely to make them seek for office less than now.

The Hon. G. HARRIS said, he believed this was the third occasion on which a measure with a similar object to the present was submitted to the Council. On the first occasion the Bill for the payment of members was thrown out upon a motion of his own; on the second, he was induced from various causes to support the second reading of the Bill—he qualified his support by saying that he thought some consideration should be given to the voice of another Chamber. Since then, he had an opportunity of reconsidering the matter, and he had arrived at the conclusion that he was in error in voting for the Bill. It would be admitted by the House, he thought, that every honorable member was entitled to alter his opinion, if he considered it right to do so; and they had many instances of members so doing, so far as the debate had gone to-day. When the Bill was previously under consideration, he stated that

he had very serious objections indeed to payment of members—he had referred to “Hansard,” in order that he might be quite sure;—and he always held the opinion that it was objectionable in any gentleman seeking a position in Parliament, to expect to be paid for the performance of the duties of that position. If, on the other hand, it was held that members of another place were entitled to be paid for their services in Parliament, he then said that all members should be paid alike. He could see no difference between the two Houses. There were several honorable members of the Council who came from distant places, such as Mackay and other northern parts of the colony, as well as the representatives of distant constituencies, who sat in another place, and who claimed pay because they came from Millechester and Charters Towers. Gentlemen who gave their time to the public, under such circumstances, were equally entitled to be paid, if payment was to be given, or if it was just. On that point he was consistent. The question before the House was a serious one; and it should be considered in relation to its effect upon the revenue of the colony, particularly as it had been stated, in another place, that the financial position of the country was not really so flourishing as could be wished. If the Bill should become law, it would entail an expenditure of at least £10,000 per annum, which plainly meant increased taxation. If the Council had no further right, as some honorable members argued they had not, to take objection to the Bill upon any other score, they had, at all events, the right, as taxpayers, to oppose the Bill on the ground that it would increase the burdens of the people. That was, he thought, a fatal objection to the Bill. Some reference was made by the Postmaster-General to the fact that honorable members of the Council received already compensation to about £100 per annum in the shape of free railway passes. So far as he (Mr. Harris) was personally concerned, any advantage which he obtained from the railway pass would be covered by £2 or £3 a-year. But, whatever it might be, he should very much like to see the free railway passes done away with altogether; and, whenever any member of Parliament had occasion to travel on any railway in the colony, he should pay his way. His opposition to the Bill was not at all factious. His opinions were always what they were now; and he was perfectly consistent in saying that he should be disposed to support the amendment.

The Hon. H. B. FITZ said, that having taken a somewhat prominent part in opposing the measure when it was previously before the House, he felt that he should not give a silent vote. He had not since altered his opinion in any way; and he had gained a great deal of information with reference to the working of a similar measure in another colony, and that made him more than ever opposed to payment of members. A material

objection to the Bill was the effect it would have, if passed into law, upon the revenue; and another equally strong, was that put forward by the mover of the amendment, that a bad administration would be kept in power by a House composed of members who depended upon their compensation as members of Parliament. He thought that £12,000 a year was too much to pay for the chance of a calamity such as that to befall the colony. One thing he could not understand. If the next House was to be paid, why should not the present Assembly be paid? If the Bill should be passed, he could not at all see why the present Parliament was not entitled to receive compensation. And he could not for the life of him see why the Honorable Mr. Loug, or the Honorable Mr. Lambert, who came from the far north, was not as well entitled to be remunerated for coming to the Council to attend to the duties of his position, as the honorable member for Kennedy, or Bowen, or any other members of another place. If the Bill should get into committee he should feel disposed to put it in that light. It had been hinted once or twice, by the members of the Government, that it would be absurd to pay members of the Council, as they were supposed to represent the wealth of the country. That supposition was perfectly absurd. He knew that in 1862, under the Ipswich Ministry of that day—three or four members represented Ipswich and West Moreton—who were exceedingly anxious to have the same voting power in the Upper House that they had in another place, appointed three members in one day, who did not represent the wealth of the country, for none of the banks would discount any paper with the names of the three upon it. He could not stand that argument. If the Bill should become law, the present Parliament should be paid. It was not necessary to take up the time of the House further. He was opposed to the Bill. In none of the colonies where members were not paid, certainly not in Queensland, did any constituency ever go begging for a candidate. At Logan, the other day, there were four or five persons willing to come forward, in addition to the candidates who went to the poll, if they had any chance. He should vote for the second reading of the Bill, reserving to himself the right to alter it in committee.

The Hon. W. WILSON said, although his own personal prejudice was against the idea of giving members of the Assembly compensation for doing their duty in Parliament, yet he voted last session for the second reading of a Bill, with the view of supporting a measure for allowing liberal travelling expenses. From what he had learned since then, he was prepared to go a little further. He thought the time had come when, the Bill having been often before them, the Council should allow it to pass. He considered that the moderate rate of compen-

sation proposed to be given was not objectionable: it was at the rate of £200 per annum, so that for a three months' session it would be only £50, and for a six months' session £100, for each honorable member's services. At present, he was inclined to support the Bill as it stood. Any amendment that might be made in committee for the improvement of the Bill he should be prepared to support.

The PRESIDENT: Honorable gentlemen—Before the question is put, I should like to say a few words in reference to the Bill, inasmuch as I think it is one which has a bearing upon the usefulness of this Chamber as one branch of the Legislature. There is no doubt that this Chamber has the advantage of being free from outside influences, which act sometimes, perhaps, impulsively upon the other House; but we must still recollect that we cannot always be a rock opposing the rush of public opinion. We may oppose it for a time—we may keep it back for a time;—but when we become convinced, or when we have reason to suppose, that our own opinions are in direct opposition to the opinion of the great majority, to the opinion of the people, I think we are justified in conscience, notwithstanding what was said by my honorable friend, Mr. Buchanan, that sitting here—as he said under an oath, but we are not under an oath, we are on honor—for the purpose of doing our duty;—I say we may with a safe conscience bow to the opinion expressed by the majority of the people through their representatives. We have proved by our action that we deem the measure thrust upon us an unwise one. I agree with those honorable members who oppose this measure, that it is one I myself would very much rather not see become a portion of the law of the country. But, there is a time when one cannot oppose one's individual opinion, I think, to what seems to be public opinion. This measure has been thrust upon us three or four times by the other House of Legislature. It has been before the constituencies, and the constituencies have returned their representatives with the full knowledge that they were about to support such a measure as the Bill which is now before us. It is also well known to you all, that the distant districts of the colony have great difficulty in providing persons to represent them in consequence of the expense thereupon attendant; and I think that that should be a consideration. Even if there be doubts upon the minds of honorable members opposite as to the policy of the measure, I think they should admit that remuneration should be given to those who represent the people in some portions of the colony; and, supposing that the Bill passes its second reading, changes might be made in committee which would modify its application and make it more acceptable to those who now oppose it. It is, also, I think, very undesirable that we in this House should go on, session after session, opposing what must seem to you to meet with approval in

the other House. No doubt, we are not bound to bow—in fact, on the contrary, we are bound to uphold our own opinion for as long a time as is reasonable;—but when it seems no longer to us to be reasonable, we may bow, and say, “It is your measure and not ours.” For this reason, I should myself, if I had a vote, which I have not, in this case, support the second reading of the Bill; and I have addressed to the House these few words because I take an interest, as I am bound to do, in all that passes

HONORABLE MEMBERS: Hear, hear.

The PRESIDENT: I should rather see the measure pass the second reading and be submitted to the committee than that it should now be refused further consideration.

The Hon. W. YALDWYN said, three times this unfortunate Bill had come before the House and three times it had received a similar *quietus*, and he was afraid that, on the present occasion, it was about to lose its life.

HONORABLE MEMBERS: No, no; and, Hear, hear.

The Hon. W. YALDWYN: He was afraid so. A great many objections had been made to the Bill. Some honorable members thought it a bad measure; some thought the amount of compensation too high; and some thought it too low. It was said that the compensation proposed was not sufficient to induce men to leave their business and come down to Brisbane to perform their Parliamentary duties. If by business men were meant the large squatters and the wealthy merchants, he agreed that the amount was too low, much too low for them. As large squatters and wealthy merchants were not too common in Queensland, especially in the northern and western districts—and even when they were found, he did not think they were the best representative men—they need not be wholly considered; but there was a class of men in this country to whom the Bill would be a great boon. There were men of good education and large practical experience, who had worked hard through the best years of their lives in the colony, and who, though not favored by fortune according to their deserts, were admirably adapted for political life; and them the Bill would enable to take their part in public affairs, on behalf of the districts where they lived, for which they were qualified. If the Bill was passed he had no hesitation in saying that many of the northern and western constituencies would be able to find men of that class who would represent them faithfully in the Assembly. It had been urged that the tone of the Legislature would be lowered by the Bill, and that a class of political adventurers—what they were he did not know, but in Queensland they would stand in very much the position of a “church mouse,” they would not get fat upon their adventure;—but honorable members of the Council might leave the constituencies to

judge for themselves. His own opinion was, that the constituencies were not likely to choose less fit men because their representatives would have to be paid by the country. He intended to support the second reading of the Bill.

The Hon. W. H. LONG said that after the many times the Bill had been before the Council and the numerous speakers who had already addressed the House on the subject of it, he did not flatter himself that he could throw any new light upon it. He should, however, be very sorry to record his vote either for or against the Bill without justifying his action and stating his motives for so doing. One great argument in favor of the Bill that had been brought forward was, that the principle of payment of members had been to a certain extent allowed by the grant of free passes on the railways to members of Parliament. That being so, he thought it was a very great pity that the passes were ever issued. It was very unfair to the colony at large. Besides having to pay very heavily in taxation for the construction of the railways, which, after all, were of advantage to a very small portion of the colony, the country was further saddled with carrying members of Parliament for nothing. As far as he was personally concerned, he had been a member of the Council during three sessions; he had a railway pass, and he never once used it yet; and it was possible that, if he was a member ten years longer, he should not use his pass. It was a great injustice to the country to allow members of Parliament to travel free on the railways.

The Hon. J. TAYLOR: Hear, hear.

The Hon. W. H. LONG: Payment of members would entail a cost to the colony of £10,000 a year; and, as a tax-payer, he should certainly regard that as a very good reason for opposing the Bill. A great deal had been said about the cost that members of the Legislature who resided at a great distance from Brisbane were put to. No doubt it was in many cases a hardship; but, because two or three members happened to reside 700 or 800 miles from the metropolis, it was not, he thought, a reason why those who resided within a stone's throw of the Parliament Houses should be subsidised. And, when he looked at the list of members, there was one-third of the members in that position, who lived in Brisbane, or in the neighborhood of Brisbane. For himself, any service that he could give to the colony by attending the House, he should be very glad to give, without in any way receiving compensation. He did not think any honorable member of the Council wanted to be compensated.

Question put, and the House divided. While in division,

The POSTMASTER-GENERAL claimed the vote of the Honorable Mr. Gregory, who had cried “Content,” on the question that the word “now” stand.

THE PRESIDENT: If the honorable member insisted. Did the Honorable Mr. Gregory admit that he said "Content"?

THE HON. F. T. GREGORY: He certainly did say "Content"; but he remained on the side of the House that voted for the negative.

THE HON. A. H. BROWN: The honorable Captain Simpson did the same—

THE HON. T. L. MURRAY-PRIOR: He hardly thought that, though the honorable member did say "Content," as the Government had a majority, the Postmaster-General should make a claim upon the voice.

THE PRESIDENT: He did not think, as it was a mistake, that the Postmaster-General would insist upon it.

The division was taken, as follows:—

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The Honorable H. B. Fitz, W. Wilson, W. Hobbs, H. G. Simpson, J. C. Heussler, D. F. Roberts, F. H. Hart, W. Yaldwyn, G. Thorn.

#### NOT-CONTENTS, 7.

The Honorable T. L. Murray-Prior, A. H. Brown, J. Taylor, A. B. Buchanan, G. Harris, W. H. Long, F. T. Gregory.

Question resolved in the affirmative, and Bill read a second time.

#### CESSION OF FIJI AND BRITISH CLAIMS ON NEW GUINEA.

On the order of the day being read for the consideration in committee of the Address to the Queen on this subject [see page 370],

THE HON. H. G. SIMPSON moved—That the House be put into committee. He intimated that he should be willing to accept any amendments that honorable members might think fit to make, so long as the general purport of the resolutions was not interfered with.

Question put and passed, and the House resolved into Committee of the Whole.

THE HON. H. G. SIMPSON, in formally moving the adoption of the address, suggested to the committee, to decide whether to consider the resolutions *seriatim* or *in globo*.

THE PRESIDENT: The question being proposed for the whole address, he thought it was for the committee to consider what it called upon them to subject the country to; or, at any rate, to consider to what extent the revenue was likely to be affected. It struck him that, if the address should be carried in its present shape, it would commit the colony to participate largely in the cost of annexing New Guinea. Honorable members knew that the colony of New South Wales was at the present moment much exercised on the question of the annexation of New Guinea, and seemed to be so enamoured of it that the Legislature of that colony might be inclined to take the whole expense upon their shoulders. But if this colony volunteered to bear a portion of the expense, he had no doubt that it would be allowed to do so. Certainly, New Guinea was, geographically, nearer to Queens-

land than to New South Wales; and, perhaps, from the pearl fishery and our settlement at Somerset, this colony might have been brought into closer contact with New Guinea than any other colony; but he apprehended that most of the vessels employed in the pearl fishery were the property of persons in New South Wales. Admitting, as he did, that the object contemplated by the resolutions was a desirable one—that was to say, if the British Government would undertake to annex New Guinea—it would be foolish to attempt to take possession of the country unless there were landed upon its shores a sufficient military force to protect whatever settlement might be made there. If such a force was landed, the expense would be very considerable; and he took it that if the House passed such an address to Her Majesty as that now before the committee, this colony would be bound in all honor to bear a portion of the expense. How that expense was to be apportioned, it was difficult for the House to say at present. He only asked the committee to consider the bearing of the whole question before they adopted the address. He thoroughly joined with the object contemplated in believing that it was a desirable one; and he should be very glad to see New Guinea colonised by our own people; but he was quite convinced that it could not be done without very great expense. Whether this colony would be willing to undertake a portion of that expense was a question for the committee now to consider in connection with the address.

THE POSTMASTER-GENERAL: As he stated the other day, he had no objection to the address; but, if he thought that the colony would be saddled with a portion of the expense of the annexation of New Guinea, he should oppose it. There was no danger of New South Wales paying the expenses, because that colony would not annex Fiji, which was in the direct track of the steam mail route between Sydney and San Francisco. He regretted that the honorable gentleman who was in charge of the resolutions had not put the matter more definitely; but as the address would have a certain weight with Great Britain in taking possession of New Guinea, should other powers of Europe object—she could say that she was advised to do so by her Australian colonists—he hoped they would pass as they stood.

THE HON. H. G. SIMPSON said the objection taken by the President was exactly the one he anticipated from the commencement. He was sorry that he could not take the same view as the honorable gentleman. In the first place, suppose the address should be adopted by both Houses, and that by-and-bye some small portion of the expense of the annexation of New Guinea should be required to be borne by this colony, he held that Queensland ought to undertake it; and if she would not, she was, in the second place, abandoning her position as one of the most

rising colonies of the world. It was the duty of this colony, it was the duty of the Australian people—to bear their share in such a great and important national work. The Home Government would not ask this colony to take more than a small share, pecuniarily speaking, in the work; and to co-operate in that way would show that the British Empire was one all over the world. In countries so well-to-do as the Australian colonies, the people were richer in proportion than our fellow-countrymen in Great Britain; and we had no right to shirk our share in any enterprise such as that now proposed, from which we should ultimately derive considerable advantage. He did not look upon the question of expense as likely to come up because of this paragraph, which he understood was the part of the address objected to:—

“We, therefore, beg to assure Your Majesty of our willingness to co-operate with the Government of Your Majesty in taking such steps as may be deemed necessary in order to protect native rights, and to promote the interests of British subjects in the Polynesian, Melanesian, and Papuan Archipelagoes.”

The meaning of that he thought originally to be, simply, that if any legislative enactments should be required for carrying out the objects named, the Parliament would be willing to co-operate with the Imperial Government in framing them and giving effect to them. At the same time, if any pecuniary responsibility rested upon it, this colony ought to be able to respond in a manner adequate to her position. He did not agree with the Postmaster-General that the British Government wanted any excuse to the European Powers for annexing New Guinea. The late Government in England might have wanted some such excuse; but the present Government needed none.

The Hon. T. L. MURRAY-PRIOR agreed with the President that if the address was passed as it stood, the colony would be bound to co-operate with the British Government both with money and by every other means at our disposal; but he did not see in that a reason for dissenting from the proposition. As Britons, it was imperative on us to take part with the mother country, to whom we looked for assistance if trouble should come upon the colonies from hostile powers.

The Hon. A. H. BROWN said, the phraseology of the address might be changed with advantage in some respects. He thanked the President for pointing out the bearing of the clause of the address to which special reference had been made; still, as this colony would receive a great portion of the benefit of the annexation of New Guinea, it ought not to object to bear a portion of the cost.

The PRESIDENT urged that, while duty would impel us to give not only our property but our lives for the Crown, if occasion called for them, he was afraid that all together would not be adequate,

“in order to protect the native rights and to promote the interests of British subjects in the Polynesian, Melanesian, and Papuan Archipelagoes.”

That appeared to him *vox et præterea nihil*; it was a swelling out that meant nothing. Unless it meant what it said, and unless the colony was ready to carry out what the address proffered, it looked as if we were very willing that the British Government should take possession of New Guinea and make it useful for Queensland, for the purposes of trade, but that we would give nothing for the advantages we wished to gain. Victoria and New South Wales said they would assist in the colonisation of Fiji, if annexed by the British Government; but when it came to a question of pounds, shillings, and pence, their respective Legislatures would not vote a shilling towards the cost, though the Imperial authorities looked upon it as certain that the colonies would contribute about £4,000 per annum. When co-operation with the mother country in annexing new territory was talked of, it was forgotten by honorable members that Queensland was the only portion of the empire that did not provide a force for the defence of her own shores, should she be attacked: even the local volunteers were not supported. It must seem that the language of the address was inflated, and hardly decent to use, even with the best intentions. However, as the address would be put paragraph by paragraph, perhaps it would be amended satisfactorily for all.

The Hon. W. WILSON counselled caution in regard to a promise of co-operation in the annexation of New Guinea, which would be rather a tough piece of work, with a numerous and warlike people. He referred to Somerset, a settlement which this colony had to support for the benefit of all the other colonies.

Upon deliberation, it was resolved to consider the paragraphs of the address *seriatim*, and in order to give honorable members a little more time to consider of amendments with the honorable mover, the Chairman was moved out of the chair, and on the resumption of the House, he reported certain progress, and obtained leave to sit again next day.