

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 18 OCTOBER 1876**

---

Electronic reproduction of original hardcopy

## LEGISLATIVE ASSEMBLY.

*Wednesday, 18 October, 1876.*

Petition.—Adjournment.—Navigation Bill.—Stamp Duties Act Amendment Bill.—Resumption of Runs in the Settled Districts.—Settled Districts Pastoral Leases Bill.

## PETITION.

Mr. KINGSFORD presented a petition from the Municipal Council of Brisbane against the passing of the Fire Brigades Bill.

The petition having been read, the honorable member moved that it be received.

Mr. BEATTIE said he did not rise with the intention of opposing the receiving of the petition, but simply to call the attention of the House to one or two allegations in it.

The SPEAKER: The honorable member cannot raise a debate.

Mr. BEATTIE said he did not intend to raise a debate. He wished to call attention to the truthfulness of the petition.

The SPEAKER: The honorable member cannot address the House on the subject of the petition without debating it. It is contrary to the Standing Orders, that any debate should take place on the presentation of a petition. A future day may be appointed for that purpose.

Mr. BEATTIE said, surely if an honorable member was aware that the contents of a petition were void of truth, it was his duty to call the attention of the House to the fact that the allegations in it were untrue. That was the only reason he had in rising to point out to the House—

The SPEAKER: The honorable member cannot debate the petition on its presentation; it must be done in the proper way. The 211th Standing Order says:—

“Every such petition not containing matter in breach of the privilege of this House, and which, according to the rules or usual practice of the House can be received, shall be brought to the

table by direction of the Speaker, who shall not allow any debate, or any member to speak upon, or in relation to, such petition.”

Mr. WALSH said the matter resolved itself in'o a question of privilege—whether the petition presented by the honorable member for South Brisbane should be received, it having been stated by another honorable member that it contained falsehoods. He thought the only way to get out of the difficulty was, for the House to order the petition, before it was received, to be considered by a committee, as to the truth or incorrectness of the allegations in it. He made that as a suggestion. He did not intend to discuss the merits or demerits of the petition; but there were two members, one of whom was bound to testify to its accuracy, and the other stated that the allegations in it were untrue. Therefore it was simply a question whether the House should receive the petition or not, until these varying statements were shown to be correct or incorrect. He suggested that the Mayor of Brisbane, after the statement made by the honorable member for Fortitude Valley, should himself give notice of motion for a select committee to inquire into the truth of the allegations in the petition.

Mr. KINGSFORD said he could not accept the statement that the petition was void of truth, and he thought the onus of proof lay with the honorable member for Fortitude Valley.

Mr. BEATTIE said he had no wish to disobey the ruling of the honorable Speaker, but it was notorious that the first paragraph of the petition was untrue, and if honorable members would tax their memories, they would find it was untrue.

The SPEAKER: The honorable member is debating the petition. I think the proper way would be to move, that it be referred to a Select Committee.

Mr. BEATTIE asked, Was it competent for him to move, at the present time, that a Select Committee be appointed?

HONORABLE MEMBERS: Yes.

Mr. BEATTIE said, then, with permission of the House, he should move that a committee be appointed. He had not had time to consult honorable members as to whether they would act on the committee, but if those whom he would nominate would act on it, he would move, as an amendment—

The SPEAKER said: The petition must be received by the House before any action can be taken, and if it is now received, the honorable member for Fortitude Valley can table a notice of motion for to-morrow or some subsequent day, for the appointment of a Select Committee, and that will give him time to communicate with members with respect to serving on the committee.

Mr. WALSH said the House could, at any stage of its business, order a petition to be referred to a committee. He trusted he should not be disputing the honorable the

Speaker's ruling in saying this, but he was quite sure, at any moment, the House could stop the proceeding, and order it to be referred to a committee.

The SPEAKER: I suggested to the honorable member for Fortitude Valley that it would be more convenient to give notice of motion for a future day, because, he could consult members as to whether they would act on the committee.

Question—That the petition be received—put and passed.

#### ADJOURNMENT.

Mr. BAILEY said he rose for the purpose of calling the attention of the Government to a current report to the effect that the diggers in the North had, at last, concluded to resist the invasion of the Chinese in the northern territory. A report had come down that the Chinese had actually been prevented from landing, lately, at Trinity Bay, and he wished to know from the Government what steps they intended to take in the matter if the diggers persisted in preventing the Chinese landing at the northern ports of the colony. He moved—

That this House do now adjourn.

The COLONIAL SECRETARY said this matter had come under his notice two or three days ago, and he at once telegraphed to the Police Magistrate who had been sent down from Cooktown to Trinity Bay, to use every endeavor to allow the Chinese to land without being molested, and if necessary to call in every available means in his power to insist upon their being allowed to land. The matter was dealt with as soon as it came under the notice of the Government.

Mr. MACROSSAN said he should like to know from the honorable member for Wide Bay what authority he had to make use of the word "diggers" in connection with this attempt that had been made at Trinity Bay to prevent the Chinese from landing? Did he suppose for a moment that the people at Trinity Bay were diggers? They were not diggers at all; and he thought the diggers might claim to have used a great amount of forbearance with the Chinese, and that it was quite out of place to apply the term "diggers" to a number of people—adventurers from the different colonies—who had gone to Cooktown and other northern ports. He thought the honorable member should be better informed before he used that term in connection with what had taken place at Trinity Bay.

Mr. BAILEY said, in explanation, he might state that he knew there was great antagonism on the part of diggers to the invasion of the Chinese; he knew they rather resented the intrusion of the Chinese, and hearing that at this new port diggers had congregated, and that the landing of the Chinese had been

resisted, he had concluded, perhaps incorrectly, that they opposed their landing.

The SECRETARY FOR PUBLIC LANDS said he rather agreed with the honorable member for Kennedy. He did not think that amongst the temporary inhabitants of Trinity Bay there were many diggers at the present time. He received information himself from Mr. Sharkey, in the first instance, that the persons congregated there had prevented certain Chinamen, brought, if he mistook not, by the "Lord Ashley," from landing, and Mr. Sharkey, though a magistrate, was not in a position to take any action to prevent it, not being backed up by any means. He believed that gentleman had protested against this conduct, but he was not in a position to back up his opinion. In addition to what had been stated by his honorable friend, he might inform the House that Mr. St. George had been ordered from Cooktown to Trinity Bay, and as he had had considerable experience in dealing both with Chinese and diggers, and with the somewhat rowdy customers that were to be met with at such new settlements as this at Trinity Bay, he (the Secretary for Lands) had no doubt he would be able to deal effectually with any demonstration of the kind that might be attempted on any subsequent occasion.

Mr. J. SCOTT said he had intended to move the adjournment of the House, in order to call the attention of the Government to a paragraph which appeared in that morning's *Courier*, to the following effect:—

"That although forty miles of rails are wanted for the Northern Railway, and Mr. Ballard's work will be stopped for want of rails six weeks hence, the last two vessels leaving Great Britain for Rockhampton direct were unable to get any railway iron as cargo. It further transpired—in consequence, we presume, of the instructions wired to London to "ease off" emigration to Northern Ports of Queensland—that arrangements had been made by the London Emigration Office not to send any more emigrant vessels to Rockhampton this year."

Now, he wished to point out two things that followed from this. In the first place, if it were true that the railway works would be stopped for want of rails, it would be a very serious matter, because it was almost impossible for carriers to travel in that portion of the colony in consequence of the state of the country from the malarial plague; and unless the railway was pushed on rapidly, communication with the interior would be stopped altogether. Another very material point was this: As he understood, the Government were bound by contract to have six vessels a year coming to the North, or twelve in two years—four to Rockhampton and two to the other ports each year, and he was now led to believe that the Government had broken the contract. If there was any truth in this report they certainly had, and he should like to hear some information in regard to it,

and also whether they really intended to knock off immigration to the Northern ports in this way?

The PREMIER said, in answer to the honorable member for Springsure, he might state that since he had been in office, which was a very short time, he had sent home instructions that steel rails should be sent out to Rockhampton as rapidly as possible; and he could state that there would be a ship laid at once on the berth at London for Rockhampton. It had been stated that Mr. Ballard, the engineer of the Northern Railway, would be out of rails in six weeks, but he did not think such would be the case. At all events, a vessel was about to leave England in a few days, which would bring a sufficient supply to enable Mr. Ballard to almost complete the work. He might say the Government had been very active, so far as the Northern Railway was concerned, and, in fact, all the railways of the colony.

MR. J. SCOTT: Is it true that the last two vessels could not get rails?

The PREMIER: I am not aware.

MR. WALSH said he had been very much struck by the paragraph the honorable member had referred to. He thought it an admirable comment on the manner in which the Government conducted their business. A stranger arrived in the colony, and went to the Colonial Secretary, and said, "You are not getting rails fast enough to carry on your works." "Are we not," says the Colonial Secretary; "if we are not, I will order them forthwith by cablegram." He did not wait to consult the head of the department. It was no use the honorable the Premier shaking his head. That gentleman, a stranger, knew what was wanted in the Railway Department better than the Government themselves, apparently. He saw that they were deficient in rails to carry on the railway works on the Northern Line, and he said his firm was laying on a vessel direct to Rockhampton, thus supplying the very want the Government were in need of. But the honorable the Colonial Secretary did not say, "I will consult my colleagues on the subject"; he said, "All right; I will send a cablegram and order them to be sent." At least, out of decency, he (Mr. Walsh) thought the honorable gentleman ought to have consulted the officer in charge of the department, to see whether the statement was true that rails were required for the purpose of carrying on the construction of their railways. But no! he said "All right; I will send a cablegram—your request shall be gratified." That was a peculiar way of managing the public affairs of the colony. He had no doubt that this gentleman who had just arrived from home did know the wants of the colony better than any member of the Ministry, and he thought the colony ought to be grateful to that gentleman—that stranger—for having informed the Government of such an apparent need. But still the House should take into consideration that

they had a Government that needed the information and advice of a stranger, and should take warning by the result.

The PREMIER said the honorable member for Warrego knew as well as he did that all correspondence with the Agent-General's office went through the Colonial Secretary's office. The honorable the Colonial Secretary had consulted him (the Premier) in this matter, and only the other day he (the Premier) gave instructions that rails should be sent to Rockhampton by all vessels leaving London direct for Rockhampton, and if it were possible, they should not be sent at all by Moreton Bay.

MR. BUZACOTT said the House would remember that a short time ago he asked the honorable the Premier if it were correct that the vessels sailing for Rockhampton direct were compelled to bring out fire-bricks, because they were unable to procure railway iron; and his answer was, he did not know that it was the case, and at all events he had sent instructions that railway iron should be sent out whenever opportunity offered. Afterwards, he (Mr. Buzacott) intended to have taken further steps in the matter, but was informed by the honorable the Colonial Secretary that he had telegraphed to England, in order to have railway iron sent out to Keppel Bay direct, whenever opportunity offered. The other day, when he was at Rockhampton, he had been surprised to learn that there were two first-class vessels on their way out to Rockhampton or Townsville with immigrants, and they had been unable to get any railway iron as freight. Of course, as soon as he returned to Brisbane he made it his business to call upon the honorable Colonial Secretary; and it so happened that one of the owners of the vessels in question was prepared to accompany him and substantiate the complaint he had to make against the department. The matter was laid before the honorable gentleman, who could only explain that a telegram had been sent to England in July last, ordering that rails should be sent out direct to Rockhampton by every opportunity. The honorable gentleman could tell them nothing more than that, except what had been already mentioned in that House—that instructions had in the meantime been sent home to ease off immigration. It also transpired at their interview that no immigrants were to be sent to Rockhampton until next December, and consequently that no railway iron would be sent. He had also ascertained that on the Northern line there was only sufficient railway iron to enable the engineer to go on for another six weeks, and that if he did not receive a fresh supply by that time, the works would either be stopped, or, at least, seriously interfered with. He must do the honorable Colonial Secretary the justice to say, that he at once promised that he would consult with the Premier; and he (Mr. Buzacott) believed that the result of that consultation was that a

cablegram was sent to England to the effect that a full cargo of rails should be sent to Rockhampton by the first opportunity. He thought the House would see that there had been some serious mistake committed by the Government, or the authorities at home, if not something worse. For a long time there had been complaints that the railway works were in danger of being stopped from want of railway iron, but he could get no satisfaction on the subject; and he feared that, unless some steps were taken, they would find that instead of the line being completed within the time promised by the engineer, it would take very much longer. If there was any necessity for the delay—if it could not be helped, he should be the last man to complain; but he held that there had been something more serious than a mere mistake; and it certainly appeared as if either the responsible Minister of the department or the officers in the department were determined to delay the progress of the works on the Northern Railway. He hoped there would be no more delays after the matter had been thus brought under the notice of the Government.

Mr. STEVENSON said, it appeared to him that the Government were designedly trying to increase the cost of the Northern Railway at all hazards. What with the difference of the freight caused by sending rails *via* Brisbane, and the cablegrams they had heard of, he thought that when the cost of the Northern Railway was counted up, it would be something considerable. There was no doubt that the work had been much delayed through the material not being shipped direct. Then, again, he had been informed that sometimes rails were sent without chairs, and sometimes the chairs without the rails; altogether, he thought the Government should show more care about those things. Speaking of the Northern Line, he should like to know why the returns, which had been moved for some time back, of the surveys in connection with its extension had not been laid on the table, as, on the last occasion on which he had mentioned the matter, he had been told that they would be ready in two days. He should take advantage of the motion for adjournment to allude to the report in that day's *Courier* of the debate on the proposed resumption of runs. That report made him make certain statements, whereas he had not spoken on the question at all.

Mr. DE SARGE said that, amongst all the blunders of their railway works, and the expensive jobs which had been carried out in this colony, it was refreshing to see at least one line that was being constructed with energy and economy, and that was the Northern line; and if the Government would only keep pace with the energy of the engineer of that work, he was informed that at least thirty miles would be finished within twelve months. He agreed with the remarks of the honorable member for Rock-

hampton, for as fine a ship as they could see in their waters had lately arrived at Rockhampton without any rails. It was all very well to talk about sending a cablegram home; but Mr. Ballard, if that vessel had brought some rails, would have been saved some delay which must occur, notwithstanding the assertion which had been made by the Premier. He had it on the best authority that there must be delay, and that if the Government had showed the same energy that the engineer had shown, he would have been able to make even forty miles in the twelve months.

Mr. PALMER said that there was one matter which had not been referred to at all during the present discussion, and concerning which nothing had transpired; he alluded to what had been termed easing off of immigration. He believed the House had said quite enough to warrant the Premier in sending home instructions not to ease off immigration; but they had now heard from other sources that, instead of being eased off, immigration to Rockhampton had been stopped altogether—or, at any rate, that there was not to be any until after December. Was that easing off, or had the honorable gentleman discovered that it was impossible for him, under the Act, to ease off immigration, and that he was bound to send out so many ships in the course of the year? As regarded the non-shipment of railway material, there was no excuse whatever for such a blunder. There must be some mistake either in the Agent-General's office at home or in the department here; for no such accident could otherwise occur as sending out ships direct to Rockhampton without railway iron, unless, indeed, it was intentional. He believed that the neglect was of set purpose, and that the object was to play into the hands of Brisbane men. With respect to the easing off of immigration, the House wanted some more information than what had been already given, for it was not easing off, but stopping immigration altogether; because if it was correct that the Government had sent home instructions that no more ships were to be sent to Rockhampton until after December, that was equivalent to stopping immigration altogether, and that the Government had no power to do in any way.

The COLONIAL SECRETARY said he wished to answer some of the remarks which had been made by the honorable member for Port Curtis and other honorable members as to easing off immigration. There had been no fresh instructions sent home since those which had been laid on the table of the House, and they simply stated that if the nature of the contract would admit of such a thing, it was desirable that the number of ships taken up for the northern ports should be reduced. Those were the only instructions which had been sent home; but he had since ascertained that by the contract, the Agent-General had no right to take off

any ships; but as the terms of the contract, ran in such a way that all the six vessels for the northern ports might be despatched at any time, the London office might have thought, in view of the instructions sent to it, that it would be best to wait until the end of the year before sending any ships to the North. He might say that after the matter had been under discussion by the House on a previous occasion, he had sent to the various northern ports for reports of their probable requirements for immigrants, and their capabilities of absorbing them. Those reports were now coming in, and some were far from favorable; when all had been received, he would lay them on the table of the House; but there had been no fresh instructions sent home, such as were referred to by the honorable member for Port Curtis. As regarded the non-shipment of railway material, the present Government could not be held responsible for the complaints made. Very soon after they took office, it was represented to them that some of the vessels laid on the berth for Rockhampton had a difficulty in getting dead weight, and he immediately telegraphed to England that the opportunity should be taken to send rails by vessels going direct to the North; but that did not imply that the contractors should be allowed to charge whatever freight they thought fit, and the difference in the freight was, perhaps, the reason why the agent at home had sent the railway material *via* Brisbane. That was what was done immediately on the Government taking office. So far as the paragraph referred to by the honorable member for Springsure was concerned, the latter part of it was entirely wrong as to the stoppage of the vessels. It was quite true that he had been waited upon by Mr. McIlwraith, one of the owners of the vessels under contract to take immigrants to the northern ports, and that that gentleman had expressed his willingness to carry rails. His honorable colleague, the Minister for Works, was absent in Ipswich at the time, but he sent a telegram to him on the subject; and after some consultation his colleague decided to accept the offer of Mr. McIlwraith, and to send home instructions to have the rails sent out to Rockhampton direct. He hoped, therefore, that any difficulty would be relieved.

Mr. IVORY presumed that the matter of the scarcity of rails at Rockhampton having been brought under the notice of the Government by various honorable members, the Government would take care that some of the material lying idle at Brisbane was sent to the North at once, in order to avoid any stoppage of the works there. It was all very well for the Premier to say that he had the best intentions for all parts of the colony; but they knew that with all the honorable member's good intentions he was constantly making mistakes. There was a certain place said to be paved with good intentions, but they all knew that good in-

tentions would not govern a colony. There must be somebody to blame in regard to the railway material not having been sent, and all the Premier's good intentions would not mend the matter, and something more was required than his assurance that he was doing his best. Actions were wanted, not promises.

Mr. McILWRAITH said there was another matter he wished to bring under the notice of the Government, and he would take advantage of the opportunity then offered to do so. He wished to point out what he considered a defect in the plans and books of reference of certain railways which had been laid on the table of that House for some little time past. He found that whilst the manner in which they had been prepared was a credit to the department, they did not contain the information which the House wanted. In regard to the Maryborough and Gympie line, he might mention that there were two or three alternative lines, and it would be impossible, unless a member was a professional man, for him to understand which line had received the approval of the Government. He would suggest to the Government, whom he believed were desirous of giving the information, that one plan should be prepared, showing all the deviations on each line, and all the alternative lines. Honorable members would remember that he moved that the correspondence between the Government and their officers in reference to the railway surveys should be laid on the table without any delay; but it was delayed in the printing office—although no blame could be in any way attached to that office—and some time elapsed before the return was furnished. If what he had suggested was done, there would be no difficulty in honorable members making themselves acquainted with the various lines; but if it was not, honorable members would be entirely in the dark upon the subject; and the result might be, that they might fall into the same mistakes they had done before, namely, of adopting lines of which they knew nothing, and which they did not intend to have. He wished, therefore, to see the whole of the alternative lines and deviations shown on one plan, so that honorable members would understand at a glance their different merits as far as their length, &c., was concerned.

THE MINISTER FOR LANDS, with the permission of the House, would say a few words in reply to the honorable member for Maranoa. He had had prepared for his own information a plan which he thought would contain a great deal, if not all, that the honorable member required, as regarded the Maryborough and Gympie line, as it indicated all the deviations. He would now lay that plan on the table.

The question of adjournment was put and negatived.

## NAVIGATION BILL.

The COLONIAL TREASURER moved—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, to consider of the desirableness of introducing a Bill to consolidate and amend the laws relating to the Marine Board, navigation, pilotage, harbors, lights, and the keeping and carriage of gunpowder.

Mr. PALMER submitted that the question could not be put, as in accordance with their 56th Standing Order :—

“No question or amendment shall be proposed which is the same in substance as any question which during the same session has been resolved in the affirmative or negative.”

Now, the question had not only been put during the present session, but had been decided in the affirmative, and in the negative too. The amendments made by the other branch of the Legislature had been negatived, so that the question came especially under the 56th Standing Order; and he appealed to the honorable the Speaker for his ruling on the point. Under certain circumstances, he admitted that the question might have gone on, but that should have been when the Bill came down from the other House; immediate action should have been taken, but it was not taken. The honorable Attorney-General always took any remark of his in regard to the Government business getting into a muddle in such good humor, that he hoped the honorable member would receive his remarks now in the same spirit. He believed that when the Bill came from the other House it was treated irregularly, and that it should have been, after the motion that the amendments of the Council be taken into consideration, that the motion for setting the Bill aside should have been moved. In that case, he believed the action of the Government had been totally wrong, and also that by not going on with the fresh Bill immediately, they had barred any action on it during the present session. He knew that the honorable the Attorney-General had quoted from “May” to a certain extent the other day; but if the honorable member had gone further he would have found, that even supposing he had taken the proper course, he could have gone no farther with the Bill, if one honorable member only objected. That course had not been taken, however, but the one which the Government had taken had, in his opinion, utterly barred them going any further with either the Navigation or the Stamp Duties Bill, during the present session. The honorable Attorney-General, on the previous evening, in replying to some observations of his, stated, in regard to his action in reference to the two Bills, that he had followed a precedent set by him (Mr. Palmer) in a previous session. He knew that the honorable member was fond of following his precedents, but if he had done so he would have been more correct. The honorable

member had not followed his precedent in regard to the Payment of Members Bill, as that Bill was introduced on a message in reply to an address from the committee which embraced the whole plan of the Bill; but that was not the action taken by the Government in regard to the Victoria Bridge Bill and the Payment of Expenses of Members Bill, and they found out their mistake. He thought it would be admitted that the Government made a muddle of those Bills, and he could mention several other instances where the honorable Attorney-General was not so right as he had tried to lead the House to believe he was on the previous evening. For instance, the honorable gentleman concocted with the Premier a motion to the effect that two members of that House should certify to a division which never took place. He saw the two members of the Government put their heads together, and although the Premier moved the motion, there was no doubt that the Attorney-General was a *particeps criminis*, and aided in its concoction if he did not move it. He could mention another instance in which he thought the honorable gentleman was not right; he did not think the opinion given by him was quite correct in regard to the resignation of the late Speaker, but, on the contrary, was quite wrong—although the honorable gentleman had told the House with great solemnity that, after four hours’ deliberation, he was clearly of opinion that the Speaker had not retired. He thought the late Speaker had retired, and that the four hours’ deliberation had not assisted the honorable member’s judgment in any way. He mentioned those things as the Attorney-General had been so good-tempered on the previous evening after one of his little corrections. He thought that the present question could not be put, and he asked for a ruling on the point.

The SPEAKER said that in reference to the point of order raised, the 56th Standing Order, quoted by the honorable member for Port Curtis, was the same as the 130th Standing Order of the House of Commons, the only difference being the words “shall not” in the one, and “may not” in the other. He found that “May” said, in regard to the point now raised—

“A common practice, however, has since grown up, with the sanction of both Houses, by which these rules are partially disregarded. When the Lords, out of regard for the privileges of the Commons, defer the consideration of the amendments made by the committee on a Bill, received from the Commons for a period beyond the probable duration of the session, it is usual, if such amendments be otherwise acceptable, for the Commons to appoint a committee to inspect the Lords’ journals; and, on receiving their report, which explains the position of the Bill in the Lords, to order another Bill to be brought in. This Bill often has precisely the same title, but its provisions are so far altered as to conform to the

amendments made in the Lords. With these alterations it is returned to the Lords, received by them without any objection, and passed as if it were an original Bill. Such a Bill is not identically the same as that which preceded it: but it is impossible to deny that it is 'of the same argument and matter,' and 'of the same substance.' This proceeding is very frequently resorted to when the Lords' committee have inserted clauses imposing rates or tolls, or have otherwise amended a Bill involving charges upon the people. The House of Lords cannot agree to such clauses or amendments, without infringing upon the privileges of the Commons, and the Bill is therefore dropped; but the Commons, by bringing in another Bill, and adopting the amendments to which, in themselves, they are willing to agree, avoid any clashing of privileges; and the Bill is ultimately agreed to by both Houses."

Further on he said:—

"A proceeding somewhat similar may arise, when a Bill is returned from the Lords to the Commons, with amendments, which the latter cannot, consistently with their own privileges, entertain. In that case, the proper course, if the Commons be willing to adopt the amendments, is to order the Bill to be laid aside, and another to be brought in."

He found also that "Cushing," writing on the same subject, said that laying aside a Bill simply amounted to its withdrawal. It would be seen that, according to the practice of the House of Commons, as laid down by "May," the passage of a Bill through the House constituted one question which was not finally determined until the Bill passed beyond the jurisdiction of the House.

Mr. WALSH wished to point out that the authority quoted by the honorable Speaker did not say that the same Bill should be brought in during the same session, but merely that another Bill should be brought in. Their own Standing Order was very clear upon the subject, and no reference to "May" was required. If the Speaker would remember, in reference to the first quotation he read, the words "opportunity of reconsideration" occurred; but the vote given by the honorable gentleman himself prevented any reconsideration. If that vote had been given on the other side, then an amicable arrangement might have been come to with the other chamber. He did not dispute for one moment that the honorable Speaker's ruling should govern that House, but he thought, in the face of their own very clear Standing Order, that the quotations which had been made from "May" did not apply to the question.

The PREMIER said he wished to point out, that if the Bill had been brought in and negatived, the case would have been different, and that then the 56th Standing Order might have been applied to it.

Mr. THOMPSON said he did not rise for the purpose of disputing the ruling which had been given, but to point out how the House

had gone wrong in setting aside the Bill. The 247th Standing Order said—

"Amendments by the Council to public Bills shall be appointed to be considered on a future day, unless the House shall order them to be considered forthwith."

That was precisely like the House of Commons Standing Order, and if honorable members looked into the practice of the House of Commons, they would see that it was only in cases of emergency that the amendments made by the Lords in a Bill could be considered forthwith. That was borne out by "May," in page 522.

"By a Standing Order of the 19th July, 1854, Lords' amendments to public Bill are appointed to be considered on a future day, unless the House shall order them to be considered forthwith; and accordingly whenever expedition is necessary, an order that the amendments be considered forthwith precedes the consideration of them."

That was precisely like their own Standing Order, so that if the Government had seen the Standing Order, they should have got the House to order that the amendments be considered on a future day, and the difficulty which had arisen would not have occurred.

The ATTORNEY-GENERAL said he did not intend to make a long speech in reply to that made by the honorable member for Port Curtis, as he thought it was very inconvenient to take up the time of the House that day with reference to what had taken place on the previous day, nor did he feel inclined to do so. But if the honorable member was right in what he had said that day, he must most certainly have been wrong on the day previous. With regard to the Payment of Members Bill of 1872, the first introduction of it was by message from the Governor, whereupon it was read a first time without being considered in committee at all. It was true that an address had been previously presented to the Governor on the report of the committee requesting that a Bill of such a nature might be introduced, but that was because the Bill was taken up by a private member. In the case of a Government Bill, the Government recommended the Governor to transmit a message without an address. It was precisely analogous to the present case, and he did not see any necessity for discussing it farther. All the other charges made by the honorable member would be found to be sufficiently refuted on reference to "Hansard."

#### STAMP DUTIES ACT AMENDMENT BILL.

The COLONIAL TREASURER moved, pursuant to notice—

That this House will, at its next sitting, resolve itself into a Committee of the Whole, to consider the desirableness of introducing a Bill to amend "*The Stamp Duties Act of 1866.*"

This Bill, he said, was in the same category as the other, and he hoped there would be no opposition to the motion. He did trust that



after the honorable the Speaker's ruling, honorable members on both sides of the House would concur, and pass through the Bills, which were not party measures. The first Bill was one which had engaged the attention of the House for the past seven years; it had been highly commended by the authorities at home, and it would be a great pity, after the Bill had been so nearly passed through, as it had been this session, that the chambers, by standing apart through feelings of dignity, should jeopardise the position of the Navigation Bill, and prevent its becoming law. He hoped, after the honorable the Speaker's ruling, honorable members opposite would aid in passing both Bills as expeditiously as possible through the House.

Mr. WALSH said the Government were trifling with the business of the country. He did not believe these two Bills would pass through the House, and he did not believe the Government intended that they should. The Colonial Treasurer said these were not party measures, but he (Mr. Walsh) did not hesitate to say that a more disgracefully one-sided measure was never introduced than this Stamp Duties Act Amendment Bill, which made such a difference between one class of consumers and another; it was akin to the Chinese Bill, which they were not able to advise the Governor to assent to, and to which the Governor, if advised, could not give his assent.

Question put and passed.

#### RESUMPTION OF RUNS IN THE SETTLED DISTRICTS.

The COLONIAL SECRETARY, on the Order of the Day No. 1 (Government Business) having been read, moved, for the Minister for Lands—

That this Order of the Day be discharged from the paper.

Mr. WALSH said the proceeding was irregular. Notice should be given.

Mr. J. SCOTT: Am I to understand, sir, that the discussion upon this matter did not really take place till after tea yesterday?

The SPEAKER: Yes. The motion was moved in its proper form at 13 minutes past seven yesterday, and everything before that was informal, in consequence of the motion not having been read to the House. This has been already explained.

The MINISTER FOR LANDS said he hoped by to-morrow to be provided with a fresh notice of motion, to which he believed no exception could be made. Great care had been taken to correct any possible errors in the schedule, and to-morrow he would be prepared to lay the corrected list both of the summary and of the schedules upon the table. This, he considered, would be the most convenient way of meeting the question; and, as he proposed to give fresh notice to-morrow, he hoped the resolution would be taken into consideration on Tuesday; and by that time

he hoped to be in a position to bring the matter before the House in such a way as to render it unnecessary to discuss it in detail.

Mr. PALMER would like to know whether the Minister for Lands had discovered how these schedules came to be so grossly inaccurate. Had any one in the Lands Office been hung for it? It was rumored that two or three people in the office had been cashiered; and as reports of this kind generally gathered as they went, it would soon be stated all over the country that the Minister for Lands had hung two clerks.

The MINISTER FOR LANDS said he was happy to be able to assure the honorable member that no such dire event had occurred. The error, no doubt, was a very grave one, and he had felt bound to take notice of it by suspending the clerk through whose carelessness it seemed to arise, until full inquiries had been made. It appeared that there were two runs named Munduran in the index of the Lands Office books, and instead of copying the description of Munduran Run in the Wide Bay District, a run of the same name in the Port Curtis District had been inserted. The error had naturally led to great inconvenience everywhere, and he had considered it necessary to take decided notice of it in the manner he had indicated. The affair would be thoroughly investigated, so that it might be seen who was really to blame. He had taken advantage of the circumstance to have a thorough revision of the whole of the schedules, and to have them compared with the official descriptions in the office.

Mr. WALSH said he wished the Government would do their business in a more careful manner. They had made almost an equal number of blunders in the resumptions of land for the purposes of railway, as exhibited on the map they had supplied for the guidance of members, and he would defy any surveyor in the country to define the boundaries of the Wide Bay and Burnett district reserve. He knew as much of that district as anyone, and could affirm that the range alluded to as a starting point went in an entirely opposite direction to that indicated in the schedule. He was very glad to be able to correct the Government, and prevent the House from endorsing the mistakes made. The only object he had in view in pointing out these errors was, to see that the business of the House was done in a proper and formal manner; and if the Minister for Lands would let him give him another piece of advice, he would not attempt to bring up the schedules to-morrow, for he could promise him that if he did, he would be able to point out, not perhaps mistakes as glaring as those which had occurred, but at the same time very serious ones.

Mr. IVORY said he could state that, with respect to the Wide Bay reserve, none of the country had been surveyed. It was not laid down in any map published by the Government, and the House might be certain

that the reserves were not described with any accuracy.

Question—That the Order of the Day be discharged from the paper—put and passed.

#### SETTLED DISTRICTS PASTORAL LEASES BILL.

The MINISTER FOR LANDS moved,—

That this Bill be now read a third time.

Mr. BUZACOTT said at the time when this Bill passed the second reading, he had no opportunity of taking part in the discussion. From the manner in which the arguments of members on the Opposition side were received by the other side, he thought the Government would have been prepared to accept an amendment on the second clause of the Bill. The clause, however, being put to the House, was carried by a small majority—sixteen to fourteen, and he must confess he was perfectly astonished that the honorable members opposite, who had at any rate acknowledged the force of the arguments advanced against the clause, had not granted the very small concession that was asked. It was a concession that was clearly shown to be for the benefit, not of this or that party, nor of individual members, but for the benefit of the people of the whole of the settled districts of the colony. Since the division was taken, he had become more than ever convinced that a most serious step had been taken, and that the time which would elapse between now and the expiration of the ten years' leases under the Crown Lands Alienation Act, would be a time of great uncertainty and suspense; and the effect would be to cause such a depreciation in the value of pastoral property in the settled districts as must have a very detrimental effect upon the whole of the people of the colony, whether they lived in those districts and were engaged in pastoral occupations, or whether living in other districts engaged in other occupations. He did not think, on a calm consideration of the whole question, that any honorable member would consent to bring about a result like this with his eyes open; he would hesitate, and ask himself whether there was any actual necessity for a step of this kind. Had it been shown on the other side that by accepting the principle of appraisalment there would have been any serious diminution in the revenue, he for one would be quite prepared to say there was a strong reason for adhering to the auction system; but several honorable members on that side of the House had acknowledged that the auction system would not assist the Government, and that, so far as experience was any indication of the probable result, the auction system would tend to diminish rather than bring any accession to the revenue. He must again say, therefore, that he was extremely surprised when honorable members, the other night, by a small majority, affirmed the prin-

ciple of auction. He had reason to believe that there were one or two honorable members who, since the division, had seen their mistake, and who, if the opportunity were presented to them, would vote in favor of giving the pastoral lessee the chance of a new lease of his run at a fair assessment, with the option, if he did not accept the price fixed by the Government assessor, of having the run submitted to auction. He would, therefore, move:—

That the question be amended by the omission of all the words following the word "That," with a view to the insertion, in their place, of the words "the Order of the Day be discharged, and the Bill be recommitted."

The MINISTER FOR LANDS said that when the honorable member asked him whether he should have any objection to the recommitment of the Bill, he replied that as the House had come to a decision, he saw no reason why it should be recommitted. He intended to abide by that opinion; at the same time, he did not deny that the honorable member had a right to raise the question at that stage, and invite the opinion of the House upon it. The honorable member had suggested that when the House came to a division on the subject, the attendance was rather small; but now there were a larger number of members, who would have the opportunity of expressing their opinion. He believed the evils which, it had been asserted, were likely to be raised by the auction system, had been very much exaggerated. He adhered to his former opinion that such evils were not likely to arise, not only because it was a safe system, but because it commended itself to their resources as being more likely to secure a due proportion of rents to credit to the revenue. On this account he preferred the auction system. Although, as he had previously stated, the Government did not consider this a vital part of the measure, they still considered it was an important one, and could not yield the opinion which had been pronounced by the House on the point. He hoped, therefore, a decision would be taken. If the Bill was recommitted, the Government would be quite prepared to deal with it on its merits, with a view to devise the best legislative measure, not by auction, that the opinion of the House would sanction. He himself deprecated the reversion of the decision already arrived at. The honorable member had a right to secure this reversion if he could, and honorable members had a right to exercise their discretion in a matter which was not of vital importance to the efficiency of the Bill; what was of vital importance was, that some provision should be made for the renewal of the tenure at its expiration, and incidentally, it was of vital importance that they should secure this area for the purpose of selection, the remainder being made available in the best form they could make, namely leasehold. The question of auction

or appraisement he did not consider vital, and the Government were perfectly willing to take the sense of the House upon it.

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

The House divided with the following result:—

AYES, 11.

Messrs. G. Thorn, Griffith, Dickson, Stewart, Douglas, Kingsford, Morgan, J. Thorn, Fryar, Foote, and Beattie.

NOES, 20.

Messrs. Palmer, McIlwraith, Thompson, Haly, Bell, J. Scott, O'Sullivan, Graham, Fraser, De Sazgé, Amhurst, Low, W. Scott, Macrossan, Groom, Ivory, McLean, Stevenson, Tyrel, and Buzacott.

The House having gone into Committee, and the Chairman having reported the Bill without amendment,

The COLONIAL SECRETARY moved—

That the Bill be now read a third time.

Mr. WALSH thought honorable members should insist on seeing the Bill before it was read a third time. He had not been in the chamber that evening, but he presumed there were amendments.

HONORABLE MEMBERS: No.

Mr. WALSH said he was quite sure amendments were invited by the Government, and if they had not been carried, the Government had broken faith with the members, whom they had deluded into introducing amendments this evening. But that was not the object he had in rising. He wished to point out that the Government should not be allowed to proceed with the third reading of the Bill until it was in print, and honorable members had it in their hands for a certain time.

The COLONIAL SECRETARY: We have.

Mr. WALSH said the honorable the Colonial Secretary, of course, said "we have," but after the piece of delusion the Government had been practising that evening, he was not prepared to take the assurance of any honorable member sitting on that side. He had seen the farce that had been going on all the evening, and he would be no party to it. A more disgraceful farce had never been perpetrated by a Government. Under the pretence that they were willing to retrace their steps and do a certain amount of justice, they deluded honorable members and placed them in a false position, and then got their willing supporters to show that they had been misled in moving the recommittal of the Bill. He warned honorable members again, as he had endeavored to do before, against passing the third reading of Bills until they had got them in their hands, and saw them with all their blemishes or all their perfections. He had protested loudly before against a Bill being read a third time until honorable members had it in their hands, because he saw the danger of it, but the idea was almost scouted; he was told that he was an obstructionist, that he was impeding legis-

lation; but what did he find? That the whole time of the other chamber that evening had been taken up in moving amendments which the Government themselves considered necessary in that very Bill, which he had called attention to, because he believed there must be some defects in it which honorable members did not know of when passing the third reading. He hoped honorable members would take warning by that. He did not hesitate to say that the fact of the necessity for those amendments being made in another place was a disgrace to that chamber. They were constantly complaining of imperfect measures and messages being sent from the other chamber, but yet they sent them a Bill in that state. He had endeavored to warn the House of the fact, and this was the pitiable position they were now placed in. He should like to see the Bill, with the amendments proposed with the sanction of the Government, who had so grossly betrayed the introducer of them. He should like to see the Bill, and reflect on it, and understand it, before it passed the third reading; and he repeated the warning he gave the other evening, that not a single member knew the Bill they were passing. That Bill had proved so full of blemishes that the Government had to introduce amendments which were delaying its passage through the other chamber, and which cast reflections on the way in which they did business in that House.

The question was then put and passed, and the Bill having been passed through its remaining stages, was ordered to be transmitted to the Legislative Council, with the usual message.