

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

MONDAY, 9 OCTOBER 1876

Electronic reproduction of original hardcopy

LEGISLATIVE ASSEMBLY.

Monday, 9 October, 1876.

Speaker's Ruling.—Navigation Bill.—Port Albany Bill.—Municipal Endowments Bill.—Fire Brigades Bill.

SPEAKER'S RULING.

The SPEAKER: I think it right to call the attention of the House to a letter published in the *Brisbane Courier*, signed by the honorable member for Warrego, with reference to a ruling given by me in this House on Thursday last. Honorable members are aware that when a ruling is given by the Speaker, it is the voice of the House, unless it is dissented from; but if any honorable member should dissent from the ruling, he must show that he does not acquiesce by moving a motion that the House disapproves of it. But in this instance the ruling to which I refer has been, and as I must now point out, improperly, made the subject of a subsequent newspaper correspondence. Although the House has no power of dealing with the publishers of the newspapers, I think it necessary to put myself right, because the ruling which was given by me is mis-stated in the letter which I hold in my hand. It is here alleged, that when the motion for the postponement of the Orders of the Day was put on the first occasion, I said that if any objection was taken, the motion could not be put. Now, I never said anything of the kind. The honorable the Minister for Lands moved that the Orders of the Day (general business) and Notices of Motion (general business) might be postponed, and I explained to him that the Notices of Motion could not be postponed in that manner, but must be postponed individually by members who had charge of them. The matter is correctly stated in "Votes and Proceedings":—

"Order of the Day No. 1 (general business), having been read,—

"Mr. Douglas moved, That the whole of the Orders of the Day (general business) be postponed until Order No. 1 (Government business) had been disposed of.

"Debate ensued.

"And Mr. Walsh objecting to the question being put, the Speaker ruled that, the question

being quite in order, the unanimous consent of the House was not necessary to enable the Speaker to put it from the chair.

"Whereupon question put."

In the *Brisbane Courier* of the following day, it is also stated that before the honorable member for Warrego had risen, I had already drawn the attention of the honorable member the Secretary for Lands to the fact that his motion could not be put, and that the motion for postponement could be put without the consent of the House. The *Courier* says:—

"The SPEAKER said he thought it would be necessary for the notices of motions to be postponed separately as they were called on, and the motion for postponement was altered so as to apply only to the general business orders of the day.

"Mr. WALSH said he was quite sure the motion could not be put. No member could undertake the postponement of business of other members.

"The SPEAKER said the Orders of the Day were the property of the House, and it was competent for the House, if it saw fit, to postpone the whole of them."

And subsequently,

"The SPEAKER said that the motion for the postponement of the Orders of the Day could be put without consent, and the House could decide upon it."

I think it is quite clear, from these extracts, that I did not make the statement attributed to me by the honorable member for Warrego in his letter, and further, such a statement was quite inconsistent with my conduct in putting the question when the member for Warrego objected. To remove any misapprehension, I will again state my ruling, namely, that when the Order of the Day for the second reading of the Friendly Societies Act was called on, it was quite competent for any member in the House to move the postponement of that Order of the Day, and the whole of the Orders of the Day might have been postponed *seriatim* by each order being made the subject of a motion; but in accordance with the practice of the House of Commons since 1856, it has been the custom by a general order to postpone all the orders, instead of reading and postponing each Order of the Day separately, as was the practice before that time. I omitted on Thursday last, when I declined to put the motion for the postponement of the Orders and Notices of Motion, to point out to the honorable Secretary for Lands that he might have obtained his object by allowing the first motion to be moved, and then moving as an amendment that the House should proceed to the next Order of the Day. I am glad to see, however, that although the honorable member for Warrego has taken objection to my conduct in putting this motion from the chair, it is exactly in accordance with his own ruling when, he was Speaker, for the following notification ap-

peared in "Votes and Proceedings," of the 1st July, 1874:—

"The remaining Orders of the Day (Government business) and the Notices of Motion (General business) postponed, until Order of the Day No. 1 (General business) had been disposed of."

That was without consent of the House, and without notice of motion or anything else.

Mr. WALSH: What business was that, sir?

The SPEAKER: The Insolvency Bill, of which the honorable the Attorney-General had charge. I have only further to say I am anxious no misunderstanding should arise on this subject, and that it should be clearly understood that the motion could be put without the consent of the House. It is not likely I should have stated that the motion could be only put by consent of the House when I afterwards proceeded to put it in the face of the honorable member's objection.

NAVIGATION BILL.

On the motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Legislative Council's amendments in this Bill.

The House having resumed,

The COLONIAL TREASURER moved—

That the report be adopted.

Mr. PALMER moved—

That the question be amended by the omission of all the words following "That," with a view to the insertion, in their place, of the words, "the Bill be recommitted, with a view to the reconsideration of the Legislative Council's Amendment in clause 115."

His reason for doing so was, because he took exception to the Legislative Council exceeding its functions, as it had done, by inserting a provision that vessels proceeding to sea with coal should only pay half pilotage, which was, in fact, reducing taxation.

The PREMIER said that, whilst he agreed with the honorable member for Port Curtis, that the Legislative Council had exceeded its functions by the amendment they had made in the clause, he thought it was a distinction without a difference, as vessels frequently went away with coal as ballast instead of stone. He thought there would be no great harm in allowing the amendment to stand, although, as he said, the Council had exceeded its powers. Again, the amendment would not increase the burdens on the people, but lighten them.

Mr. McILWRAITH: They had no right to make the alteration.

The PREMIER said he was aware of that; but he would point out that the amendment would assist what he hoped before very long would be a large and important industry in the colony; and on that ground he trusted the honorable member for Port Curtis would not persist in his opposition to the amendment.

Mr. BAILEY objected to encouragement being given to an industry by what was a trick; the amendment of the Council did not mean a vessel going to sea with coal for ballast, but a vessel proceeding to sea with coal, which evidently meant a vessel taking coal as cargo and not as ballast.

Mr. BELL said he was opposed to the amendment of the honorable member for Port Curtis. Taking the question as regarding the burdens upon the people, there was no doubt that it was an indirect way of increasing the burden upon the people, as increasing the coal trade would increase the burdens on the people. He believed that the Constitution Act, on which the honorable member for Port Curtis took his stand, referred to direct taxation; but if they went into the the question of indirect taxation, they might go on *ad infinitum*, as there was scarcely a clause in the Bill which would not indirectly increase the burdens on the people. As the amendment made by the Legislative Council was not direct taxation, he believed it would not come within the scope of what was intended by the Constitution Act.

Mr. J. SCOTT said the clause of the Constitution Act was to this effect:—

"Provided that all Bills for appropriating any part of the public revenue for imposing any new rate tax or impost subject always to the limitation contained in clause 62 of this Act shall originate in the Legislative Assembly of the said colony."

There was no Standing Order bearing upon the point at all; but by their Standing Orders it was stated that, where they were silent, the House should adhere to the practice of the Imperial Parliament, and according to "May's" practice, the Upper House could not in any way alter any impost for increasing or decreasing the burdens on the people.

The SECRETARY for PUBLIC LANDS said that he thought the objection which had been raised by the honorable member for Port Curtis was a good one, and he should support it.

The ATTORNEY-GENERAL said he thought the amendment of the Council was one which they should deal with according to their own Constitution Act, instead of by the practice of the Imperial Parliament. He thought it was an important point that that House should preserve its privileges, and, therefore, he was in favor of the objection taken by the honorable member for Port Curtis.

Mr. THOMPSON said he did not think it was desirable to raise any difficulty in the present case with the other branch of the legislature, as he believed there was nothing in the Constitution Act to warrant the Assembly in objecting to such interference.

The question was put—That the words proposed to be omitted stand part of the Bill, and was negatived.

The question--That the words proposed to be inserted be so inserted, was agreed to, and

The question--That the Bill be recommitted, with a view to the reconsideration of the Legislative Council's amendments in clause 115, was passed, and the House went into committee.

On the motion, by the COLONIAL TREASURER, that the report of the committee be adopted,

Mr. BELL rose to a point of order. He thought it was a question whether honorable members of the Government, who had moved the adoption of the Council's amendment, could afterwards turn round and vote for not agreeing with it.

The SPEAKER: What is the point of order?

Mr. BELL: Irregularity on the part of the Treasury benches.

Mr. WALSH said that there was no doubt that a debate would arise on the question which had just been raised in regard to the amendment made by the Legislative Council. He was not in the chamber at the time of the discussion, but he had been informed that after the Government had voted for the amendment of the Council, they had turned round and voted against it. They first moved that the amendment be agreed to, and then that it be disagreed to, and recommitted the Bill for that purpose. It seemed to him that that was worthy of comment, and worthy of record. He did not care about it himself, except that all their proceedings in that House should have at any rate some weight with the country.

Mr. IVORY thought the Government did not occupy a very enviable position, as there was not the slightest doubt that they had moved the adoption of the amendment of the Legislative Council, and he must say that he had been more than surprised to find that they were opposing the point they had previously supported. He thought some explanation should be given by the Government of their conduct. He was at present entirely in the dark on the subject, and he certainly thought the position taken by the Government was not such a one that any Government should occupy.

The ATTORNEY-GENERAL said there had been no vacillation at all on the part of the Government. The honorable Treasurer moved that the amendment of the Legislative Council be agreed to, and the motion was carried. Then the honorable member for Port Curtis, who had a perfect right to do so, called attention to the fact that the amendment, if agreed to, would be an infringement on the privileges of the Assembly, and as it was the first duty of the Government to see that those privileges were not infringed upon, they assented to the recommitment of the Bill.

Question put and passed.

PORT ALBANY BILL.

The COLONIAL TREASURER said, in rising to move the second reading of the Bill to repeal the Act declaring Port Albany a free port, he had merely a few remarks to make. In 1866, when the Act referred to in this Bill was introduced, it was deemed advisable, in consequence of the opening and extension of settlement in the neighborhood of Torres Straits, that every facility and inducement should be given to the parties forming the settlement at Somerset, and in view of that desire, the Bill making Port Albany a free port received the assent of the legislature. It was now considered that as a number of years had passed, and having afforded an opportunity for settlement, and considerable population having actually located there, they might now fairly come under the operation of Customs duties in the same way as other portions of the colony. He had been informed that there were about 700 people at Somerset at the present time, and the settlement was in a flourishing condition; and they were consequently well able to bear Customs duties on merchandise introduced at that port. And there was another reason why this Bill should pass, and it was this: The Government settlement was in course of removal from Somerset to Thursday Island, in the Prince of Wales Group, and it would be undesirable, supposing Thursday Island were made a free port, to have another free port in the immediate vicinity. A very considerable trade in connection with the pearl-shell fishery was being conducted in the neighborhood of Port Albany, from which no revenue accrued to the Treasury; and although he was not prepared to say the extension of Customs duties to Somerset would necessarily attract any considerable revenue from those who were engaged in the pearl-shell fisheries in the neighborhood, inasmuch as they, at all times, would doubtless be supplied with goods in bond, still, considering that the settlement had fairly taken root there, and that it did not now require that nursing or fostering which was first given to it, when the Bill now proposed to be repealed was introduced, he thought they might fairly ask that it should be placed in the same position as other parts of the colony in regard to Customs duties. And there was even a stronger reason. By the facilities afforded for the conveyance of merchandise by the mail steamers, goods might be landed at Port Albany, he was informed, at a lower rate of freight than many other ports of the colony--such as Cooktown and the other northern ports--could be supplied at. It was with the view of endeavoring, if possible, to obtain more revenue for the Customs Department that this Bill had been introduced; and he thought, as there was no longer any necessity for Port Albany to be exempted from Customs duties, the Bill might fairly be

now read a second time. He, therefore, moved—

That this Bill be now read a second time.

Mr. BELL said the Bill in its present shape should have his most strenuous opposition. If the Government had been prepared to bring in simultaneously with this Bill a measure making the settlement to which they were removing the present settlement at Somerset a free port, he should have supported it. He of course did not object to the removal of the settlement from Somerset to Thursday Island, and the Government making that a free port; but the reason which the honorable the Treasurer had advanced, namely, that a considerable settlement had now been formed at Somerset and its neighborhood, was the very reason why he thought it ought not to be exempted from that freedom which had hitherto existed at that port. The original intention in passing the Act making Somerset a free port, was to endeavor to establish a second Singapore, and now having formed the nucleus of a second Singapore, which he hoped at some future time to see it, or that it would arrive at a position comparatively great, he thought the necessity existed to a still greater degree to maintain it as a free port. They had heard from the honorable the Colonial Treasurer that settlement had taken place; and if a second Singapore, or anything approaching it, could be established there, it would be of the greatest possible benefit to the colony, and the fact of it being a free port would not in the slightest degree detract from the Customs revenue. Whether Customs duties were levied on Thursday Island or not, he was perfectly satisfied that New South Wales would supply in a great degree those engaged in the pearl fisheries in those waters, and therefore the question of Customs duties did not arise. But having now considerable trade in connection with the pearl fisheries, through which a thriving settlement had sprung up, and having a place where ships of all nations could freely go, he thought the experiment ought to be further tried in this colony. There had been no reason shown why it should not be otherwise than advantageous to the colony, and he hoped the Government would give a promise if the second reading of the Bill was passed, that they would bring in a Bill substituting Thursday Island as a free port, in place of Port Albany.

Mr. WALSH said he trusted honorable members would not take the promise of the Government at all, that if the second reading of the Bill was passed, they would change the free port from Port Albany to Thursday Island. He could quite understand the motives of the Government in introducing this Bill. The people at Port Albany did not do business with Brisbane; the general idea was that the only direct trade was between Port Albany and Sydney, and the

Government now brought in this Bill to punish them; that was the meaning of it. But he knew that the people of Port Albany did a large trade in the northern parts of the colony; as much as they could. They got nearly all their provisions and carried on considerable trade with Townsville and Cooktown; but he knew the Government were jealous of them because they did not bring their business down here; and hence the origin of this Bill. He was opposed to the Act it was now proposed to repeal, on far higher grounds than those taken by the Government. He believed the effect of it was to make differential charges upon their fellow colonists—that while one portion of the colony at Port Albany contributed no duties at all, in other portions the people were heavily taxed through the Customs. He opposed the measure when it was introduced, but it was sanctioned, notwithstanding his protest; and now when a thriving settlement had sprung up, after they had established the commencement of a second Singapore, which would bring enormous revenue to the colony—at that very moment they found this Brisbane Government proposing to remove the settlement because the people there did not trade with Brisbane, but with the North—they brought in this crippling Bill to nip the settlement in the bud. It was completely worthy of Brisbane, and the origin of the Bill, he firmly believed, was what he had said. If there was to be a new settlement at Thursday Island, and the people at Port Albany would have to remove there for protection, why at the same moment inflict upon them this change in the Customs laws? It was a most inopportune moment to harass them with such a measure as this. It was entirely of a piece with all the actions of the present Government, and he was astonished that any honorable member could say there was any goodness in it. It had been objected that there had not been a large business done with Port Albany; but the real cause was, it was in the wrong place, where ocean steamers and sailers would not call, and they now proposed to establish the settlement at a place where they would call, after having obtained all the information and advice they could as to where the settlement should be. And now they were going to harass and check their ocean shipping trade, he did not hesitate to say, by the Bill they had been discussing that afternoon. He should oppose this Bill, because he saw the object of it, and was sure what the effect would be. There was nothing he so ardently wished to see as a large thriving seaport in some portion of the colony which would somewhat resemble Singapore.

Mr. PALMER though the honorable member for Warrego gave very good reasons in the early part of his speech for supporting the Bill. He (Mr. Palmer) could see no reason

why there should be a distinction between one portion of the colony and another, or why, while the inhabitants of the colony generally were paying very heavy Customs duties, a few people up at Singapore—he apologised for having mentioned the name in connection with Port Albany—Port Albany should be completely exempted. And there was an additional reason. The great majority of the people up there were not even Queenslanders, but came from the neighboring colonies, and he could not see why they should be exempted from taxation. The pearl-shell-ers up there from New South Wales were in proportion of twenty to one compared with those from Queensland, and they received their goods absolutely duty free. As for establishing a second Singapore at Port Albany, it was a dream that would never be realised. He remembered when Port Albany was made a free port, and he thought it was wrong; and he wished the honorable member for Warrego had adhered to his first argument, that it was wrong to make differential duties on the inhabitants of the same colony.

MR. WALSH: You did not say so then.

MR. PALMER said he did not think he said anything at all about it, and if he did, he apologised. If the honorable member for Warrego had ever visited Port Albany or Thursday Island, he would not have gone on in the high falutin style he had done. Why, one would think they were going to remove a colony of 10,000 inhabitants at the very least. The last time he (Mr. Palmer) was at Somerset, which was not very long ago, there was, in addition to the Government buildings—which were so rotten that the police magistrate was afraid to sleep in them when it blew hard, and camped outside—one small shanty or store; and whether a large town had sprung up by magic during the night without anybody hearing of it, they did not know; but that constituted the settlement at that time. Why, even the blacks had died off there to a man, according to the latest accounts, and the colony was absolutely keeping up a very expensive establishment simply for motives of humanity, and it was now a long time since even a shipwrecked crew found their way there. He thought removing the settlement to Thursday Island would be much more efficacious in saving the lives of shipwrecked crews, if it were made more generally known that there was such a place, because nine out of ten ships knew nothing about Somerset, and they kept away to the westward. The picture the honorable member for Warrego had drawn about ocean steamers and sailing vessels going there was a dream of the future, because he was positive vessels of that kind would never go there unless they were obliged to do so. They had to go out of their course, and through rather difficult channels, and when they had a broad straight channel before them, they were not likely to go there except in case of distress.

And if they came to trade, who was there to trade with? With the exception of a few pearl fishing boats which might be there sometimes, there was no one. A stray missionary found his way there occasionally, and had the use of the Government buildings while he remained there, and beyond that, there was no settlement, and never had been, except, of course, the Government settlement. He hoped the Government would not promise to make Thursday Island a free port. He thought it should fare just the same as the rest of Queensland, and if it could not go ahead while paying the same duties, he thought it had better be kept for the purposes for which it was originally intended—the saving of lives. He was prepared that the colony should pay even more than its share for that purpose, but he did object that the colonists of New South Wales, who were, as he had previously said, in proportion of twenty to one amongst the pearl-shell-ers, enjoyed an immunity from taxation, while at the same time they were taking away most valuable property.

The PREMIER thought it was high time that the other colonies contributed fairly towards the support of this settlement. Queensland had been long enough maintaining the port at very great expense. It was intended that when Port Albany was made a free port, the other colonies should contribute towards its support; but now, it was known they contributed little or nothing; and this colony had also gone to very heavy expense in lighting the coast between here and Somerset. With regard to the argument of the honorable member for Warrego, that if this Bill were passed, Thursday Island should be made a free port, he would point out that if that were done, it would at once legalize smuggling, because boats could easily go over to the main land, and if they made Thursday Island a free port it would be useless to try to collect duties at the port of Albany. He hoped the honorable member for Warrego would withdraw his opposition to the Bill, and let it go through.

MR. J. SCOTT said one thing occurred to him, and that was, he did not think they would be justified in passing this Bill, because Port Albany was originally established by contributions from the other colonies and the Imperial Government, with the proviso that it should be a free port. It was only the other day he saw a despatch from the Imperial Government in which it was proposed to contribute £2,000 towards the expenses of the port; and also, more recently, they proposed to pay a portion of the expense necessary for removing the settlement from Port Albany to Thursday Island, or wherever the port might be established. He did not know whether it was a money contribution or not, but, at all events, they offered the use of a man-of-war to remove the old settlement to the new site; and he doubted, under those circumstances,

they should be justified in passing a Bill of this kind.

The question—That the Bill be now read a second time, was then put, and the House divided:—

AYES, 26.

Messrs. G. Thorn, Griffith, Dickson, Douglas, Stewart, Palmer, W. Scott, Beattie, MacDonald, Tyrel, O'Sullivan, Graham, Lord, J. Thorn, Macrossan, Fraser, Amhurst, Stevenson, Low, Morehead, McLean, Ivory, Kingsford, Morgan, Foote, and Edmondstone.

NOES, 5.

Messrs. Thompson, Walsh, Bell, J. Scott, and Haly.

MUNICIPAL ENDOWMENTS BILL.

The PREMIER said, in asking honorable members to agree to the second reading of this Bill, he might state that it contained the pith or essence of the Local Government Bill, which formed a portion of the programme of the Government, but owing to the lateness of the session, and the press of other important business, and the Bill being a lengthy one, it would be impossible to get it through this session. It seemed to him very hard and anomalous that people living in certain towns and districts of the colony who had incorporated themselves into a municipality, and provided their own revenue, should cease to receive from the State any assistance in making their streets or roads, while at the same time people living in other parts of the colony who were quite as wealthy, but who had failed to bring themselves under the Municipal Institutions Act, received from the State sufficient to make their roads and bridges, and also to provide, to a certain extent, sanitary precautions for the safety of the people. And in addition to this, those who had incorporated themselves into municipalities also contributed their share towards making roads and streets and bridges in districts not incorporated. He could point out several towns which were not incorporated at the present time, such as Charters Towers, Gympie, and Stanthorpe, which contained large and wealthy communities, and he said it was not at all creditable to those places that they had not long since formed themselves into municipalities, instead of having to depend on the Government of the day to make their streets and roads for them. He might state that in New South Wales and Victoria the system of terminal endowments had ceased, and in lieu thereof, permanent endowments had been made the law of the land on something the same system as proposed in this Bill.

Mr. PALMER: This is Groom's Bill.

The PREMIER said it was. The first clause repealed sections 87 and 88 of the Municipal Institutions Act of 1864. Section 87 provided that for the first five years of the existence of a municipality, endowments should be made in amounts equal to the rates collected, and after that, for the next five years,

the Government should provide a moiety of one-half the rates collected; and for the last five years, the moiety was not to exceed one-fourth of the rates. This the Government proposed to repeal, and also section 88, which provided that one-third of the proceeds of the sales of Crown lands within the boundaries of a municipality should be paid to that municipality, and that when more than one-half of the lands had been alienated, the sum might be increased to one-half the amount received for those lands. The second clause of the Bill provided that for each of the first five years after the incorporation of a municipality, a sum of £2 instead of £1 should be given for every £1 raised by the municipality, and in every subsequent year a similar amount to that raised should be paid. Clause 3 made provision for existing municipalities; and clause 4 provided that where a municipality became snuffed out, and a new one was constituted in its place, the new municipality should

"for the purpose of estimating the amount of endowment payable under this Act be deemed to have been receiving endowment for the period during which the extinct municipality received the same."

This, he would point out, was highly necessary, because otherwise they should find municipalities dying out and being reincorporated, and the result would be that for every £1 they raised they would be entitled to £2 for the first five years. He thought if the Bill passed, the State would really be a gainer by it, because the amount now paid from the proceeds of land sales would not be paid away, and he believed it would be the means of inducing certain populous and wealthy towns and districts to come under the Bill, and form themselves into municipalities. He begged to move, without further comment—

That the Bill be now read a second time.

He was not aware that there would be any opposition to it.

Mr. PALMER said he was not going to oppose the Bill, but he hoped the Government would see their way to introduce a clause abolishing endowments of land.

The PREMIER: It does; it repeals the 88th clause of the Act.

Mr. PALMER said he had no objection to the principle of the Bill; in fact, he thought it was impossible for some municipalities to get on without some measure of the kind; but in committee, unless the Mayor of Brisbane did so, as he thought he ought, he (Mr. Palmer) should move an amendment. The Bill, as it now stood, threw the whole responsibility on the mayor of the municipality of receiving the money, by requiring him to give a receipt under his own hand, and he (Mr. Palmer) should move an amendment that the receipt be countersigned by the town clerk, and sealed with the municipal seal. He thought that was a very necessary pro-

vision, and with that exception, he had no objection to the Bill.

Mr. WALSH said he was perfectly sure this Bill was the result of a conspiracy on the part of certain towns of the colony against the colony at large. People who were scattered all over the colony were to be called upon to contribute to the support of municipalities, and they had not even been told by the honorable the Premier, who introduced the Bill, or by the honorable the Treasurer, to what extent the colony would be called upon to subsidise those municipalities; and they had no idea of the amount they were asked for. They were asked to pay twice the sum any mayor or town clerk might choose to say was the amount of rates collected in a particular town. Was ever such a crude Bill introduced into any legislature before? He could not understand how the Government, or anybody who had the welfare of the colony at heart, could introduce such a measure. He maintained the people in all parts of the colony should receive an equal share of the public revenue, and such would not be the case if they passed this measure, which he believed the narrowest-minded mayor in the colony would hardly conceive. After the unseemly squabbles they had lately seen exhibited in the municipality of Warwick, he should like to know if the Government would, on the dictum of the mayor and town clerk of that town, hand over from the Treasury twice the amount of money these two worthies chose to say had been received as revenue? He thought it was perfectly monstrous. The Bill would, no doubt press heavily upon classes who were not immediately interested in municipal improvements, and who had nothing in common with the municipalities. He could safely say it would be a direct tax upon the district he represented, and notwithstanding all the taxation at present imposed upon them, he could not find that there was any corresponding liberality of members representing municipalities towards them. It would be well that this should be particularly understood. If there was the slightest spirit of reciprocity exhibited—if he found that the inhabitants of the Warrego, for example, or the mining populations had their wants attended to in anything like a proper manner, he should not object; but when he saw the shameful way in which whole districts that contributed to the revenue of the colony were totally ignored in the Estimates except for the purposes of collection of revenue, he felt justified in pointing out and protesting against the distinction made between the expenditure of money in certain favored spots, and the total neglect of other places. He wished honorable members would take these things into their serious consideration, because the matter was now becoming too notorious to be much longer concealed; it was approaching the dimensions of such a grievance that sooner or later it would lead to a result which would neces-

sitate retaliation. After these municipalities had been pandered to, propitiated, and propped up for a number of years, what could justify the Government in coming down and asking for the continuance of a subsidy which had worn out the very statute that called them into existence? In the Act which they were now called upon to repeat, the time laid down in which the municipalities were to receive assistance was five years, and it was considered that this was sufficient time to give existence and strength to the young municipalities of the colony. Now, they had gone on far beyond that period, and were called upon to renew the subsidies—not for five years, but as far as he could see, for all time—from the general purse of the colony, and in so peculiar a way, that they would be for the sole benefit of the municipalities. He took exception to the way in which this Bill was nursed by the Government, and could not see why they were so anxious to pass it to-night, or, in fact, what they had to do with it at all. The Bill was introduced by a supporter of the Government, moved by him (the honorable member for Toowoomba), pursuant to notice, and, on his motion, the House resolved itself into a Committee of the Whole to consider the Bill. There was nothing in all these resolutions that sanctioned the direct interference of the Government, or that sanctioned the Bill being taken up as a message from the Assembly to the Governor. The honorable member for Toowoomba carried two abstract resolutions, neither of which signified that the matter should become a Government measure, or that it would become the subject of a message from His Excellency, and he demanded to know upon what grounds the Bill had been taken out of the honorable member's hands. There was no order of the House that the Governor should take the course he had taken, and no order, request, or wish that the Government should nurse the Bill. It was a very serious matter, and he did not hesitate to say to honorable members that this Government were making so much use of His Excellency's name, that it was apparent His Excellency wanted advisers to point out that they were making use of him in a manner that was unparliamentary and unconstitutional. By what right was His Excellency called upon to recommend that which the House had not asked, and which the Government themselves had not proposed? It was not only unconstitutional, but what they had not been accustomed to see in the colony. While honorable members were joining together to pass measures and get through the end of the session, they continually saw these abuses of the Governor's prerogative, of the use of his name in the Assembly, and of parliamentary privilege. He asked again, by what authority did the Premier take this measure up to the Governor and ask him to inflict this extra taxation upon the country? He (Mr. Walsh) cared not whether the money

was spent or not; but he did care for preserving the constitutional rights of Parliament, and protecting the Government from these usages and innovations that were contrary to all that any Governor had ever been introduced to before, and that led to practices which were as new as they were improper. Through the kindness of the honorable the Colonial Treasurer, he had obtained an approximate estimate of what this Bill would cost the country if it became law. He found that the various municipal revenues of the colony were estimated for 1875 at £16,229, and it was only fair to suppose that in 1876 it had advanced 25 per cent.; the amount, therefore, might be put down at £20,000, and that under this Bill would probably mean £30,000, because the municipalities that had only been of recent creation, would claim twice the endowments that had been given to older creations—municipalities like Brisbane, Ipswich, Rockhampton, and Warwick, whose subsidies, being worn out, were to be renewed in this Bill. Let the sum, as a rough calculation, be put down at £25,000; even that was a most serious sum at the present time when throughout the length and breadth of the land it was beginning to be generally felt that the Treasurer could not make both ends meet. What did they find in the Estimates? How had the Colonial Treasurer, who apparently sanctioned this extra change, arranged to meet it? On page 21 there appeared "Endowments to municipalities, £4,000." Was it not enough to startle honorable members, that the Government should without authority, except that of a private member whom they wished to please, coolly propose to augment the endowments to municipalities to this enormous extent, and bring down a Bill which they had no business to bring, and that was in defiance of their own Estimates, for the sole purpose, he did not hesitate to say, of propitiating a few members of the House who were likely to support them? When some honorable member the other evening introduced a Bill for the purpose of increasing the efficiency of the Friendly Societies Bill, the honorable the Colonial Treasurer said he felt it to be his duty to protect the revenue, and that it was his solemn duty to see that there was no strain upon it. The utmost strain that the proposal then made would have involved was two or three hundred pounds. This was what the Brisbane Colonial Treasurer did; but when, for the purpose of propitiating two or three of their supporters, a demand was made that would create a charge upon the revenue of £16,000 or £18,000 beyond his own Estimates, the Government supported it; more than that, they took it out of the hands of a private member and introduced it; and more than that, they induced the Governor to do that which was contrary to all practices heretofore pursued by Executive action. He (Mr. Walsh) could not possibly support a Bill of this description—a Bill which, to his

mind, was unrighteous in the extreme. The country ought not to be called upon to pay such a subsidy to the municipalities. He did not see why his constituents and the inhabitants of the gold fields should be called upon to subsidise the municipalities of Brisbane, Ipswich, Maryborough, Roma, Toowoomba, Warwick, and other places in the colony that were unimportant as compared with the gold fields; and he should therefore vote most strenuously against the second reading of the Bill.

Mr. MORGAN said he had looked through the Bill, and thought it was a very good one, and would support it cordially. He had listened attentively to the remarks that were not in the usually playful style of the honorable member for Warrego, and in reply to that honorable member, begged to say that the Municipal Council at Warwick that had been concerned in the unseemly affair in that town had purged themselves of the offence, and he for one was very glad of it. In many of these bodies it was, perhaps, only natural to find that at first they did not proceed with that dignity that so well became a deliberative assembly, however humble its functions might be. It was within the memory of most honorable members, that one very important town in the colony elected an Asiatic as an alderman, and that was very nearly as ridiculous as the scene that occurred at Warwick. The Bill before the House had been described as emanating from conspiracies in the towns against the country constituencies. He denied the statement. What would the country constituencies be but for the towns? What would the honorable gentleman himself be without the towns, whose markets he could attend, to sell and buy—where he could take part in public meetings and other proceedings that he could not do on the Warrego, at least at present? The honorable member, no doubt, inadvertently dropped into a mistake which he begged to correct; he talked about the endowments to municipalities being for only five years. In the first Municipal Act that was passed, the endowment was for fifteen years, and now by the lapse of time some were not entitled to any endowments after the 28th of June last. The municipality he represented was in that position. As to the Bill having been taken from a private member and adopted by the Government, what had it to do with members on either side of the House whether the Bill was a Government or private measure? The question for honorable members to decide was, whether there was any good in the Bill; if there was, it mattered not from which side of the House it came.

The House divided with the following result:—

AYES, 19.

Messrs. G. Thorn, Dickson, Douglas, Griffith, Stewart, Thompson, Palmer, Kingsford, Edmondstone, Morgan, McLean, O'Sullivan, Fraser, J. Thorn, Lord, Beattie, Foote, Graham, and Tyrel.

NOES, 7.

Messrs. Walsh, Bailey, McIlwraith, MacDon-ald, Haly, Macrossan, and W. Scott.

The Bill was accordingly read a second time.

FIRE BRIGADES BILL.

The COLONIAL SECRETARY, in moving—

That this Bill be now read a second time,

said that he would state briefly the reasons why he had undertaken to bring it forward. They were partly because there were a number of fire brigades in course of formation in various parts of the country, and there was no proper provision made for conducting them on any uniform system; and partly because there had already been some disagreement with those already in existence. In accordance with a resolution passed at a meeting held in Brisbane, at which were represented the Corporation and the different insurance companies, a deputation had waited upon him and had asked him to introduce a Bill to define the duties of different persons, and to place the whole of the brigades under some proper system. The principle proposed by the Bill was, that the various fire brigades should each be under a board, at which all the different contributing parties should be represented, and which should be composed of not less than three persons, namely, the mayor of the town, a representative of the insurance companies, and some officer of the Government. The Bill also provided for assessing the insurance companies, as the support now given by them was voluntary. Then again, it would be necessary for the towns in which the fire brigades were formed to apply to be brought under the provisions of the Bill. He believed, on the whole, the Bill would be found to work much better than the system now in force, which could not be said to have been carried out with satisfaction to all parties. There was also a very important provision made in it which threw upon the superintendent of the brigade, the whole responsibility of pulling down buildings for the purpose of arresting the spread of fire. That power had hitherto been left in the hands of the mayor of the town, but as that functionary was not always present at a fire, buildings had been pulled down at the risk of the persons doing the work. He had stated the principal features of the Bill; but would also mention that the Government would not be bound by it to subsidise any brigade, but any money assistance would be dependent as hitherto, upon a vote of the Parliament. Nor was there anything in the Bill to compel the municipalities to pay a subsidy, but he presumed most of them would follow the example of the Brisbane Corporation, which had annually voted a sum of money. In addition to the fire brigade now in existence, he believed that there were others in course of formation, which he presumed would be subsidised by Parliament out of the one fund.

Mr. BAILEY said he should support the second reading of the Bill with the hope that, when it was in committee, the eleventh clause, which referred to Government subsidies, would be left out. He was not sure whether the Bill before them was the last of the municipal Bills, or whether there would be another introduced by the Government asking Parliament to assist the municipalities in building churches. He did not see why country districts should be called upon to contribute to the support of fire brigades in the towns, but he quite agreed that provision should be made in the Bill to force the insurance companies, who ought to be the principal contributors, to assist in supporting the brigades by their contributions.

Mr. BEATTIE said he intended to support the second reading of the Bill, but for a very different reason to that assigned by the honorable member who had just sat down. He thought it was absolutely necessary that institutions like fire brigades should be encouraged. He did not agree with the honorable member in his opposition to the eleventh clause, and he thought that honorable members had forgotten that the Government had valuable property in almost every township, and that, as they did not insure their property, a small contribution from the Government to local fire brigades was, in fact, money well spent. He thought the Bill could be made a very good one, and when it was in committee he should be prepared to move several amendments having reference to the constitution of the proposed boards, and the vesting of the apparatus of the brigade in the boards. He was glad to see that the seventh clause had been altered, as it was necessary that some alteration should have been made in reference to the returns to be made to the Government or to the board. As to the necessity of a Fire Brigades Bill being introduced, he might inform the House that he had received communications from six or seven of the provincial towns throughout the northern and southern portions of the colony, asking for information respecting the apparatus necessary for the extinction of fires; but without some small assistance—although persons were willing to form themselves into brigades for the purpose of extinguishing fires—and some legislation to bring pressure to bear on the insurance companies and other local bodies, it was nearly impossible that such brigades could be established. He believed that the Bill would encourage the formation of fire brigades throughout the colony, and he was certain that if it had been in existence, the town of Maryborough would not have suffered so severely as it had done from fire some short time ago, there being no efficient body to exercise a little authority when that fire broke out. There would be some few alterations required to make the Bill a perfect measure, and he hoped those would be made when it was in committee. He did not look

upon it as a local Bill so far as Brisbane was concerned, as the brigade in Brisbane had always been contributed to by the insurance companies and the municipality, and, lately, by the Government; at the same time, the value of property in the city was very great, both insured and uninsured. He must express his anxiety that the Bill should be passed, in order that the formation of local fire brigades throughout the colony might be encouraged; and he trusted, therefore, that it would be allowed to pass the second reading.

Mr. McILWRAITH certainly did not think that a Bill like that before the House, and which like the one which had preceded it, involved the expenditure of public money, should be allowed to go to its second reading without some remarks from the honorable Colonial Treasurer. They had not heard from that honorable gentleman how the money was to be found, nor had the honorable Colonial Secretary told them how the Bill was to be carried out. He could not see on what principle they could force insurance companies to support fire brigades. It was not their business to extinguish fires, for if fires were unknown, or it was the rule that they were to be effectually suppressed, those companies would soon be extinguished themselves; it was well known that they made more business when there were plenty of fires. Then again, there was no arrangement for forcing municipalities to contribute to the support of brigades; and if they did not do so, certainly the Government should not be called upon to contribute—although the honorable member for Fortitude Valley said that unless some assistance was given, no fire brigade could be established. The Bill was also very indefinite as to how the members of the brigades were to be paid; it certainly said, in proportion, but how much in proportion? The only thing he saw was, that in some way or other money was to come out of the Treasury. He did not believe in the principle of the Bill, and if any honorable member called for a division, he should vote against the second reading.

Mr. PALMER said he hardly thought he could object to the Bill going to its second reading, but he must say that it was about as vague as the explanation of it which had been given by the honorable Colonial Secretary. As the honorable member for Maranoa had remarked, why should insurance companies be forced to contribute to the support of fire brigades? Again, why should the apparatus, for which the men themselves had had to pay, be vested in a board? It appeared that the mayor of a town was to be an *ex officio* member of the board, whether the municipality contributed to the support of the brigade or not. The Bill might go to the second reading, but whether the honorable Colonial Secretary would recognise it or not when it came out, he could not say; he, for one, should be prepared to pro-

pose a great many amendments in it. He thought it was a very lame Bill indeed; it might be necessary to have a Fire Brigades Bill, but it should be a very different one from that now before the House. It seemed to him very strange that the Government could not find some more important business to go on with. They were constantly accusing the Opposition of delaying the business of the country; but why had they not gone on with the Estimates that day instead of with a Bill like the one before them? There was no necessity for it at all, for Brisbane would not be burned down any the sooner if such a Bill was not passed; in fact, it was playing with honorable members to ask them to consider such a measure, when there was so much other and more important business before them.

Mr. WALSH said that in regard to the present Bill, he entertained the same opinion that he did of the one which preceded it—that it was for the purpose of obstructing or delaying the whole business of the country. The Bill was pregnant with difficulties. It appeared to him that the Government wanted to make the whole country as pliant as their own supporters, and that having secured the municipal councils by the Bill just read a second time, they now wished to secure the support of the fire brigades. Why, every brigade would be bound to support the Government of the day, if the Bill passed, for it provided that every brigade should receive assistance from the Government. It was an attempt on the part of the Government to get almost every public body in the country within their influence, and he would warn honorable members who now supported the Government that they would see when it was too late what had really been the cause of the potent influence of the Government in withdrawing the people of the colony. He was sorry that the honorable member for Fortitude Valley should have agreed to support the Bill, because, knowing as he did how zealous and active an officer he was of a fire brigade, he felt that whilst sitting in that chamber, the honorable member would always feel that he was under the suspicion of being bound to support the Government for the benefit of the fire brigades, in which he took such great interest. Of all men who should be thoroughly independent, were the members of fire brigades.

The question was put and passed.