

Queensland



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[Hansard]

Legislative Council

THURSDAY, 7 SEPTEMBER 1876

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LEGISLATIVE COUNCIL.

Thursday, 7 September, 1876.

Proceeds of Land Reserved.—Gold Fields Bill.—Telegraphic Messages Bill.

PROCEEDS OF LAND RESERVED.

The Hon. A. H. BROWN said, in accordance with intimation yesterday, he should ask the Postmaster-General the following questions:—

“As lands proposed to be resumed in the Settled Districts of Darling Downs, West and East Moreton, the Burnett and Wide Bay, by a Bill now before Parliament, are identical with, or included in, the area comprised in the lands of ‘The Railway Reserve Bill’ now also before Parliament, will the honorable the Postmaster-General explain the intention of the Government in dealing with the proceeds of sales of such lands? Will not the whole sum realised be devoted to the construction of the railways proposed in ‘The Railway Reserves Bill’ referred to?”

The POSTMASTER-GENERAL stated that he should be glad if the honorable gentleman would postpone his question until the next sitting of the Council, as it related to a subject that was not under his department, but belonged to the Lands Department; and he had not had an opportunity since the previous sitting to communicate with the Secretary for Public Lands upon it. This he should like to do before giving a decided answer to the question.

The PRESIDENT: The Honorable Mr. Brown must give notice of the question; and the question must not involve matters of opinion—it must be confined to matters of fact.

The Hon. A. H. BROWN said he should give notice of the question for the next sitting.

GOLD FIELDS BILL.

On the Order of the Day being read,
The POSTMASTER-GENERAL moved—

That the President leave the chair, and the House resolve into Committee of the Whole for the consideration of the Gold Fields Bill.

The Hon. H. G. SIMPSON rose to explain an apparent inconsistency in his conduct yesterday, when he spoke against the Bill and said he was inclined to support the amendment putting it off for six months, and then voted for the second reading. Since speaking, suggestions of amendment were made which led him to think that the House could deal with the Bill in committee better than by shelving it on the motion of the Honorable Mr. Yaldwyn; and, amongst other things, the confidence with which the honorable gentleman representing the Government spoke as to the possibility of getting the Imperial Government to agree to such a Bill, if passed, led him to withdraw his opposition. If it should be the case that the Queen would sanction such a measure, it was advisable that legislation should take place. He doubted very much if the Bill as framed would pass. He should be prepared to make certain amendments or modifications in committee, if honorable members would help him.

Question put and passed, and the House went into committee.

Clause 1—Increased fee for miners' rights and business licenses to Asiatic and African aliens.

The Hon. H. G. SIMPSON moved the postponement of the clause until after the consideration of clause two, as amendments which he would propose in the latter would, if carried, interfere with the first clause.

The POSTMASTER-GENERAL thought it was hardly fair to do that for an amendment which was not specified.

The PRESIDENT notified that he should move an amendment to make the clause applicable to "any alien," and not to "an Asiatic or African alien" specially.

The Hon. H. G. SIMPSON had no hesitation in saying that the amendments he had

to move in the second clause would draw a considerable distinction between aliens now in the colony and those who might arrive hereafter. He desired to alter the clause so that no Asiatic or African alien who should come to the colony after the passing of the Bill should be permitted to mine upon any gold field. His reason was, that if any restriction upon aliens such as the Bill proposed would be tolerated or allowed to be carried out by the Imperial Government, the Parliament had best impose such restrictions as would entirely meet the question of preventing Chinamen working at all on the gold fields, and put no restriction upon their coming to Queensland for any other purpose.

The POSTMASTER-GENERAL had no objection to the postponement of the clause. There was no doubt, if the proposed amendment of the second clause was carried, the first clause would be useless.

Question put and passed.

Clause 2—Restrictions.

"No Asiatic or African alien shall be permitted to mine upon any gold field until two years after the proclamation of such gold field unless it shall have been discovered and reported by an Asiatic or African alien."

The Hon. H. G. SIMPSON moved, that after the word "alien," in the first line, the following words be inserted:—"Who shall arrive in the colony after the passing of this Act." If this was carried, he should move the omission of all the words after "gold field," in the second line, to the end of the clause. He did not apprehend that the object of the Bill was to raise a revenue from the Chinese coming to the colony, but to keep those people from going in too great numbers to the northern gold fields. For himself, he was one of those who thought that Chinese coming to Queensland for other purposes than gold-mining would be very useful colonists; and, therefore, he was very indisposed to put any restrictions on them in regard to business licenses for other dealings or pursuits that they might enter into. His amendment would meet the views of the miners, who were the main source of the complaints against the importation of Chinese. That the Chinese would still continue to come to the colony for other purposes than mining he doubted not.

Question—That the words proposed to be inserted be so inserted.

The POSTMASTER-GENERAL could not think the honorable member was serious in making the proposal put by him before the committee, as, if it should be carried, he was strongly of opinion the honorable gentleman's fears would be realised—the Bill would be sent back by the Imperial authorities for reconsideration, as the Queen would never be advised to sanction its operation. It was a serious practical difficulty that the Bill was intended to deal with. How were Chinamen already in the colony to be distinguished from those who were to arrive? They would have to be

marked somehow. Again, why should Chinamen who might arrive to-morrow to be placed in a different position from those who arrived yesterday? He (the Postmaster-General) objected to the amendment on principle. The Bill was not so much a prohibitory measure as one calculated to make those persons who received favors from the Government and imposed burdens on the country in the way of expenditure return some compensation therefor, by contributing more largely to the gold fields' revenue than colonists of British race. The Bill did not at all affect Chinese or African aliens, except as residents on the gold fields. If they were made to pay for the privilege of gold-mining or trading on the gold fields, a better class of Chinese than those now here would come to the colony; the Government would have some compensation for the trouble it was at by their presence; and the revenue would be increased accordingly.

The Hon. J. F. McDougall concurred in the objection of the Postmaster-General, as to the impossibility of distinguishing the Chinamen.

An HONORABLE MEMBER: Square their tails.

The Hon. J. F. McDougall: Square their tails, and brand them. That operation would not be pleasant, and it would not answer.

The Hon. W. THORNTON contended that the Honorable Captain Simpson wanted to upset the Bill altogether, and that to deter the Chinese from coming hither would be against the interests of the colony. How were the riches of this country to be developed? By population unquestionably. But not by the few Europeans who were here. The last census gave the population of Queensland as 170,000 all told, including Chinese;—about the population of a small town in England. We should invite people to come from all parts of the world; and the Chinese should not be deterred from coming. The amendment could not be carried out unless a new Government officer, Chinese brander, should be appointed. He should like to see the clause struck out altogether, as, if the Chinese paid a high amount for the privilege of gold-mining, that should be enough, without other restrictions. The amendment should be withdrawn.

The Hon. E. I. C. BROWNE said, that notwithstanding all the Collector of Customs had said, he should be extremely glad to sweep the Chinese out of the colony; as he did not understand that honorable gentleman's large-heartedness which would lead him to invite immigrants from all parts of the world. From his reading, not from personal knowledge, there were many people who would be very unpleasant members of society to introduce into Queensland. The influx of Chinese hither must be restrained, or it would be a great disadvantage. There would be considerable difficulty in carrying out the amendment; but, as Captain Simpson had, no doubt, something else to introduce in the Bill, he should

support it; but, rather than the amendment should imperil the Bill—if it should not be approved of elsewhere—he should be prepared to give way.

The Hon. H. G. SIMPSON suggested that the Government provide for the distinction of British subjects born at Hongkong and Shanghai from Chinese aliens. The burden of proof was laid on the Chinese. He objected to the law being made retrospective; it the Bill was prospective that was enough. As to the desirableness of Chinese, on the score of their labor, if labor was required for the northern districts, there were the millions of British subjects in India to draw upon, and they would be better colonists for Queensland than Chinese. We had never chosen to procure that labor, though it might be had by merely saying the word. The Chinese came here; they came in spite of us. If Asiatic labor was to be encouraged, the first people to be thought of were our fellow-subjects of the Indian Empire.

The PRESIDENT said he had no doubt a very similar discussion to the present one had often occurred in the Council of the Emperor of China, who would have kept out all nations whose interference with the people was disliked. His honorable friend, Captain Simpson, spoke in the same spirit: he did not wish to allow Chinamen here, because he did not like them. But did not Great Britain send her people in war-ships to discuss the question with the Chinese, and compel China to admit the British to the country? The Chinese might send ships here, and Queensland could not help herself. Of late years, China had constructed a very large fleet, which was commanded by officers who had been in the British and other European service, and who were very competent for their position. This country was unprotected, and the nearest part of Australia to the Chinese Empire! The question before the committee was one of much greater importance than usually came before a colonial legislature, and he should try to prove it to honorable members. He should quote from an article in the *Fortnightly Review* by a very old friend of his own, and a great authority, Sir Rutherford Alcock, with reference to the relations of the Western powers with the East:—

“Our concerns with the vast and still almost unknown empire of China, are of more real importance to the British Empire than Continental disputes about a province or a river. And every one acquainted with those regions is possessed by the conviction that there the next generation, if not the present, will witness one of the greatest revolutions of humanity.”

Well, he (the President) had no doubt that there was great truth in that passage. The power of China was increasing every day, and the contact that the people had had with European nations had advanced her statesmen so far, that the House might be quite sure she would not submit to the restriction as proposed by the honorable member, without

retaliation; for the amendment amounted to this—that no Chinaman should be allowed to work on any gold field, he being an unclean and despised animal. He presumed that was what was meant.

The Hon. H. G. SIMPSON: He never said so; and that was not his opinion at all.

The PRESIDENT: Was it because the Chinaman competed with the labor of the Englishman? There must be some reason. It was not likely that a Chinaman would accept any reason against him personally as a valid one for not working on the gold fields. The two countries must come into contact. The question was, whether Queensland would pass an Act which was likely to throw the empire into war; Queensland, too, being the most exposed and defenceless portion of the empire. If war broke out, this colony would suffer inconvenience. He was prepared to hold that it would not be wise or politic to bring about that state of things. The amendment was entire prohibition against any Asiatic or African alien coming into this country. Supposing the House passed it, the Bill would be mere waste paper. The colony had not a man-of-war to blockade the coast and prevent the Chinese, if they chose to come, entering any Queensland port; it had no force of police to send to the gold fields to prevent the Chinese working. He saw nothing politic in the amendment; but he saw a great many reasons why it would be both impolitic and imprudent to adopt it.

The Hon. H. G. SIMPSON: As the President had impugned his motives, he felt it necessary to say a few words in reply. The honorable gentleman seemed to think that there were no restrictions upon English people who went to China, and that any restrictions that might be put upon Chinese coming to this country would be a *casus belli*. If the honorable gentleman had seen as much of China as he (Captain Simpson) had, and of the people too, he would know that the English were restricted to certain treaty ports: they could not wander over the empire as Chinamen could all over this country, and take away the precious metals. The President misconceived him altogether. As for talking about Chinese iron-clads coming here to take British-Colonial property, we should have to wait a long time before seeing China making war with Queensland—because the colony did not choose to allow the off-scourings of China to do as they pleased here. If the Imperial Government would not interfere with the Bill as it stood, he did not think they would refuse to allow it with the amendment he proposed. As he said before, the House had best do what there was to do definitely and effectively, and that was the reason why he proposed the amendment. He had his doubts whether the Imperial Government would allow either the Bill with or without the amendment. In many respects, he thought the Chinese would make valuable colonists.

The Hon. F. H. HART said he did not care about speaking on the subject; but he must say that he disliked the Bill, which was a piece of bungling from beginning to end. He did not know whether it was a measure for revenue purposes, or for excluding the Chinese. If the first, the expense of carrying it out would prevent any increase to the revenue; if for the second, then Captain Simpson's amendment was better than the Bill. For his own part, he did not agree with preventing Chinamen coming to the colony, as in many respects their presence was desirable. He had heard a good deal about their not contributing to the revenue and about their being an expense to the Government; but he was not prepared to agree with it. The population of Cooktown was 12,000, and of that number, 7,000 were Chinese; yet that population of 12,000 contributed more to the revenue than another district which had a population of 32,000. That did not look as if they contributed nothing to the revenue.

"Whereas great expense is incurred in maintaining order on the gold fields in consequence of the presence of large numbers of Asiatic aliens thereon."

So ran the preamble of the Bill, and he denied it. No disturbances owing to Asiatic aliens had occurred on the gold fields. He maintained that the "great expense" was incurred for the protection of Europeans as well as Asiatics. There was no fear of a conflict between the two races. The Chinese were a very quiet race; if the Europeans went to one part of the diggings, the Chinese went to another; and all the Chinese wanted was not to be interfered with. As to their running away from the aborigines and requiring police protection against them, which Europeans did not; a respectable storekeeper at Cooktown told him (Mr. Hart), some months ago, that the whites required protection just as much as the Chinese, and that when a blackfellow's "cooey" was heard, the white digger was the first to run. The Chinaman was no worse than others, and was not the cause at all of the heavy expense for police protection. He (Mr. Hart) should not vote on the question; as honorable members could understand that he felt a delicacy about it, being connected with the China trade.

The POSTMASTER-GENERAL: The honorable gentleman did not state what countryman his storekeeper was.

The Hon. F. H. HART: An Englishman.

The POSTMASTER-GENERAL: It had been found in the experience of the adjoining colonies that the presence of Chinese on the gold fields was liable to lead to disturbances between them and other nationalities. Unless the legislature guarded against such disturbances by police, they would occur here, the Chinese being already very numerous on the gold fields. The habits of the races were so opposed to one another, that a collision

might take place at any moment, if a large armed force was not maintained on the gold-fields to prevent it. How, as the Honorable Mr. Hart had asserted, could the expense be so great as to prevent the revenue benefiting by the increased charges? Would it be more expensive to collect three pounds than to collect ten shillings? He could not see it. If the Government had to collect the ten shillings, the higher fee could be as easily collected. There was no force in the objection. In answer to the Honorable Captain Simpson, he pointed out that the condition of the Chinese immigrant under such a state of things as the amendment suggested would be different from his condition under the Bill; in the latter case, he had only to produce his certificate of naturalization, or miner's right, or business license; in the former, he would not be able to prove that he had not arrived in the colony after the passing of the Act, because the procuring of the necessary evidence of a shipmate would be either an impossibility, or so expensive, as to be unjust and a hardship.

The Hon. A. H. BROWN said there would be great difficulties in collecting the fee payable for a miner's right. One man would hand his right to another, as was the practice with the license on the gold fields of New South Wales, years ago, when he (Mr. Brown) was working there. The revenue would fall short of what the Government anticipated. He thought they should have taken a different view of the subject. Encouragement should be given to the Chinese to come to the colony. He should be glad to see them coming here under regulations until they could be persuaded to settle down into other occupations than gold-digging. He did not, like some people, value the digging community as he did the tillers of the soil. The Government would have acted in a statesmanlike manner if they had thrown open the rich lands and given facilities for aliens to occupy them; and the result would be more beneficial to this country than the paltry return from the tax now to be imposed on the Chinese. However, he felt no alarm of Chinese hostility towards Queensland; we were quite able to take care of ourselves. The Collector of Customs was very anxious to see large revenue receipts. Well, it was necessary that some payment should be made by the Chinese for the wealth that they removed from the country; but he put it to the Postmaster-General that it would have been better if he and his colleagues had in consultation agreed to re-impose the gold export duty, rather than the exceptional mode now proposed for taxing a class.

The Hon. F. H. HART contended that it was the fearful expense of collecting the digger's license in Victoria that led to the imposition of the export duty on gold.

The POSTMASTER-GENERAL said that, before Government introduced the Bill, they consulted the wardens on the gold fields espe-

cially on the point, and asked the wardens whether they apprehended any difficulty or increased expense in collecting the additional taxes. The reply was—Not a bit; that they would be as readily collected as the present rates.

The Hon. F. T. GREGORY said the difficulty to be got over would be that of identification. As tokens were so easily struck, each Chinaman, as he paid his license, should get a token which he could wear round his neck and carry always with him as a proof that he had paid his license and was entitled to work. As to the occupation of the country by Chinese, he must confess that it might as well be occupied by kangaroos.

HONORABLE MEMBERS: Hear, hear.

The Hon. F. T. GREGORY: If they undertook agricultural pursuits, they might do a large amount of useful work; but that part of the subject might be left alone for the present. The real question in the Bill was, the imposition of increased taxation on the Chinese. He should vote for the first clause, which embodied that taxation. As to the second clause, which was under consideration, he could not support it. If the additional tax failed, after trying it for a year or two, impose still heavier taxation to gain the object in view. But he could not see why, for the benefit of a particular class, the European diggers, another class should be kept off the gold fields. The diggers were valuable in some respects; they were something superior to the Chinese, so far as the result of colonization went; a few, as much perhaps as 20 per cent., remained in the country and brought up families. Yes; they were preferable to Chinese. Under all the circumstances, he was not inclined to go further than increase the taxation upon the Chinese. He moved, therefore, by way of further amendment, the omission of the second clause of the Bill.

Question—That clause 2 of the Bill be omitted—put, and the committee divided:—

CONTENTS, 10.

The Honorables Sir M. C. O'Connell, J. Gibbon, W. Thorton, L. Hope, A. H. Brown, F. T. Gregory, W. D. White, W. H. Long, T. L. M. Prior, and J. F. McDougall.

NOT-CONTENTS, 5.

The Honorables H. G. Simpson, W. Yaldwyn, E. I. C. Browne, T. B. Stephens, and C. S. Mein.

Resolved in the affirmative, and clause omitted.

Clause 1—again put, as follows:—

"The sum payable by an Asiatic or African alien for a miners' right shall be three pounds and for a business license shall be ten pounds for each year during which the same is to be in force instead of ten shillings and four pounds respectively as by the said recited Act is provided

"And no miner's right or business license shall thereafter be issued to any such alien except on payment of such sums as aforesaid respectively."

The PRESIDENT, as before intimated, moved the omission from the clause of the words "an Asiatic or African," with a view to the substitution therefor of the word "any." He did not wish a distinction to be drawn between one alien and another. The right to mine on the gold fields of this colony was an inherent right of British subjects—inherent in those who had succeeded, through the power and the expenditure of money and force of the British Empire, to the right accruing to Her Majesty. He presumed that no one would dispute that the colonists could not for one month hold Australia had not Great Britain command of the seas; they would have to vacate the places they were now established in and leave them to the Chinese, or Russians, or anyone else who might cast eyes of covetousness upon the country. It was the position of Great Britain as the greatest maritime power of the world, which enabled us to hold possession of Queensland. When, therefore, other people wished to come here and share the riches that belonged by right to Her Majesty's subjects, it appeared to him that they should contribute somewhat more largely than British colonists for the privilege of mining. By the law of England, it was incompetent for an alien to hold land; but an alien might be naturalized and become a subject of the Queen. He (the President) did not know why the legislature should, in the Bill under consideration, draw a distinction between Asiatic and African aliens and those from the Continent of Europe or elsewhere. For those reasons, he proposed the amendment. British power surrounded and sustained the colonies. The present position of the colonies had been contributed to largely by the British tax-payer, and the subjects of the Crown could carry on their industries and enterprises in security. Therefore, miners of other nations and races might be fairly charged for a share in the advantages which they would enjoy here. But why the African or Asiatic alien should be selected for charge, in preference to the Frenchman, or German, or Russian, was not, he thought demonstrable. If his amendment was carried, the effect of the Bill would be the same; because the increased charge for business licenses and miners' rights would still be obtainable from Asiatic and African aliens.

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

The Hon. A. H. BROWN presumed that the President meant that the revenue would be further enhanced by fees for naturalization.

The POSTMASTER-GENERAL said he was very sorry that he could not agree with the President in his view of the question. If the amendment should be carried, the House would do a thing which would naturally irritate a valuable portion of the colonists whom the legislature had invited to come here. It was the policy of the law of Queensland to make a distinction between aliens of

European extraction and other aliens. European aliens could be naturalised on the day of their arrival in the colony, by going before a justice of the peace and paying four shillings and sixpence each for certificates; and in ninety-nine cases out of a hundred they took out letters of naturalization, because they then had the privilege of being able to hold land, and other advantages. Asiatic and African aliens could not become naturalised until after three years' residence in the colony, and only then if married and their wives were with them. The cases of aliens mentioned in the Bill and other aliens were diametrically opposed. The civilization of European aliens was the same as our own. If the amendment was made, the country would get nothing out of it that it did not get now. The probability was, that every person of European extraction on the gold fields was naturalized; and it was not likely that any party in power would instruct the officers of Government to prosecute any aliens of European extraction because they had not miners' rights such as were prescribed by the Bill.

The PRESIDENT said he was rather startled at the argument, that aliens would be irritated. Was it an insult to call a man an alien, who was such by birthright? All that alien meant, was, that the person to whom it was applied was not a subject of the British Sovereign.

The Hon. H. G. SIMPSON suggested that by the Bill, a subject of Russia born in Europe would get a miner's right for 10s. whilst one born in Siberia would be required to pay £3, for a miner's right.

Further discussion ensued; when

The PRESIDENT said, from the legal knowledge which had been laid before the committee, it appeared that the real signification of the term alien depended not on whether persons were subjects of the Queen, but whether we liked them or not. As he was not inclined to split hairs on the matter, he asked leave to withdraw his amendment.

Withdrawn accordingly, and the clause was then agreed to.

Clause 3—Penalty.

A consequential amendment was made, on the motion of the POSTMASTER-GENERAL, in the second paragraph, by the omission of the words referring to the prohibition from mining of aliens during the period prescribed in the second clause (two years).

Clause 4—Proof to be on defendant.

On the suggestion of the Hon. W. H. LONG, the maximum period of imprisonment was reduced from "six" to "three" months.

Clause 5—One justice may hear cases whenever the offender is found.

The Hon. F. T. GREGORY said that, looking at the class of men who were justices of the peace, the House should hesitate before giving power to one to act indiscriminately; and he moved an amendment to the effect that the "warden" of the gold field "or any

two justices" should adjudicate under the Bill.

The POSTMASTER-GENERAL opposed the amendment of the clause, on the ground that there should be no delay in dealing with offences under the Bill.

The committee divided on the question, and adopted the amendment:—Contents, 6; Not-contents, 5.

On the resumption of the House, the Bill was reported with amendments.

TELEGRAPHIC MESSAGES BILL.

The House resolved into Committee of the Whole on this Bill.

The Hon. H. G. SIMPSON called attention to the circumstance that the preamble of the Bill did not set forth any reasons for the enactment. This was not usual, and no precedent for it existed in the British Parliament, nor in Victoria or New South Wales; and though he thought it was quite competent for the colonial Parliament to pass Bills in the form of the one before the committee, yet it was best to follow the usual form. He moved the insertion of the words:—

"Whereas it is expedient to amend the Telegraphic Messages Act of 1872 so far as regards returns to writs of election."

The POSTMASTER-GENERAL: He might mention that the recital was not in accordance with the provisions of the Bill. The Act of 1872 was not amended as regarded "returns to writs," but as to the definition of "any principal officer of Government." But, really, what did it amount to? If the mere statement of the desirability of amending an Act was all that was given in a preamble, it was surplusage, because the fact of the Parliament passing the Bill showed that it was desirable. He had just turned over the Statute-Book, and the first Act he came upon, the Supreme Court Act, by which four Judges were established for the colony, a very important Act, had no preamble such as the honorable member required. It was the practice of draftsmen, now-a-days, not to insert a preamble unless under very special circumstances. What was the necessity for giving the reason for saying a thing which was done whether that reason existed or not? In New South Wales, he had had something to do with drafting Bills under one of the most experienced draftsmen in the colonies, and his practice was never to introduce a recital where he could avoid it. A recital might not be in harmony with the body of the Bill. He was sure he could show other Acts of the colony in the same form as the Bill, and also Imperial Acts. It would be inconvenient to assert the principle contended for on the present occasion, because if an amendment was made in the Bill it would be delayed for a week, as the House could not adopt the report to-day.

The Hon. H. G. SIMPSON admitted that the last argument had some weight, if it had

not been that the honorable gentleman representing the Government failed to give effect to his expressed wish on the second reading to pass the Bill through all its stages in one day.

The POSTMASTER-GENERAL said the insinuation of the honorable gentleman was unjust, ungenerous, and possibly beneath contempt. He had consulted honorable members about the desirableness of pushing the Bill through all its stages in one day, and had found that the general opinion was that it was not worth while to do so. The fact was, that in order to receive the Bill, he had kept the House together at great personal inconvenience to honorable members and to himself. If the honorable member and others were so anxious about it, why did they not suggest its being pushed forward yesterday? The honorable Captain Simpson might have kept his observations to himself and not have imputed motives which had not the shadow of existence.

The Hon. H. G. SIMPSON said certain honorable members had told him that when the first reading of the Bill was taken, though they objected to going further then, yet they would have been glad to have passed it through all its other stages after it had been read the second time.

The POSTMASTER-GENERAL: Why did not they say so?

The Hon. H. G. SIMPSON: Because the Bill was in charge of the honorable gentleman.

The Hon. J. F. McDougall bore testimony to the Postmaster-General having asked him to go on with the Bill; but he refused, as there was nothing on the paper for the next day.

The PRESIDENT said it appeared to him that the lesson the House ought to learn from the debates on the Bill, was, that it was absolutely necessary a Parliamentary Draftsman should be appointed to prepare Bills for the two Houses, and in order that some system of drafting should be maintained. When the question was mooted, the other day, out of curiosity, he confessed, he looked through certain authorities in the library, and he could not discover any instance of a Bill having been placed before the Imperial Parliament without a preamble in the form now proposed. He was aware that other Acts of this colony commenced in the same way as the Bill, and perhaps there was no great inconvenience in allowing it to pass as it was; but he hoped that the honorable gentleman representing the Government would promise the House that he would endeavor to impress on his colleagues the necessity of their having a draftsman and an uniform arrangement. He concurred with the mover of the amendment that exception should be taken to the slovenly form of drafting, and that the House should insist upon the form which he presumed was the correct one.

The Hon. F. T. GREGORY concurred in the objection raised by the Honorable Captain

Simpson, but urged the withdrawal of the amendment.

The Hon. A. H. BROWN said, notwithstanding the instances in the Statute Book, the constitutional practice should be adhered to.

The question for the insertion of the words was put, and the committee divided:—Content. 5; Not-contents, 5.

The CHAIRMAN gave his casting vote with the Not-contents, because it had been the practice, often, to adopt the style of preamble in the present Bill.

On the resumption of the House, the Bill was reported without amendment, and the report was adopted.