Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 24 JULY 1877

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LEGISLATIVE ASSEMBLY.

Tuesday, 24 *July*, 1877.

Questions.—Adjournment.—New Bills.—Formal Business.—Announcement by the Speaker.—Auditor-General's Pension Bill—second reading.—Mercantile Act Amendment Bill—second reading.—Railway Reserves Bill—recommittal.

The SPEAKER took the chair at half-past three o'clock.

QUESTIONS.

Mr. THOMPSON asked the Secretary for Public Works—

Do the Government intend to compensate Mr. Christopher Gorry for the repeated damage done to his property, near the Bundamba Railway Station, by reason of fires caused by sparks from the locomotives?

The MINISTER FOR WORKS (Mr. Thorn) replied—

The running of locomotive engines being authorised by law, and all precautions known to science having been taken to arrest the outflow of sparks therefrom, the Government cannot recognise any liability to pay compensation for the alleged damage.

Mr. IVORY asked the Premier—

Is it the intention of the Government to ask the sanction of Parliament, during this session, for the construction of the following railway line, namely, from Brisbane to Sandgate?

The PREMIER (Mr. Douglas) said—

The Government propose to ask authority for the survey of a line of railway from Brisbane to the Bald Hills and Sandgate, under the heading of an amount of £20,000 on the Loan Estimates of this year. If this is authorised, as the Government anticipate it will be, the Minister for Works hopes to ask authority for its construction next session, when the plans and books of reference are laid on the table of the House.

Mr. WALSH asked the Premier—

In view of the telegram appearing in Thursday's paper, relative to the closing of the Mount Perry Copper Mine, is it the Government's intention to proceed with the railway line between Mount Perry and Bundaberg?

The PREMIER, in reply, said—

The Government do not intend to alter their intentions in view of any telegram in Thursday morning's paper.

Mr. WALSH said he should like, if he was in order, to ask the Premier whether he would inform the House of the number of railways for the construction of which it was intended to ask the sanction of Parliament?

ADJOURNMENT.

Mr. BAILEY said he rose for the purpose of addressing a few remarks to the House, and should conclude them with a motion. He wished to take the very earliest opportunity he had of contradicting certain statements which had appeared in the *Wide Bay News* of Saturday last, because it was currently reported that the editor of that paper was in direct communication, by wire or otherwise, with the Government. First of all, it was stated that "a scheme will be brought forward in this House, and will be moved by an avowed Opposition member, or concealed Oppositionist, like Mr. Bailey." He was there alluded to as a concealed Oppositionist; but he thought it might be said with equal truth, that the Premier was a concealed Oppositionist of the Liberal party. Again, "this scheme was for the purpose of shunting the Maryborough and Gympie railway." Now, he had made

very close inquiries, and he could not find that any such scheme had ever existed, except in the brains of the Ministers or of the editor of the *Wide Bay News*. A telegram also appeared in the same paper, stating that on Wednesday last Mr. Bailey spoke in defence of himself against his constituents; on referring to *Hansard*, however, he found that exactly the contrary took place, and that so far from speaking against his constituents, he spoke in defence of them, and, if anything, against himself. Then again, there was a long article headed "Quiddits," what the editor meant by that, he could not say; but he presumed that the writer of the article knew French, and meant it for "Qui dit," which the editor could not understand. That was an article said to have originated from Brisbane, and if common report was accurate, from an officer of that House; he hoped, however, for the credit of the House and of its officers, that such was not the case. The article said, "The affair began by Bailey asking for a plan of the direct line of railway from Maryborough to Gympie; the question was asked in the usual formal manner, and replied to by the Minister for Works in the shortest terms possible—that there never had been any plan of a direct line." Now, that was a deliberate lie; and were they, he would ask, as members of that House, to be misrepresented to their constituents in such matters? Were they to be told that any answer was given, when they as members knew very well that it took three days to get six different answers; and that only the last was the answer as given in the extract he had read? He had taken the opportunity of calling attention to the matter appearing in a paper which he presumed was a ministerial organ, because it had a large circulation in his electorate. It might be that his constituents were misled by venal partisans, whose particular employment it was to stab men in the dark; but he had no doubt that the time would come when the people of the colony would see that they had been misled, and that the wicked and venomous attacks now frequently made upon honourable members, would recoil upon the persons making them. He begged to move that the House do now adjourn.

Mr. PALMER said it was not his intention to allude to the case brought forward by the honourable member; but he certainly thought that the honourable member having referred to an officer of that House, should, in all common fairness to the officers, name the gentleman to whom he had alluded.

The PREMIER said he had not risen after the honourable member for Wide Bay sat down, because he thought the honourable member's address was of such a character as to make it not worthy of notice. Surely the honourable member had sufficient experience to know that it was not worth while noticing every little report which appeared in the papers about himself. Why, only that day he (the Premier) had noticed that he was unworthily likened to a musk-rat by a writer in a paper; but he cared very little about such things, and he thought it would be far better for honourable members not to take notice of such little matters. He concurred with the honourable member for Port Curtis, that it was exceedingly wrong to refer to the officers of that House, as the writers of any reports reflecting upon their proceedings; and he believed that the honourable member for Wide Bay knew perfectly well that there was not an officer of that House who would be guilty of anything of the kind.

Mr. WALSH said that there was no other member in the House beside himself who was so constantly attacked as the honourable member for Wide Bay, and, therefore, it was only natural to suppose that he would at last resent it; but he had heard that that honourable member himself was a most continuous writer to papers, in which he criticised the conduct of honourable members of that House——

Mr. BAILEY said it was not true.

Mr. WALSH supposed, then, that he had given the honourable member credit for more than he deserved. He thought that the repeated attacks upon members of that House were most disgraceful; and if the Premier was not able to name the persons by whom they were made, he hoped the honourable the Speaker would make it his business to discover who they were. He thought it most shameful that, if a member got up in that chamber to do what he considered right for his country, and did not happen to be at the time assisting the Government to pass their measures, he should immediately be made a target for the grossest attacks through the public papers of the colony. It was time that sort of thing was stopped, and that the position of honourable members should not be reduced to that of mere delegates.

Mr. PALMER: I deny that *in toto*.

Mr. WALSH did not think the honourable member represented a district in which there was such a thing as a newspaper. At any rate, the way in which honourable members were hounded by the newspapers was becoming a very serious matter; and he knew as a fact that honourable members absolutely flinched from standing up and speaking in the interests of the country on that very account. He hoped that the honourable member for Wide Bay, who was the least deserving of any man of protection, would in future be protected from the scandalous attacks made upon honourable members. He would take that opportunity of trying if he could get some information from the Minister for Works respecting a new railway time-table, and the so-called "fast train." It appeared

to him that the country had been rather taken by surprise in that matter, and he thought that some explanation should be given why such changes had been made. He had been told on the best authority, that although that train stopped at a certain station, a member of Parliament was not allowed to get into it; thus showing the very imperfect manner in which the arrangements were carried out. He hoped some explanation would be given as to who were to be allowed to travel by that particular train, and why the gentleman to whom he alluded was excluded from doing so.

The MINISTER FOR WORKS said he should not take the present opportunity of replying to the honourable member for Warrego; but if the honourable member would table a motion or a question for the following day he should only be too happy to give him every information.

Mr. BAILEY said that his object in rising to contradict the statements which had appeared in the *Wide Bay News* regarding himself had been, first, that he had been informed that the editor of that paper was in direct communication with the Government. Secondly, that it was a matter of common report that an account of one part of the proceedings of that House had been falsified by an officer of it. He hoped that was not true ——

Mr. PALMER: Name, name.

Mr. BAILEY said that if honourable members wished to have the name he would give it. The person he alluded to was the former editor of the *Wide Bay News*, who he believed was now employed on the reporting staff of that House—Mr. Fielberg. His third reason was, that there were accounts of three distinct transactions which had taken place in that House, all of which were false from beginning to end. He objected to false statements of his conduct, or of the proceedings in that House going forth to his constituents. With the leave of the House he would withdraw his motion.

The SPEAKER said that before asking the House to allow the motion to be withdrawn, he would ask the honourable member if he was prepared to substantiate his charge against the officer of the House to whom he had alluded, and who was temporarily employed upon the *Hansard* staff. If so, he should deem it his duty to inquire into the subject.

Mr. BAILEY said he should be quite willing to take the denial of the officer in question that he was the writer of the article to which he had alluded; but he could only say that it was a matter of common report that that gentleman had written it.

Mr. PALMER said, that as an old member of that House, he must deny most distinctly the right of the honourable member for Wide Bay to refer to any gentleman who happened to be temporarily employed on *Hansard* as an officer of that House. It was not fair to their own officers to attack such a person as an officer of the House, when he was not one.

Motion, by leave, withdrawn.

NEW BILLS.

On the motion of the COLONIAL SECRETARY, leave was given to bring in a Bill to further amend The Diseases in Sheep Act of 1867.

Leave was also given to Mr. FRASER to introduce a Bill to amend the law respecting Cruelty to Animals.

The Bill was read a first time, and the second reading made an Order of the Day for Thursday, 2nd August.

FORMAL BUSINESS.

The formal resolutions were passed:—

By Mr. BAILEY—

That there be laid upon the table of this House, copies of petition and engineer's report on proposed low-level bridge near Tiaro.

By Mr. THOMPSON—

That there be laid upon the table of this House, an account showing the cost of saddlery and harness made in the Brisbane Gaol, including the price of material, cost of superintendence, &c.; also, any reports or complaints from the police authorities as to the defective manufacture of such saddlery and harness.

By Mr. BUZACOTT—

That there be laid upon the table of this House, copies of any reports that may have been received from Mr. R. Ballard, Chief Engineer, Northern Railway, in favour of the narrow-gauge for branch railways.

By Mr. THOMPSON—

1. That the Bill to enable the Corporation of the Synod of the Diocese of Brisbane to lease two allotments of land in the town of Ipswich, and to apply the rents to church purposes, be referred for the consideration and report of a select committee.

2. That such committee consist of the following members, viz.:—Mr. Palmer, Mr. Garrick, Mr. J. Scott, Mr. Buzacott, and the mover.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER said he had received a message from the Principal Shorthand Writer, stating that Mr. Fielberg flatly denied writing the article referred to.

Mr. WALSH said this was a most unusual announcement to make to the House. He had never heard anything like it before—that an officer of the House should send a message through him to the Chamber. He trusted that, at any rate, this would not be allowed to stand as a precedent.

The SPEAKER said he informed the House that he should inquire into the charge made

by the honourable member for Wide Bay, and the House would naturally expect that some such notice should be taken of it. The evidence given was the only kind to which the honourable member for Wide Bay appealed, when he said he should be satisfied with the denial of the officer charged; and he (the Speaker) considered he was quite right in reading that denial to the House.

Mr. PALMER said that to receive a message from anybody, excepting either the other House or the Governor, was irregular; but there was no doubt that the honourable the Speaker was quite right in the statement that the honourable member for Wide Bay said a denial would be sufficient.

AUDITOR-GENERAL'S PENSION BILL—SECOND READING.

On the Order of the Day for the resumption of the debate on the COLONIAL TREASURER'S motion "that this Bill be now read a second time,"

Mr. GRIMES said, if this Bill had been read a second time on the previous night, the House would have been committed to it, and no question could have been raised except as to the amount that should be awarded. From the correspondence laid on the table he had inquired into the position of the present Auditor-General, and he found that, previous to his receiving that appointment he was a member of the Civil Service, and had been contributing to the Civil Service Fund from which superannuation allowances were granted to members of that body on retiring, or after so many years' service. The principle had never been adopted that Civil servants were entitled to pensions. In fact, Government had always specially guarded themselves against admitting that their employés were entitled to any further sums except such as they were receiving for work actually performed in the course of their official duties. The very fact that they deducted two per cent. from the salaries of Civil servants in order to make up this Superannuation Fund was proof enough of that. He was not aware that there was anything particular in this case that should make the House break a well-established rule. If the Bill were allowed to pass, it would show that those Civil servants who could manage to secure political influence should be rewarded with pensions, while those who had no such influence would have to be content with no more than their ordinary remuneration on retiring from the service of the Government. If pensions were to be allowed at all, they should be allowed to inferior officers as well as those in the higher grades; and, if the principle was admitted in the one case, he should be quite prepared to admit it in the other. The Colonial Treasurer, in moving the second reading of this Bill, did not give the House so much information as might have been wished. The present Auditor-General entered into the service of the New South Wales Government in 1849, and so long as he remained a member of the Civil Service he subscribed to the Superannuation Fund, and it appeared that upon that payment he based his claim for a pension of £500 a-year. He (Mr. Grimes) should be very sorry to do an injustice, and if the Auditor-General, on retiring from the Civil Service, did not receive back those benefits for which he had subscribed, he might have some claim for further remuneration from the colony; but he should like, first of all, to know whether that gentleman did actually subscribe to the Superannuation Fund the sum of two per cent. of his salary, or whether it was paid back to him on his entering his present office? The proposed pension seemed very large in proportion to the actual salary received. By the first Auditor-General's Act, the salary of that office was fixed at £600 a-year, and, by a subsequent Act, it was raised to £800. He thought that was a tolerably handsome salary, as things went in this colony, and out of that sum some provision might have been made for the future. He did not think it right that the State should provide for its officers who had for so long a time enjoyed such handsome remuneration. He had a decided objection to admitting the principle of pensioning officers of the Government, being of opinion that they should be merely remunerated for the work they had to do, and that it was their own duty to provide out of their salaries for a rainy day. The State in this matter should occupy more the position of private employers, who did not usually pension off their servants. Unless more information was given regarding this claim of the Auditor-General's, he should certainly vote against the second reading of the Bill.

Mr. MCLEAN said the question was one from which no member of the House should shrink. He had always looked upon the question of pensions in the Civil Service as very objectionable indeed. It had been said that the Auditor-General was entitled to a certain amount from the Civil Service Fund; but, when that gentleman took his present office, he knew perfectly well that he had forfeited all claims which would otherwise have been due to him from that fund. He certainly did not go into his present office with his eyes blindfolded. The gentleman had been in receipt of £200 a-year more than was given to his predecessor; he had enjoyed that increase for ten years; and surely he had no right to come down to this House and ask for a pension. The private employer could spend his money as he pleased. He could either pension or not pension an old servant; but the House was being asked to spend the money of the people in pension-

ing a Civil servant who had for many years past enjoyed a very large salary. He had no ill-feeling against the present Auditor-General, but he should oppose the Bill, because it would induce Civil servants to believe that they had no reason to be provident, for that when they had remained a certain number of years in the service of the colony, they could come to this House and almost demand, as a right, that they should be pensioned for the rest of their days. From that point of view the principle was very objectionable, and he should vote against the second reading of the Bill.

Mr. HOCKINGS said the object of the Bill appeared to be to grant a pension to Mr. Darvall, who felt that, from the infirmities of old age, he was prevented from discharging the duties of his office with any degree of comfort to himself and advantage to the public. He wished that he could also add that Mr. Darvall felt a conscientious objection to receiving a salary for duties which he was no longer able to perform. He looked upon this as a contract to which there were two parties; on the one side certain services were to be performed, and on the other side a certain amount was to be paid for such services. Ordinarily speaking, the fact that a person found himself unable to perform the duties of his engagement—found himself compelled to retire from his position—did not entitle him to be paid a second time in the form of a pension. It had been said that the gentleman in question had performed his duties with ability and faithfulness; but if this reason were to hold good, then all other faithful and able servants of the colony would also have the same right to a pension. He could see no reason why the Auditor-General should be selected for a second payment for his services when he was no longer able to perform the duties of his office. That he had performed them in an able manner was only what had been expected of him, he took it; it had not been shown that he had performed duties over and above his recognised duties. His respect for Mr. Darvall was such that he wished that gentleman might live for many years to enjoy the repose from official labours which he had so well earned; but he also felt it his duty to point out that this Bill might become a charge upon the revenue of the colony to the amount of £10,000. He would repeat that he could not see why the Auditor-General was entitled to a second payment for his services. He should be disposed to recompense Civil servants liberally for their services, according to the nature and responsibility of their duties; but he had a most uncompromising hostility to anything in the shape of a large body of pensioners living upon the public revenue like vampires. He protested against the demoralising influence which was likely to be established in the Civil Service by the recognition of the system of pensions. He regretted that a gentleman occupying the high position of Auditor-General should have thought it consistent with self-respect to seek to become a pensioner, and he could only account for it on the supposition that it was owing to the mischievous tendency of previous measures which the House had sanctioned. He hoped honourable members would see the necessity of dissenting from the mischievous principle of the Bill.

Mr. O'SULLIVAN said he only wished to record his thorough and emphatic opinion that no pension list should be established for Queensland. There were some particulars in connection with this case which he also wished to note. He believed Mr. Darvall was a good officer, and it was quite possible that, in voting against the granting of the pension, he might unwittingly be doing him an injustice, and he did not wish to do that. Perhaps however, in the meantime, the explanation which he required might be forthcoming. He believed that this gentleman was paying for some years to a certain fund, from which, however, he derived no benefit. Would the honourable the Colonial Treasurer explain to him and other members what became of these payments? Had they gone to the general revenue? Mr. Darvall was entitled to some benefit from them. He could very well understand that, if in a young colony like Queensland they started this principle, they would not know where to end. He believed that they had already commenced at the wrong end. If pensions were to be granted at all, they should be granted to the poorer servants, who had the smallest incomes—the people who had to spend their all to support themselves and their families. One would have thought that on a salary of from £600 to £800 a-year a man could make provision for his old age. He would like to see the postponement of the second reading for a week or so, as he was afraid he might be doing Mr. Darvall an injustice. Perhaps the Colonial Treasurer, when the Bill went into committee, or on its third reading, would be able to give some information as to what became of Mr. Darvall's payments. If any servant had been disabled in the service of the colony, or was really in want of charity, or when such cases as that of the sick railway employés arose, then he was willing to assist; but he was opposed to the starting of a system of pensions, and should always vote against it so long as he held a seat in that House. He should only vote pensions when they were really required, or as an act of charity.

The COLONIAL TREASURER said he might inform the honourable member for Bulimba and the honourable member for Burke, that the Auditor-General gave his contri-

bution to the Civil Service Superannuation Fund up to the time that he accepted the position of Auditor-General.

Mr. O'SULLIVAN: How many years?

The COLONIAL TREASURER said the whole time that he was in the employment of the colony. And, in addition to that, he was informed, under a clause of the Civil Service Act, the Auditor-General paid up his contributions, so as to entitle him to a superannuation allowance dated from the time that he entered into the service of New South Wales. If honourable members would allow the measure to go into committee, he would be in a position to supply them then with the information that they asked, or with any other information that might be desired.

Mr. FRASER said he supported the adjournment the other evening, and he now simply wished to record his opinion against countenancing anything which could not be regarded as otherwise than vicious, particularly in a new country like Queensland. He referred to the granting of pensions. In saying this, he was not going to express an opinion upon the efficiency or merits of Mr. Darvall as a Civil servant. He might be one of the most efficient servants the colony ever had. But he thought that, as this House was dealing with the money of the people at large, it should at all times be exceedingly careful in accepting a measure of this kind; it was only in cases of irreparable injury sustained in the service of the colony that there might be some fair show why the country should give a pension. Notwithstanding that the Auditor-General had paid into the Superannuation Fund, and would be entitled to some retiring allowance, he took it that that gentleman was perfectly aware when he accepted office that he gave up the benefits of his payments; unless it could be shown that there was an agreement that this was not to be so, he could not see that the Auditor-General had a claim. He was opposed to allowing pensions, and would rather see that a Civil servant should, on retiring from office, have returned to him in one lump sum the amount of his payments with interest added.

Question—That the Bill be read a second time—put.

The House divided.

AYES, 19.

Messrs. G. Thorn, Griffith, Douglas, Dickson, Miles, Palmer, Stewart, O'Sullivan, Garrick, Stevenson, Ivory, Buzacott, Fox, Macrossan, Walsh, McIlwraith, J. Thorn, J. Scott, and Graham.

NOES, 6.

Messrs. Fraser, McLean, MacDonald, Bailey, Hookings, and Grimes.

The question was therefore resolved in the affirmative.

On the motion of the COLONIAL TREASURER, the committal of the Bill was made an Order of the Day for Wednesday week.

MERCANTILE ACT AMENDMENT BILL —SECOND READING.

The COLONIAL TREASURER said that this Bill was not a very long one, but he believed its passage into law would be of considerable benefit to the community, inasmuch as it was intended to remove any doubts which might exist concerning the transmission of property by the handing over of bond warrants and certificates. The custom had been to transmit large amounts of dutiable commodities held in bond, and to give possession of them by the mere passing of warrants and certificates endorsed by the holder. This custom had been generally followed by bankers and others, in connection with any advances or any financial arrangements which they might make on the collateral security of bonded certificates or warrants which might be lodged with them from time to time. In the beginning of this year, however, a case of considerable importance was tried in the Supreme Court, Melbourne, from which it appeared that the mere transfer of these warrants and certificates carried with it no possession, and it was apprehended that the goods which were represented by the warrants might be detained; so that, in point of fact, the warrants represented nothing else than pieces of paper. The circumstances which gave rise to the desirability of an amendment in the shape of this Bill were related in the Melbourne *Argus*, from which he would quote, as follows:—

"Two cases have recently been decided by the Supreme Court which are of great importance to the mercantile community. In the first instance (Lange v. Grice), the plaintiffs moved for a rule *nisi* to enter a verdict in their favour for £588 10s. 9d., being the value of some tea bought by them under the following circumstances:—The tea, which was stored at the bonded warehouses of the defendants, was sold originally on credit by Messrs. Grice, Sumner, and Co., to Messrs. Joseph Webster and Co., to whom the certificates, duly endorsed, were handed. On April 27, the tea was sold by Messrs. Webster and Co., at public auction, to Messrs. Lange and Thoneman, who received the certificates in the ordinary course. On July 3, owing probably to rumours which had gone about concerning the position of the house from which they had bought, Messrs. Lange and Thoneman sent to the defendant's bonded store to have the tea transferred to their own names; but the clerk refused to comply with the request, saying that he had received general instructions from Mr. Benn, one of the defendants, not to transfer without consulting him, and told the plaintiffs to call next morning. On the same day Mr. Benn was informed by Mr. Webster that his firm would have to stop pay-

ment; and accordingly, when the plaintiffs renewed their application on July 4, Mr. Benn refused to transfer the goods. The court was perfectly clear as to the law applicable to the case. The Judges unanimously refused to grant the rule asked for, thereby letting it be understood that in their opinion it was unnecessary to argue the question. It will be seen that this decision plainly shows that bonded storekeepers, who are also vendors have the same right as other people possess of stopping goods *in transitu*, and that the mere holding of certificates is not sufficient to constitute a title to the property they represent."

This was a very important decision, and, he understood from his honourable colleague the Attorney-General, was one that was based upon the legal aspect of the question. If uncertainty were to be introduced in regard to mercantile dealings with bonded warrants or orders for the delivery of merchandise, a large amount of distrust would be created, which must necessarily interfere seriously with the transaction of mercantile affairs, particularly as regarded bankers and others, who frequently made advances on the deposit of bonded certificates or other orders representing merchandise. Unless they were assured that the certificates handed to them were *bona fide* orders for goods, the delivery of which could not be intercepted, they would naturally hesitate to make advances on security which might be interfered with. It was also undesirable that a bonded warehousekeeper, who was also a merchant, should be enabled to hold a lien over goods which he had sold in bond, and for which he held paper of the purchaser to mature to the prejudice of other creditors, who also held paper from the purchaser of the goods. The Victorian Legislature had passed a measure, immediately after the trial referred to, which was analogous to the one now submitted to the House. The provisions of the Bill were very simple. It merely provided that the delivery of a warrant "for goods endorsed by the person to whom the same has been issued, or by his agent duly authorised in that behalf, shall be admitted to pass the possession of the goods, wares, and merchandise described and mentioned in such warrant." Another feature of the Bill was, that no subsequent right of stoppage should be permitted to the person who had issued the warrant, as was the case in Victoria, for the third clause provided—"After the endorsement and delivery of any such warrant, no unpaid vendor of the goods, wares, or merchandise described and mentioned therein shall have any right to resume the possession of, or to stop the same or any part thereof, *in transitu*." This clause provided, as honourable members would see, that the mere circumstance of the goods remaining in the name of the original vendor in the warehousekeeper or wharfinger's book, did not give the original vendor any interest in such goods. He begged to move that the Bill be now read a second time.

Mr. PALMER desired to know from the Ministry what business they had to keep the House from considering Supply and the other important measures which should engage the attention of the country? It seemed that members of the Ministry were vieing with each other which should bring on their petty measures first. They seemed determined to take up the time of the House by bringing their little peddling measures forward—first one and then another. Last week it was the Attorney-General, with his Appeals from Justices Bill; and now it was the Colonial Treasurer, with a measure that the country could do very well without, and had done without for years. They seemed to have had a shake in the hat, after the manner recommended by the Premier for forming a Ministry some years ago, and brought out whichever came uppermost. It was the duty of the Government to go on with the highly important business they had on hand, and not waste the time of the country upon such Bills as these. In every probability England was on the verge of war, and they did not know any week, any day, any hour, when they might not hear of it being declared. He would like to know what provision the Government had made for such an event—what arrangements they had made about the Volunteer Bill, or about arms? How many pounds even—he would not talk about tons—of gunpowder had they got in hand? What arrangements had been made about torpedoes? In fact, had there been any arrangements made at all for the defence of the colony in case of war? Instead of turning their attention to these vitally important matters, the Government seemed to be just trying to waste the time of the House and of the country by peddling measures of this kind, in order to keep themselves in office. Last week they got £100,000, and now, instead of going into Supply, as it was their business to do, or going on with important measures like the Railway Reserves Bill, honourable members were put off with an insignificant Bill for which no one cared. What did the Government really mean? Last week they considered a Bill to give a pension to the Auditor-General, and although he had voted for the second reading, it might well have stood over. The attention of the House, instead of being concentrated on the great measures with which they had to deal, was directed to insignificant measures of this kind. He considered that the manner in which the Government were conducting the business of the House was simply disgraceful. They could do very well without this Mercantile Act Amend-

ment Bill; they had done without it a good many years, and he thought they could do without it a little longer. If they wanted something to do, why was not the Volunteer Bill gone on with? After obtaining a vote of £100,000 on account, the other night, he thought the Government were bound to push on with Supply, before they dared to ask another shilling.

The PREMIER admitted that there were some grounds for what the honourable member for Port Curtis had said; and he hoped to bring on the Railway Reserves Bill at a later hour of the evening. He thought that the House was not very full when the measure was introduced, and as there were one or two measures not of primary importance, and on which no very great difference of opinion existed, he thought they might be disposed of under the circumstances, especially as on Tuesdays many country members were not in their places until a later hour. He agreed with the honourable member that the times were serious, and that the question of war was just now uppermost in men's minds; but he hoped that the Government had not been behind-hand in their preparations for any emergency that might arise. Mr. Cracknell had come up from the neighbouring colony at his (Mr. Douglas's) request, in order to give information respecting torpedoes. Such matters were in the nature of a secret service, and not entrusted to every person's hands; but that gentleman had not long come out from England with all necessary details as to the working of torpedoes. In fact, he might take the opportunity of mentioning that he hoped next Saturday to invite honourable members of both Houses to witness certain torpedo experiments conducted by Mr. Cracknell; and he mentioned the circumstance in order to show that the Government had not overlooked the serious nature of the situation. Orders for arms and ammunition had lately been sent to England. He might here observe that he was glad to notice the healthy spirit displayed among the volunteers; and he had no doubt that plenty of men would offer themselves for service, should an emergency arise. If such an emergency arose, he did not think that the Government had left undone anything for the defence of the colony which their resources permitted them; but honourable members should remember that they had a long coast-line and many rivers to defend. If the House desired not to discuss the Bill just introduced, he would move the adjournment of the debate and go on with the Railway Reserves Bill; but he thought that no great discussion would be likely to arise on it, and that the business might very well be advanced one stage.

Mr. MCILWRAITH said that the Premier, by his speech, proved the intention of the Government to waste the time of the House, for he acknowledged that he was merely passing away the time to allow his supporters to come down from the country. He supposed that when, at a later hour, the Government had got their supporters together, bound to vote and not to speak, they would accuse honourable members on his side of the House of obstructing the public business. There were important matters dealt with by the Bill before the House, but the Premier had not made any allusion to them—he considered the measure evidently as mere pretence to get over the time. It was the duty of Government to bring forward more serious matters. He noticed that newspapers supporting the Government spoke about the session as drawing to a close. Were they to understand that they were supposed to have nearly completed the work of the session? He did not believe that either the Premier or the Treasurer understood the meaning of the Bill which was under discussion. But it was an important one, and the Premier had not said a word about it. It was apparently brought forward as a pastime. Though it was intended to provide for the possession of goods by means of warrants, the fourth clause damned the whole thing, and no mercantile man would defend it. It was intended to give holders of warrants possession of the goods; but, unless facilities were afforded for showing who the holders of these warrants were, the Bill was useless. It ought, therefore, to be at once thrown out, and the Government forced to go on with their business.

Mr. WALSH thought that the Government were determined to make fools of the House, and make no attempt to approach the real business of the session; they were shilly-shallying with every important question. They made no effort to push on with the consideration of the railway question, by which they were hanging on to office; and they refused to disclose their policy or to bring on the Estimates. He objected to the introduction, while such important matters were pending, of these unimportant measures, merely to take up the time of the House. The real business of the country was held in abeyance, while the time of the House was being trifled away. He was glad the honourable member for Port Curtis had taken the objection he did; but he should have moved the previous question, in order to compel Government to go on with their real business. Because Ministerial supporters were absent, honourable members were supposed to go on with a Bill of which the Treasurer even did not seem to understand the object. The Government were afraid of the real business of the session; they were afraid to show their minds in matters affecting the public welfare; and he had asked them, in vain, to

go on with the Estimates, and to explain their railway policy.

The ATTORNEY-GENERAL said that the honourable member for Maranoa did not quite seem to understand the object of the Bill. Bonded warrants were at present recognised in business as documents the possession of which was evidence of ownership. It was understood that when a man got possession of one he was in a position to take possession of the goods it represented. This, although it was the general impression, was not at present the law, and the Bill was intended to make the law what it was supposed to be. The Bill provided that the delivery of bond warrants should be equivalent to the delivery of the goods; and this was the whole Bill. The honourable member for Maranoa misunderstood the fourth clause. If the delivery of bond warrants was to be the delivery of the goods, they could no longer be supposed to be in the possession of the vendor.

Mr. FOX called attention to the third clause, which did not, in his opinion, sufficiently protect creditors in case of insolvency, as a man could endorse a warrant even after becoming insolvent. There should, he thought, be some provision for fixing dates, otherwise insolvents might do great injury to their creditors.

Mr. STEWART said that, when the case referred to came off in Victoria, the decision surprised the whole mercantile community in the Australian colonies. The case arose in the following manner:—Goods had been sold in bond, the property of the warehouse-keepers, who were also merchants. The purchaser disposed of a large portion of the goods to other people while the bills were running, and these again were sold to someone else, but when the person to whom the goods were first sold became insolvent, the warehouse-keepers took and held possession, the goods never having been removed from the original vendor's bond. He considered that the case would be met if goods in bond were held to be in the possession of Government, and not of any private person. The 4th clause, he thought, left open a door to fraud, and in committee he proposed to introduce an amendment which would render it less open to objection. There might be several thousand pounds' worth of goods lying in an insolvent's name in bond, which he might assert had been sold to someone else, and of which he could resume possession afterwards. In case of insolvency, the holder of the bond-warrants of goods standing in the insolvent's name should be made to come forward and declare how they came into his possession, otherwise the trustee should be allowed to take possession.

Mr. MURPHY thought the fourth clause, as proposed, was necessary to give effect to the second clause; and he took it that, if the House passed the one, it should pass the other also. With regard to the difficulty raised by honourable members in regard to the possibility of fraud being committed by persons in a state of insolvency, it applied equally to promissory notes—the dates in both cases would be capable of proof. A man might equally endorse over a promissory-note after insolvency, but it could be proved by calling on the insolvent, or the holder of the endorsed document. If the Act was to have any effect at all, the fourth clause must be left in it, and he considered the object of the measure was to make bond certificates as transferable as a bank note.

Mr. GRIMES was not very clear about the passage of goods in bonded stores, and it appeared to him that the proposed Act would make very awkward work. At the present time, if a bond certificate was lost, mischief could be prevented, as there was some kind of register of the goods kept. But, if this Act was passed, and a certificate was lost and sold by the finder, there was no opportunity of retrieving the loss.

Mr. IVORY failed to see the importance of the measure under consideration, which did not seem to interest many people in the House; in fact, he hardly thought there was a quorum present, although he would not call the attention of the Speaker to the fact. He wished to get on with the more important business, and therefore moved the adjournment of the debate.

Question of adjournment put and negatived.

Question—that this Bill be now read a second time—put and passed.

The committal was made an Order of the Day for next Tuesday.

RAILWAY RESERVES BILL—RE-COMMITTAL

On the motion of the PREMIER,

The Order of the Day for the adoption of the report of this Bill was discharged from the paper.

The PREMIER moved the re-committal of the Bill.

Mr. IVORY objected that the Premier, when moving the discharge, had not stated that he did so for the purpose of moving a re-committal.

The PREMIER said it was well known that he had done it for that very purpose.

The SPEAKER ruled that the Premier's course of procedure was correct.

Mr. IVORY wished to know if he was to understand that an honourable member could move the discharge of a Bill from the paper without remark, and then move its re-committal?

The SPEAKER said that he could do so, in accordance with the Standing Orders; but that an honourable member usually stated, by way of explanation, his object in doing so.

Question put and passed.

On the motion of the Premier, the House went into committee for the consideration of a new clause to follow clause 4, and the reconsideration of clause 6.

The PREMIER said that the new clause which he proposed to insert was to follow clause 4, as reported. The clause was simply that which had been previously moved and discussed by the honourable member for Normanby, with the exception that the latter half of it proposed to make the tenure of the pastoral lessees the same as that under the Act of 1869; whilst the honourable member for Normanby proposed to make it the same as under the Act of 1868. He believed that the clause as printed was not quite correct in one respect; as, in the twentieth line, instead of three months it should be six months. He would move the adoption of the clause, with that amendment made in it. The clause was as follows:—

Provided that not more than one-half of any run in the said reserves held under The Pastoral Leases Act of 1869 shall be proclaimed for sale or open for selection except as hereinafter provided

In cases where one person or firm is the lessee of two or more such runs adjoining each other he may within three months from the passing of this Act apply to the Secretary for Public Lands to have such runs consolidated into one and thereafter they shall be considered for the purpose of this Act as one run

Before any lands comprised within any run in the said reserves held under the said Pastoral Leases Act of 1869 are proclaimed for sale or open for selection the Secretary for Public Lands shall notify to the lessee which half of the run is to be liable to be so proclaimed and the division of the run shall be as nearly as the natural features of the country will permit by a straight line drawn so as to divide equally the pastoral land and permanent water

Provided that when the boundaries of a run are unsurveyed or when a further survey is required to enable the division to be carried out the lessee of the run shall pay half the cost of such survey or further survey as the case may be and in default of payment within three months from the date upon which demand therefor shall be made in the *Gazette* the Governor may declare the run for which the half cost of survey has not been paid forfeited

If it shall be deemed expedient to proclaim for sale or selection any further portion of a run in the said reserves (the Secretary for Public Lands shall give six months' notice in writing of the proposed proclamation to the lessee and after the expiration of such notice) a schedule of the lands proposed to be proclaimed shall be laid before both Houses of Parliament and if the proposed proclamation shall not be dissented from by resolutions passed by both Houses of Parliament within sixty days during a session of Parliament the lands comprised in such schedule may be so proclaimed accordingly.

Mr. PALMER said that the clause was an attempt on the part of the Government to play into the hands of some of their own followers. When the amendment was discussed before, although it was not properly before the House, he asked the Premier if he would have any objection to alter the concluding section of the clause, as he considered that so doing would be the only relief that could be given to the pastoral tenants. The alteration he proposed was to take it out of the power of the Secretary for Lands to give notice in writing to a lessee until a schedule of lands to be resumed was before Parliament. It was, in fact, to prevent the Secretary for Lands, by a stroke of his pen, giving notice of resumption of runs before the sanction of Parliament. The Premier then said that he would consider the matter, and the Attorney-General told him that he had no particular objection to the alteration; but still it had not been made. The only way in which relief could be given to the pastoral tenants of the Crown would be by omitting the following words:—

"The Secretary for Public Lands shall give six months' notice in writing of the proposed proclamation to the lessee and after the expiration of such notice"——

What possible objection could the Government have to that? It was simply a matter of relief to the pastoral tenants, who would then feel that unless the schedule of their lands was laid before Parliament and assented to, their leases would not be cancelled. But the procedure proposed by the new clause was just the reverse, and disturbed the tenants of the Crown as to their leases, and made them feel that there was no finality about the notice, as both Houses of Parliament might object to it, although such notice had been given by the Secretary for Lands. By the amendment he proposed, no harm would be done; the schedule would be laid before both Houses of Parliament, and if there was no dissent, the lessee would have six months' notice, and would feel that there was a finality in the proceeding. The Premier must know that he was not to be Minister for Lands for ever, and, therefore, he should look at his (Mr. Palmer's) suggestion apart from his position as Minister, and merely as a matter between landlord and tenant. He should prefer that the honourable gentleman would accept the amendment, to his proposing it, as it would come more gracefully from the honourable gentleman. He believed, himself, with the honourable member for Rockhampton, that the 1868 tenure would be better; but as he did not see any probability of the Government agreeing to that, although he did not see why they should not, he would ask them to agree to his suggestion. If land was wanted, let it

be taken by all means; but he did not think it should be taken at the will of any one man, especially when it might not be wanted for many years to come.

The PREMIER said that the Government preferred to abide by the clause as printed. He did not wish to have any long discussion on it, and should be glad to take the sense of the committee at once; he did not think it was a power likely to be made a bad use of; and, therefore, he preferred that the clause should remain as it was.

Mr. MCILWRAITH said that although the Premier imagined it was a matter of very little importance, the Government organs treated it as if the fate of the Government hinged upon the clause being passed. For his own part, he thought it was entirely a work of supererogation; and, as neither the Premier nor the Attorney-General had made any remarks in reference to it, he would direct the attention of the honourable member for East Moreton to it. The clause had been discussed up to the present time, as if the Government were compelled under the Bill to resume the whole of the lands within the railway reserves; but, under clause 4, they had power to resume the whole or any part, and now, after they were going to resume one-half, if they wanted to resume more, they wanted to do so under the 55th clause of the Act of 1869, exactly the power they held under clause 4. Clause 4 was word for word with the clause of the Western Railway Reserves Act, which was to the effect that wherever the Government wished to resume certain lands for railway purposes they could do so, and it was supposed they would only resume such lands as were required; but the Government, instead of using that power judiciously, and in a mode to disturb the pastoral tenants as little as possible, had resumed every bit of the runs and had then selected portions for sale. It would put the House in a very absurd position if they passed the proposed clause, as they had already enacted a clause by which they could resume the whole or any part of a run; and yet now it was wished to enact that, if the Minister for Lands chose to resume one-half of a run, the other half should be resumed exactly in the same way. Why, the thing was ridiculous; and he should like to hear the honourable member for East Moreton express his opinions on it.

The ATTORNEY-GENERAL said that the honourable member had omitted one important fact, which was that the schedules of the whole of the runs in all the reserves were already on the table of that House. The 4th clause provided that, whenever the whole or any part had been, or should be, resumed, the resumption should be for certain purposes. Now, after the lapse of a short space of time, the whole of the runs in the reserves would become resumed; and was it nothing to say, then, that only one-half should be operated on? If the schedules were not on the table of the House, the clause would have been nothing at all; but, under existing circumstances, it was very important that it should pass. With regard to the statement of the honourable member for Port Curtis, it was true that he had told the honourable member he saw no great objection to his suggestion; but, since then, on re-considering the matter, he thought it was better not to introduce a new tenure, to leave the tenure of the pastoral lessees as it now was, it being thoroughly well known and understood all over the country.

Mr. GARRICK thought that the honourable member for Maranoa had not considered the whole effect of what had been done, and what was proposed to be done. The first resumption was nothing, unless it was followed afterwards by a proclamation of alienation and selection under the Act of 1869; and it would be no injury to a lessee unless under this resumption the Government proceeded to alienate and select; so that, although the whole of the runs might be resumed, the Government could not proceed further until such resumptions were proclaimed open for alienation and selection. The clause stated that, if they wanted to proclaim for alienation or selection any more lands, then they must follow the course laid down in the last section of the clause.

Mr. IVORY said he failed to see the distinction at all, because the Government might proclaim, on the very next day, the second halves of the runs open, under the Act of 1869.

Mr. GARRICK: That is why the new clause is necessary.

Mr. MCILWRAITH said he could not see the distinction pointed out by the Government, for, as he contended again, under clause 4 the Minister for Lands had all the power it was now sought to give him by the proposed new clause. It had been said that that clause was introduced as a concession to the squatter; but that he denied, and, as a squatter, he disapproved of it, and should divide the committee upon it; it was, in fact, the very reverse of being a concession. He knew that there was a sort of sentimental feeling among some of the squatters, that the moneyed classes would look upon it as a concession, so that it would enable them to make advances on stations which they would not otherwise do; but that was entirely a sentimental reason, as no benefit would accrue to the squatters from the clause. Immediately on the Bill being passed, the Government could issue notices for the resumptions of the other halves, and where then would be the concession? The House would, in fact, be committing a fraud by trying to lead a body of men to think that

they were getting advantages which they were not, as the clause would not give the squatters any title whatever. The whole thing had been worked up by the Government papers for political purposes; and, as he had already said, it was not the slightest concession to the pastoral lessees. Not that he was asking for any concession for them, as he thoroughly believed that it was to the interest of the country that the halves of the runs should be given to the squatters on a better title than they had at present. He believed that the marsupial plague was entirely due to the insecurity of title, as no man would go to the expense of suppressing that plague on such an insecure tenure. He should be quite willing to go with the Ministry to enable the squatter to amend his title, but as regarded the present being a strong struggle of the squatting party in that House to get a concession made to them, it was nothing of the sort, and he should oppose it; it was an excrescence on the Bill, and was proposed simply as a piece of toadyism to a certain party in that House.

Mr. BUZACOTT said he wished shortly to explain how he came first to give his support to the clause moved by the honourable member for Normanby. That honourable member had a conversation with him on the subject about the beginning of the session, and asked him if he would support an amendment to be brought forward by him for resuming only one-half of the runs within the railway reserves. He (Mr. Buzacott) said that, if he was prepared to include a provision giving the tenure of 1868 for the unresumed halves, he should be prepared to support it. He recommended the honourable member to see the Premier, and ascertain from him whether he would accept the amendment. The honourable member afterwards told him he had seen the Premier, who was quite ready to support it. He, himself, also saw the Premier on the subject, and the Premier told him he did not see any great objection to it. In consequence of this, he felt himself bound to support the amendment of the honourable member for Normanby, and he, as well as other members on both sides of the House, were for several weeks under the impression that it would be allowed to pass without any opposition. Without the 1868 tenure no substantial concession was given, and the pastoral lessees would not gain in any way by the acceptance of the clause in the form just proposed by the Premier. In the first place, the Executive could at any time proclaim for sale the halves which they did not intend to take at present by merely giving six months' notice to the occupants. As the honourable member for Maranoa had said, if the Government would not give the pastoral lessees anything in the shape of security of tenure, it was worse than useless to try to make them believe they had a security which, in point of fact, they did not possess. He held that the proposed tenure would in no respect be an improvement on that which they had always held. There was another matter to which he would call the attention of the House. When this question was last before them, several members on the Ministerial side, understanding that their party was committed to reject the 1868 tenure, voted in its favour. Since that time they appeared to have found out that they had committed a mistake, or else external influence had been brought to bear upon them. He had been informed on good authority, that at least four honourable members who voted for the security of tenure a fortnight ago, intended to oppose it to-night. This external influence was a most improper thing, but he knew very well it could not be prevented. The sort of influence brought to bear was pretty clearly shown by the following extract, which he should read from an article which appeared recently in a Brisbane journal. The writer said—

> "The pertinacity with which the holders of the ten years' leases of lands on the Darling Downs insisted last year upon their vested interests in the runs even when their leases terminated, and the vigour and unanimity with which nearly all the squatters in both Houses joined together to secure renewed leases of these runs to the present owners without competition, is the exact proof to hand of the extreme difficulty of getting a squatter to lose his hold of a single acre of his leased land, no matter how palpable may be the public necessity for it."

That was utterly untrue. It was well known that the whole of the lands in the settled districts were resumed before the Pastoral Leases Act could come into operation. The assertion that the pastoral lessees on the Darling Downs endeavoured to secure perpetual holdings was untrue, and unsupported by anything that had ever taken place in this House. There was a great deal more in the same article which conveyed an entirely false impression, and it seemed to him a very poor way of advocating the interests of the great Liberal party to have to bring forward what he might call falsehoods in support of their arguments. As he had already said, the amendment now before the House gave actually no concession to the pastoral lessees; and the provision for the consolidation of pre-emptives was already in force under the existing Act. The only concession asked for by his side of the House was to give Parliamentary tenure instead of Executive tenure. The article from which he had quoted made a great deal of the concessions which had already been given to the squatters in resuming only the half of their runs, and permitting them to consolidate their pre-emptives; but, in point

of fact, these were not concessions at all. He thought it most inconsistent that in a very large House—the fullest in which a division had been taken this year—the committee should have come to a certain decision on this subject, and should now be coolly asked by the Premier to vote in an exactly opposite way. He had intended to move an amendment, but as several honourable members on the other side had said that they would not support it, he hardly thought it would be desirable to occupy the time of the House in discussing it. He hoped the Premier would give some consideration to the alternative suggested by the honourable member for Port Curtis. The greatest argument for the 1868 tenure was, that it took an improper power out of the hands of the Executive, and placed it in the hands of Parliament. If the Premier would consent to adopt the suggestion of his honourable friend, he admitted, so far as the improper power of the Executive was concerned, it would meet the principal portion of the objection which he had to the clause proposed.

Mr. WALSH said the objections he had to the clause were, first, that it was contrary to the practice of the House in committee to put such a clause; and, secondly, that it was unnecessary to lock up the land from the people of the colony without any necessity. He was almost the only member sitting in the chamber at this moment, who, from the time he had entered parliamentary life, fifteen years ago, had always insisted upon the lands being thoroughly thrown open to the people of the colony. In fact, the proposition seemed to have been made by the Premier to catch two or three votes, and he was surprised at that honourable gentleman being caught in such a trap as he appeared to have been. The squatters did not want any concession; all they asked for was justice, and to hold their land upon the fairest basis they could get until it was wanted for more immediate settlement. The action of the Premier, in improperly introducing this clause on the recommittal of the Bill, was one which no one on this side of the House would have dared to take, for the whole of the Press would have hounded him through the length and breadth of the colony for having attempted to lock up the public lands. With the member for Maranoa, he repudiated any kindness or goodness on the part of the representatives of towns and cities on behalf of squatters. They did not want their benevolent legislation. They knew that they were a proscribed class, and they did not want any legislation of this kind on their behalf. He did not believe half-a-dozen members in the House really understood the clause which they were now asked to pass; and the squatters would be obliged to those members of the House who would assist in kicking it out.

Mr. PALMER said that, before going farther, they ought to have some explanation from the Premier as to how the clause would affect those runs of the resumption of which notice had already been given. In the greater part of Peak Downs district such notice had been already given, and in a very short time that period would elapse and the lands would be resumed. He wanted to know whether, if the clause were passed in its present shape, the Premier would reserve one-half of these runs in each district, although notice of resumption had been already given.

The PREMIER said that, if the clause was passed, it was the intention of the Government to put it into operation at once, in order to secure that the half of the runs should be proclaimed open for selection. The other half would remain under the tenure of this clause.

Mr. MCILWRAITH said the clause did not confer any tenure at all. He wished to know whether the notices referred to had already expired?

The PREMIER replied that they had not.

Mr. MCILWRAITH said that, in that case, the argument used by the Attorney-General did not apply, because that Act would not be consummated until the time had expired. If the Government had carried out their original proposition, they would have resumed only half the runs; the resumptions of which notice had already been given would take place before the Government could take any further steps. Under the 4th clause of the Bill, the Government could do exactly as they liked. They might resume a quarter, a half, or the whole. But, under the guise of making a concession to the pastoral lessees, they had proposed the present amendment and made no concession whatever. The Government ought to act in a straightforward manner towards the squatters, and if they had given them a bad tenure, to let them know exactly what tenure they held. The time was coming when the tenure of the outside pastoral lessees must be considered. The country was suffering from the bad effects of bad tenure; and he would tell the Premier that the remedy he now proposed was a very bad one, as all who understood the subject could easily perceive. The only reason that could be urged in favour of the Government clause was that it was brought forward as a concession to the pastoral lessees of the Crown. The pastoral lessees repudiated entirely the idea that it was a concession; it was simply a delusion.

The PREMIER said he did not wish to prolong the debate, but he thought it desirable to make a few remarks. He maintained that the real tenure held by pastoral lessees—many considered to be a good one—was, that they should be allowed to keep the grass rights of their runs until the land

were wanted for sale. Referring to the process by which the committee had arrived at its present position, he remarked that he was willing to accept the original proposition of the honourable member for Normanby, as far as the Northern reserves and Northern districts were concerned, the country there not having been occupied so long as in the Southern districts. The House did not see fit to back up his opinion; it saw fit to override it, and decided in effect, that all the runs should be divided, and that the holders of the divided runs should be given the tenure of 1868. The Government saw very great objection to that, especially with regard to the Southern district. The power of proclaiming for sale, or selection, any further portion of a run as proposed by the clause did not come into effect until notice had been given, and Parliament had not dissented, as in the case of reservations by notice of resumption. Just as under the Act of 1876 many runs had been resumed, but all had not been thrown open. The Government proclaimed the land open as it was required. It was presumed that the whole of these runs would not be required; it might be possible that the half might not be required, but the Government had it in their power to proclaim the other half for sale or selection, after giving the lessees notice.

Mr. McIlwraith said the Premier defined the squatting tenure as simply a grass right until the land was required. But, in the Western railway reserve, 13,000,000 acres had been resumed, and it was never pretended that it was wanted —it was not even pretended that a tenth was wanted; that was not resuming the land because it was wanted. He maintained that the Government should have resumed only what they required, leaving the lessees in undisturbed possession of the remainder. Instead of that, however, they took away the whole run, and intended to do the same again. Not content with taking away half, they insisted upon taking away the whole, leaving the lessees the half subject to proclamation, but not reservation. They were to be put exactly on the same tenure as before, with this further condition: That the reserves did not require to be brought before the House, but that the proclamation had to be. He did not see why this principle should be pushed. The matter stood in this way: By the 4th clause, the Government had the power of resuming all—they might, if they liked, resume only one-half, or they might resume only as much as they wanted; but they brought in an amendment which meant nothing at all when considered as an addition to this clause. The pastoral tenants did not want the clause. It did not improve the Bill, for it added nothing.

The Attorney-General said the honourable member for Maranoa's objections were perfectly inexplicable. He did not believe that the honourable member understood them himself. He could not understand his objections to the clause, unless the honourable member thought that by defeating it he could the better defeat the whole Bill. The honourable member had said that the clause gave no concession to the pastoral tenants. Nobody had said that it did, except that it left them as they were before. What he had said was, that under the present law, this land could not be made available for settlement until certain notices of resumption had been given, which came into force if Parliament did not dissent from them. But the land would still not be available until it was proclaimed open, so that there were two stages at which the power of veto might be used. And it was now proposed to apply the power of veto to the proclaiming of the land instead of to the resumption. Referring to the objection made by the honourable member for Rockhampton to the Press criticisms that had been passed upon the action of the Opposition last session, with regard to the resumptions proposed in the settled districts, he maintained that the Press criticisms were perfectly justified by the facts.

Mr. Walsh said he was perfectly astonished at the Attorney-General referring to much abler members on the Opposition side of the House in the manner he had done. He strongly objected to that comparatively young member getting up and lecturing honourable members on the Opposition side, who had had far more experience than he, and should not be talked to in the manner that they had been. He again protested against the clause, and said that it would lock up unnecessarily the lands of the colony. The squatters did not want it, the people did not want it, and the Government had thrown it out merely as a sop to win a few votes from either side.

Mr. Buzacott thought that the Attorney-General was extremely unfair and unreasonable. He (Mr. Buzacott) said that, so far as this House was concerned, it was perfectly understood, when the Pastoral Leases Bill was under discussion, that no opposition would be offered to the proposed resumptions. He maintained that it was extremely unfair to assert that they had endeavoured to give the leaseholders on Darling Downs a perpetual holding. He objected to the clause, because the Executive could do without everything which, if passed, it would enable them to do.

Mr. MacDonald said that honourable members on the other side must be perfectly aware that, in saying that the squatters did not want this amendment, they were not expressing the views of those run-holders who were within the

railway reserves. He questioned whether any honourable member on the Opposition side had a run within the reserves, otherwise they would express themselves differently. The lands in the reserves were already resumed; and, unless some such provision as that before the committee were passed, the whole of every run could be selected from or be submitted to auction. If the amendment were carried, however, half the runs would be given back to the lessees. It was admitted that not more than half of each run would be required. He could also tell honourable members of the Opposition that their action in opposing the Premier's amendment last year, by which he proposed only to take half the runs, caused much surprise and indignation in the Central districts, and was condemned by every squatter. They looked upon it as a great concession, although it was held under the same tenure; nine-tenths of the people considered that there was not the slightest necessity for throwing open more than the half, and that the remaining halves would not be required for many years. What the Government proposed to do would justify the run-holders in protecting their runs by paling-fences and so forth. He repeated that nine-tenths of the people in the Central districts looked upon the clause as a concession.

Mr. STEVENSON said he was glad that they had at last got the honourable member for Blackall to admit that he advocated his own interests. There might be an imaginary concession in the present amendment, but there was none in reality. Referring to what the Minister for Lands had said about grass rights, he might say that he did not believe that there was a member of the Opposition side of the House, or a squatter, who objected to that tenure, but they did object to the land being taken before it was required for settlement. He would ask the Minister for Lands whether he had not received petitions from the North, not signed by a single squatter, protesting against resumption in the Peak Downs district? and whether there was any demand for land in that district for purposes of settlement? The Minister for Lands had said that he was willing to accept the amendment of the honourable member for Normanby, but the House decided against him. He would ask the Premier to remember the circumstances under which it was lost. The Opposition had also been twitted by the honourable the Premier that they were loth to part with their runs. He would reply that there was not the slightest doubt that the honourable member for Normanby would not have brought forward his amendment if it had not been at the suggestion of an honourable member on the other side —the honourable member for Blackall. He hoped the Government would accept the amendment of the honourable member for Port Curtis.

Mr. HALY said he thought that the Premier had found that he had made a great mistake, and now wished to remedy it; he had found, after he had taken the land away, that the lessees would put no improvements on it, and that he could not sell it, and he wished to remedy the error. There was not sufficient money in the colony to buy the whole of the land. The Premier was making no concession, but was only doing what was right and just after making a great blunder. He (Mr. Haly) told him last year that he was making a great blunder, and that he would be doing great injury to the colony. He considered it was a small act of justice to give the lessees half their runs when the whole were not wanted. He would support the honourable member for Port Curtis; he wanted to prevent the Government from bribing members, and if they had this power, they had the power to bribe them. He would be sorry to be in a position to be bribed, and liked to be independent of Ministers; he therefore supported the amendment of the honourable member for Port Curtis. A Government would use bribery; it was done everywhere, and therefore he wished to keep the power of using it from the Government. There was really not much difference between the two propositions; but the amendment of the honourable member for Port Curtis would not allow a Minister to say to honourable members, if they did not vote for him, that he would proclaim their runs. That was the power the Premier wanted. He remembered the day when the Burnett members were told that if they would consent to throw open the Downs, they might get what lease they liked in their own district; he knew that had been done, and that was why he would so vote as to prevent it being done again. He did not say that the Premier's amendment was not for the benefit of squatters—it was better for them to have half their runs than none at all; and he was sure the mover of it wanted to rectify the injustice he had done, while still wishing to retain the power to which he had referred.

Mr. FOX rose to correct an erroneous impression that had been conveyed by the honourable member for Clermont, respecting the motives which induced him (Mr. Fox) to move his former amendment. He had not been made a cat's-paw by any honourable member of that House, and, as a proof of his assertion, he referred to his nomination speech, published in *The Rockhampton Bulletin*, of the 9th April last, wherein he had promised to advocate the resumption of halves only of the runs.

He thought still that only halves of runs should be resumed, and did not see the justice of taking what was not wanted. If he had been made a cat's-paw at all, which he denied, it was by the constituents of the honourable member for Clermont, for whom he was trying to preserve a moiety of their runs. Honourable members had denied that resumptions had taken place; but he thought that, under clause 4 of the Bill, there was no doubt of it, for it stated—

"Whenever the whole or any part of a run within the said reserves shall have been heretofore or shall be hereafter resumed from lease by virtue of the 55th section of '*The Pastoral Leases Act of* 1869.'"

And unless some provision of the kind were made, those lands would come under the Act of 1876. This clause would place them in the same condition as if that Act had not passed at all. He had listened to the honourable member for the Maranoa with great attention, as indeed he always did, and he fully agreed with him that Government should not have resumed more than half the runs; the only way to remedy the matter was to pass the amendment. In reality squatters had no leases, even before the present time, for their runs could always be resumed at sixty days' notice, whatever lease they might nominally possess. He regretted that his amendment had not passed; he thought it would have proved a benefit to the country. He was in no way personally interested; but he acted in the matter on public grounds, and not for the benefit of any class in the community.

Mr. STEVENSON said he had an explanation to make with regard to the statement of the honourable member for Normanby, and he would mention that that honourable member had came to him (Mr. Stevenson) and told him that the honourable members for Blackall and Balonne had agreed with him, that it was the best amendment they could bring in. He gave him an answer, after consideration, to the effect that he would support his amendment, if, in return, he would support his (Mr. Stevenson's) amendment on the proposed schedule of the Central railway reserve, carrying it out fifty miles on each side of the proposed line of railroad. On this understanding he supported the honourable member for Normanby; but, when his own amendment came on, that honourable member walked outside the House and refused to support him.

Mr. PALMER regretted that a difference of opinion should have arisen among honourable members on his side of the House; but he must say that the conduct of the honourable member for Normanby appeared to him to have been consistent throughout, and with his election address. If he had been made a cat's-paw of at all, it was by the Government, in making him believe that they intended any concession at all by their amendment. He thought the committee ought to have been deeply interested in the speech made by the honourable member for Blackall, whose opinions certainly did not carry much weight in that House, and who was generally silent when his own interests were not affected. That honourable member accused honourable members of the Opposition of not representing the views of the squatters, but he could tell them that they were not there to represent the squatters' views, which seemed to be all that he himself could advocate, but the views of the country. The honourable member's views were faintly advocated, or rather, connived at by the Government, and supported by the extreme squatters sitting behind them, who cried to them for bread and got a stone—a very bad stone, and a stone of which they could make no possible use. He placed no reliance whatever on the Premier's amendment. All the powers given by the Bill were possessed by Government under the old Act; and, if they did not accede to his (Mr. Palmer's) proposition, there would not be the slightest amendment. The only alteration in his proposition was in the way the words were placed, and the only effect of it was that the Minister for Lands would no longer have the power to do as he did last year—to give lessees six months' notice, so that resumption might come before the House at the beginning of the session; but that the notice of resumption would have to come before the House first. He would like to know what great concession was involved in this proposition. He believed that the Premier's new clause might lead some people to believe that they would have by it a right to their runs for some years. It gave no such right; it held out the appearance of a concession when there was no concession at all; but his (Mr. Palmer's) amendment would give a small, a very small, concession to the pastoral lessees, who would be put by it at the mercy of Parliament, and not at that of the Minister for Lands. The Premier had told the House that the squatters' only title to their leases was a grass title; that they held the land only until wanted for sale or alienation. While admitting this, what he demanded for the pastoral lessees was that their runs should not be taken from them till they were wanted. He would like to know when the Minister for Lands, in his wildest visions, supposed that he would be able to use the lands he had proclaimed. He had simply upset the squatters' tenure, prevented improvement, thrown men out of employment, and had, in fact, injured the property of the Crown, as every bad land-

lord did injure the property under his care. And this injury had been carried to a greater extent than the Minister for Lands supposed. He was not surprised at the Attorney-General, who always got up when the honourable member for Maranoa made a telling speech, and expressed his extreme surprise at his having made it. He was, however, surprised that a lawyer possessing so much acumen and legal ability, could not make a better reply to an argument than by getting up, expressing his surprise, saying that he could not understand the speech, and doubting whether the maker understood it. The honourable gentleman's speech might be stereotyped, he made it so constantly. The Minister for Lands would save time by agreeing to his (Mr. Palmer's) amendment. It was couched in the very same words as his own new clause, only arranged in a different manner; in fact, the similarity was so great that he (Mr. Palmer) was somewhat at a loss how to frame his amendment so that the question could be put. He would move the insertion of the following words after the word "reserves," in the second line of the sub-section:—

"A schedule of the lands proposed to be proclaimed shall be laid before both Houses of Parliament and if the proposed proclamation shall not be dissented from by resolutions passed by both Houses of Parliament within sixty days during a session of Parliament."

The PREMIER regretted that he was unable to accede to the amendment which embodied so closely the words of his own clause, that the honourable member had to apply to the Attorney-General to come to his rescue in framing it. This was fairly double-banking him (Mr. Douglas). He was able to deal with the honourable gentleman opposite; but, when the Attorney-General went to his assistance, they were too many for him. However, he still adhered to his own proposition. He admitted that the amendment did not greatly differ from his own clause, but he objected to it because it created a new tenure. They had the tenure of 1868 and of 1869, and now it was proposed to create a tenure of 1877. He therefore would express his decided preference for the clause as it stood.

Mr. PALMER denied that he had called the Attorney-General to his assistance; that honourable gentleman had proposed it.

The ATTORNEY-GENERAL said that he had assisted the honourable member for Port Curtis to frame his amendment as a matter of ordinary courtesy to a member of the House, and in order to facilitate the progress of business. He intended to vote against that amendment.

Mr. WALSH objected strongly to the Attorney-General helping the leader of the Opposition to make what, from the Government point of view, must be considered a most objectionable amendment. He considered such a proceeding most anomalous, and the assistance rendered by the Attorney-General of a most dangerous character, as it might be said that he had got to the windward of the honourable member for Port Curtis. He would call attention to the fact that nothing had been done in the way of legislation that night; and the miserable supporters of Government allowed this neglect to go on. The present debate was begun by an amendment moved by the Government on their own Bill; a Bill which should have been so perfect, that the Government should have put their hands on it and said, "There is our policy, and we will allow no amendment upon it." Instead of that, however, all last week was frittered away by the Government introducing amendments on their own measure. Yet, forsooth, so sure as some honourable member got up to advocate something for the benefit of his constituents, he would be met by the Premier accusing him of wasting the time of the House. He trusted that there would be an overwhelming majority against the Government on the clause before them, so that the country might see who really were the advocates for throwing open the public lands of the colony. The clause was most insidious, and he was quite certain that it had not been improved by the assistance given to his honourable friend the member for Port Curtis, by the Attorney-General.

Mr. MCILWRAITH said he did not know to what length the honourable member for Port Curtis had taken the advice given to him by the Attorney-General; but he thought that, after what had occurred during the passage of the Pastoral Leases Bill last year, his honourable friend should be inclined to look upon it with suspicion. He had already opposed the amendment brought in by the Government themselves, and he contended that it was brought in from very unfair motives—namely, in deference to the opinions of only a few honourable members, and not in accordance with those held by the Government supporters generally. The clause would not give any improvement to the squatting lessees; but it was an invitation to moneyed men to advance money on those leases, on the supposition that the squatters would retain half of their runs, which they really did not. The amendment of the honourable member for Port Curtis did not improve matters much, the only difference being that he bound the Government to put a proclamation on the table first, and get the assent of Parliament, instead of allowing them to issue a proclamation during the recess. He was not afraid to tell the House, under the imputation of honourable members opposite of being a supporter of the

squatters of this colony, that they were making a great mistake in not providing for the evils under which the pastoral tenants were labouring at present, namely, insecurity of tenure. That evil was not confined to certain districts where the grass was being eaten down by marsupials; but the same thing was having a most injurious effect in the Western districts. That was what the Ministry should try to remedy; but instead of that they shirked the question altogether. The House in adopting thus the 1869 tenure in a blindfold way parted with rights they never should have parted with; and when he heard the honourable member for East Moreton telling the committee that they should support the proposition of the Government, he looked with despair to the future progress of the colony. Let honourable members look at the position the Government occupied with regard to the expenditure of money voted by the House. Was there anything that they guarded with greater jealousy? They insisted on constitutional grounds that all the money proposed to be spent should come before them in detail, year after year; and, although they suffered great inconvenience thereby, they insisted on dealing in detail with all money before it was spent. In practice certainly that had not been done, as the Government always came down with Supplementary Estimates; but, constitutionally, they were supposed to ask the sanction of the House for the expenditure of every penny. But in the 1869 Act Parliament had departed from that principle. They had, in effect, said to the Government, "Do as you like with the lands of the colony during the recess, and unless both Houses dissent from your action, the matter is condoned." In the same way, they might now say to the Government, "Spend as much money as you think fit; lay the schedules of your expenditure on the tables at the meeting of Parliament, and unless both Houses dissent from your action, your action is approved." How it came about, that under the Act of 1869, the tenure should be a retrogressive tenure, arose from the fact that for the last three or four years the other Chamber had been composed of a body of gentlemen opposed to resumptions in any shape. That being the case, it had been said by that Assembly, "We will take the power of resumption out of their hands, and put it in the hands of the Ministry." It should, however, have been remembered that they were parting with their rights, which should never have been done; and he had no hesitation in saying that the time would come when it would be seen that nobody they could have as Ministers should be possessed of such powers; but that, if dealt with at all, the resumptions of lands should only be dealt with by resolutions of Parliament. He was sorry to see that through what was presumed to be an obstructive Upper House, or rather through the character of obstruction being attributed to that Chamber, the Assembly had actually parted with rights which it would require a great deal of trouble to secure again. The Act of 1869 actually gave the power to destroy the title of the Crown tenant, and he was afraid that they would not see that remedy until the marsupial plague or something else brought the necessity of it more strongly before the House. He was quite satisfied, however, that he should be in that House and hear the security of tenure to the pastoral lessees advocated by the Liberal members of the House. He would repeat, that the concession, as it was called by the honourable member for East Moreton, was no concession whatever; that the squatters did not want it, as it did not improve their titles; and that the amendment of the honourable member for Port Curtis would improve it very little more, if any. The proposition under the fourth clause of the Western Railway Act was, to resume as much land as was necessary for constructing railways; but the Government had committed the mistake of resuming the whole; and they were now trying to find out some way of condoning their offences. The present Bill was said to be one on which the fate of the Ministry was to depend, and they were told that if the Ministry carried it they would carry a most important measure. It was said to be a Public Works Bill; but, instead of that, the committee had been debating on the tenure of the squatters' leases. If it was a public-works measure, how was it that the Government had shirked it as they had done all through the session? And why was it that all they wanted to do was to keep to one point—to court popularity? And why had they not touched at all on the presumed main object of the Bill, which was the public-works policy? All that honourable members on his side had been fighting for was, that the Government should not substitute the present measure for a public-works policy. He should oppose the amendment of the honourable member for Port Curtis on the same grounds that he opposed the clause moved by the Premier. Under clause 4, the Government found that it was not imperative to resume any part of the runs; they had the power to resume the whole, or half, or none at all; but notice had been given to all the squatters of the railway reserves, and resolutions for resumptions had been laid on the table. But he considered the proper course would be, for the Government to withdraw those resolutions, and to substitute for them the resumption of such lands as would be required for the construction of the proposed railways.

An HONOURABLE MEMBER: It would be hard to give fresh notice.

Mr. MCILWRAITH said it might take more time, but that was not any reason why it should not be done; for it was well known that it would not be necessary to resume any of those lands till next session. The Government knew very well that there was not one of the lines proposed to be made under the Bill which would exceed the borrowed money by next session; so that there would be no necessity for resuming lands until then, and, therefore, there was no reason why future notice should not be issued. He protested against the present clause being considered as any concessions to the squatters, and he should record that when giving his vote.

Mr. GARRICK said it appeared to him that, after all, there was a very substantial concession to be made by the clause; and although the honourable member for Maranoa said he failed to see it, he thought he was sufficiently astute to do so. The honourable member had dealt at great length upon the fourth section of the Act, which gave certain powers of resumption. When the Government gave notices of resumption, he took it that their policy was that the whole of the lands within those reserves should be subject to the provision of the Bill; but when the Bill came before the House, certain concessions were asked; and it was agreed that instead of the whole of the runs within the reserves, only the halves of them should be taken. That was a change of policy, and what had the honourable member for Maranoa to blame them for, except, that at first it was too large a policy. If that was the case, could the honourable member blame them for making concessions and saying, "We will not take all the runs but only one-half of them; but, that, inasmuch as we have served notices of the resumptions and tabled resolutions resuming the whole of the runs, are we to change all our policy at once"? Honourable members would see that some concession had been made, because, unless the Government chose, they could operate upon the whole of those runs, and could place every acre within the reserves open for selection or sale; but they did not intend to do that.

Mr. O'SULLIVAN: Why?

Mr. GARRICK said it was because they had made a concession, and had said they would not take the whole of the runs, but only halves—that they would resume the whole of the runs, but would operate upon only the halves of them. Everyone knew that under the Act the resumption of the whole of the lands was nothing. The whole of the runs were resumed, but the lessees' rights continued until the land was alienated or selected. In fact, all the rights of the lessees continued when resumptions were made, until they were operated on; but the Government now said that they would not issue a proclamation operating upon the whole of the runs; and to show that they would not do so, they would cut down the right of proclaiming one-half. That, he contended, was a very considerable concession.

Mr. WALSH: We did not want it.

Mr. GARRICK said it was very well for the honourable member to say they did not want it; but he had heard that very concession asked for time after time both inside and outside that House. It was now granted, and that too at the request of honourable members opposite.

Mr. WALSH said that honourable members on his side of the House were charged with being the representatives of the squatters; but they were not allowed to act as such, as they were told by the honourable member for East Moreton that they were opposing what was a concession made to them. They, however, did not want to lock up the lands of the colony, nor did they wish to continue the present system of Crown tenants at the will of the Government of the day. With the exception of two honourable members opposite, there had been no demand made for the alleged concession. The honourable member said that it was a great boon to the Crown tenants that they should be allowed to retain one-half of their runs; but it was not so. Crown tenants had been suffering during the last few years from the system, and they did not want it perpetuated. They knew very well the object of it, namely, that the Government wanted the right to charge for the surveying of those runs, and also the revenue from them. The pastoral lessees did not want any concession, and it appeared to him most extraordinary that those very individuals who had large fortunes from lands for which they had never paid a fair sum, should be the persons who now came into the House and arrogated to themselves the right of taking the whole of the lands of the colony. He maintained that the representatives of Brisbane were the very last Christians the squatting lessees should seek any concessions from.

Mr. LOW said he dissented from the statement made by the honourable member for Warrego, that the squatters did not want to have any concessions. He could show fifty letters which he had received from large squatters, asking him to use his best endeavours to secure for them the half of their runs.

Mr. MCILWRAITH said that, if the honourable member for East Moreton, instead of declaiming so strongly against the squatters, had looked at the clause, he would have seen that it did not make the slightest concession. The correspondents of the honourable member for Balonne were no doubt under the impression that by this

clause they were getting security of tenure, and that honourable member perhaps thought so himself; but it was perfectly wrong. He was not advocating a good tenure for the squatters, as that was not the proper time to do so; but it was an iniquitous thing to try to represent to the squatters that they had a tenure on which they could borrow money, when, in fact, they had no tenure whatever. It was not an honest thing for any Government to pass a clause with the object of deceiving a large body of men in the colony. He would point out a clear way in which the Government, if they really wished to attain the object of resuming only half the runs, leaving the other half untouched, might do so—they had simply to withdraw the notice of resumption, so far as was practicable, from one-half of the runs. Last year the Government did exactly the same thing, and they could do it equally as well now. If the Government committed an iniquity, as they were doing, under the Railway Reserves Bill, it would recoil on the Government themselves, but unfortunately the country would suffer also. The Attorney-General, while professing that he could not understand the argument which he (Mr. McIlwraith) had previously used, paid him an unintentional compliment, by saying that he had acted quite consistently by doing everything he possibly could to throw out this Bill. There was not the slightest doubt about that, for he considered it one of the worst possible Bills ever brought before the House. One of the most serious evils of this Bill was that it had stopped a public-works policy for the last three years; and the Bill itself, as was admitted by the Government, was little more than a land Bill. The Government were afraid to bring the real business of the session before the House, and tried to provoke endless discussions on a policy fully discussed on the Land Bill last year.

Mr. MURPHY said that he thought this question should be approached without reference to the question whether it was a concession or not to pastoral lessees. He should approach it in such a spirit, and vote as he had always done since occupying a seat in the House, to endeavour to do strict justice to the squatters, and see, so far as he could, that the pastoral lessees got what they were fairly entitled to. He was, therefore, surprised to hear the honourable member for Maranoa say that neither the proposition of the Premier, nor the amendment of the honourable member for Port Curtis, gave any concession to the squatters. In his opinion, the proposed clause gave conditional leases which might, and probably would, last for many years. The Minister for Lands might give notice of resumption to the Crown lessees, but the proclamation could not take effect in less than six months; and after the expiration of that period it was to be laid on the table of this House for two months more, when it might, if necessary, be dissented from by both Houses of Parliament. The Crown lessees seemed to him to be properly protected by this clause. No Minister would give notice of resumption unless he was justified in doing so, for he would have the fear of Parliament always before his eyes; and, if the land were not wanted, the House could refuse to pass the resumption.

Mr. HALY agreed that that might be the case under an independent Government willing to do justice to all parties; but the acts of the Government, after the last session of Parliament, were sufficient to show that they could not rely upon the present Government for any such honesty of purpose. The only concession there was in the clause was that which allowed squatters to consolidate their pre-emptives, and he dissented from that entirely, especially after the resolutions that had been passed by him affirming the necessity of proclaiming reserves for irrigation. The squatters under this clause would be able to pick out the very spots on their runs which Government would afterwards be compelled to purchase for that purpose. His opinion was that the whole clause should be withdrawn.

Mr. MCILWRAITH said that the honourable member for Cook could not have watched the actions of the Government for the last twelve months, or he would not have said that no Minister with the fear of Parliament before his eyes would dare to resume more land than was required. That was the very thing which the Government had done last year, without giving the slightest notice, in the Peak Downs and other districts. He should like to hear the Premier's opinion as to his suggestion that the object of the Government could be accomplished by acting under clause 4. He had only to withdraw the notice of resumption so far as it applied to one-half of the runs, and that would allow the other half to remain under lease, as at present. That would give a tangible security for any squatter to work upon, and it was an easy and practical solution of the difficulty which the Government had got into.

The PREMIER said that, if they were to withdraw the schedule now on the table, in order to do what was suggested by the honourable member for Maranoa, they would have to go into a division of the whole of these runs—a work which could not be attempted this session, and which would probably take more than a year to accomplish. The honourable member, as a practical man, must know very well that his proposition could not be carried out without full inquiry being made as to how these subdivisions were to take place. It was not his original intention to divide the runs at all, although he admitted the

justice of it in the case of the Central and Northern reserves. To follow the advice of the honourable member would simply result in the shelving of the measure altogether.

Mr. MCILWRAITH reminded the Premier that he did exactly the same thing last year, and it was useless for him to insinuate that he had any object to serve in wanting resumptions to be kept back. It might suit the honourable member's purpose to make such insinuations, but he claimed that he had put the true solution of the matter before the Premier.

Mr. MACROSSAN said this long and tedious discussion ought to prove to honourable gentlemen who had so faithfully followed the Ministry, the unprofitable return of the discussions they had had for the last two sessions on this Railway Reserves Bill. There had been no measure before the House that had been so obstructive to the real business of the country. It was introduced under the pretence of making certain railways, which the Government were compelled to take in hand or suffer loss of office. They came down hastily with a crude measure, by which they were going to make half-a-dozen railways out of the proceeds of sales of land in certain reserves. But, in point of fact, no Railway Reserve Bill was required for the purpose. They had within their power, by the 55th section of the Act of 1869, to reserve all lands which might be required for the purpose of making railways. All that was wanted was a Bill of one clause providing that the proceeds of the sale of the land should be applied to making railways. Instead of adopting that simple plan, they came down with a Bill, agitating the whole of the country, which they were compelled to admit was not a railway-making Bill at all, but a land Bill. By the same clause to which he had referred the Ministry had the power of resuming those lands, and proclaiming that they were open for selection and alienation under the Act of 1876. But, in truth, the Bill was neither a railway Bill nor a land Bill. It was simply a Bill to enable the Government, which was then in a very precarious state of existence, to tide over two sessions of Parliament. The honourable gentlemen who had so patiently followed the Ministry had actually assisted the Ministry to obstruct the public business. If it had not been for this Railway Reserves Bill, some of these railways might have been commenced by this time. What was the use of Government trying to force upon the pastoral lessees what they called a concession, but which the pastoral lessees repudiated and would not accept? It was no concession at all, but a means by which the Ministry were endeavouring to rectify the gross blunder they committed last year, of deciding to make railways from the sale of land. They had found out since that they could not do so, and had been brought round to adopt the policy of the Opposition of making railways on loan, and merely selling sufficient land to pay interest. One result of that blunder was, that they had rendered insecure the tenure which was hitherto supposed to be secure. Agitation had taken place all over the colony, and outside it, by capitalists, and influence had been brought to bear upon Ministers, who had been induced to bring this forward as a concession which gentlemen on the Opposition side of the House said was no concession at all; and the Government had wasted a whole day in trying to compel them to accept it. The honourable member for Blackall had "let the cat out of the bag" by saying that these lands, if thrown open, would be selected. He had always understood that to facilitate selection was one of the principles of the Liberal party. They had been repeatedly told by several members on the other side of the House, especially by the honourable members for Cook and East Moreton, that the concession of giving the squatter the tenure of half the run would prevent the land being taken from him until it was actually required. That concession already existed.

Mr. MACDONALD: The runs will be picked all over.

Mr. MACROSSAN said some might be picked all over, but he believed they would be very few indeed. He believed that the objections of the honourable member for Blackall were purely personal ones, and that if he attended less to his own interest and more to those of the country it would be better. He fathered upon him the objections which had been raised to the Bill. The difference between the new clause of the Premier and the amendment of the honourable member for Port Curtis was this: In the one case, the pastoral tenants would be simply the tenants-at-will of the Government; and, in the other, the tenants-at-will of Parliament. He preferred the parliamentary tenure; and if it came to a division, he should vote for the amendment of the honourable member for Port Curtis. At the same time, he thought he had made a mistake in proposing that amendment, because, if it were carried, the Opposition might afterwards be told that they had obtained a concession which in reality was not a concession.

Mr. MACDONALD said he had no doubt that honourable members on the other side would vote for the amendment of the honourable member for Port Curtis, because it had been proposed by him; but he should like to point out to them reasons why they should not support it, if they studied the interests of the lessees. Under the proposed new clause, six months' notice of resumption had first to be given, and at the end of that time schedules

would have to be laid before Parliament for sixty days. The honourable member for Port Curtis wished to reverse this, and give the sixty days' notice first. A great many of these runs were held by capitalists who lived in the other colonies, and the consequence would be that, before they could receive notice of the schedules, the sixty days would, in all probability, have expired, and the six months' notice to be given afterwards would be a mere farce; by giving six months' notice first, however, they would have time, if they were not living in the colony, to come down to Parliament and explain if any good reasons existed why the runs should not be resumed. Another reason was, that some change of Government might meanwhile take place. He had been accused by the honourable member for Port Curtis with having said that members on the Opposition side did not represent the squatters; but that honourable member knew well that these remarks were called forth and were intended especially in answer to the honourable members for Maranoa and Warrego, who had said repeatedly that the squatters did not want this concession. He (Mr. MacDonald) felt bound to inform the committee that they did not represent the feelings of the squatters. The honourable member for Port Curtis had made other offensive remarks about him; but they were not worth noticing. His vindictiveness towards him was well known inside and outside the House, and his attacks were, therefore, not worth heeding. He could afford to treat them, as hitherto, with perfect contempt. They might carry weight with the needy, seedy, toadying members who thought proper to support him. The honourable member for Kennedy had said that he had shown his hand that evening, and that he had been the cause of all the obstruction. That was the true reason of obstruction on the part of the Opposition—they had obstructed this measure for the purpose of trying to injure him. The honourable member for Port Curtis said last year that, because the measure would benefit two or three members on the Government side, the Opposition would vote against it. Last year he (Mr. MacDonald) mentioned that he would give up the half or even the whole of his run, if it were necessary to the carrying of the Railway Reserves Bill. He believed in the necessity for the construction of railways in the Central district. Of course, it was well known that he had runs in the railway reserves. If honourable members of the Opposition had runs there, they would act differently, and appreciate the amendment now before the committee. He did not object to settlement; but he did not think it was to the interest of the colony that a few people should have the right to pick over the whole of every run. There would be ample time for that when the first portions had been utilised. He was not an advocate for free-selection before survey.

Mr. PALMER said the honourable member for Blackall had admitted that he was actuated by personal interest; and, so far as he could see, that was the only motive that actuated that honourable member—that was the only time when he came to the front. He had accused him last year of treating with the Government, and he did so still. The honourable member thought he was getting a concession from the Government; but he was getting none, and he would find out his mistake. The Attorney-General had said that the object of the honourable member for Maranoa was to defeat the Bill. That was also his (Mr. Palmer's) object. He maintained that a worse Bill was never brought before the House in the interests of the country. He was satisfied that the Treasurer would feel it in a few months, for a great part of the resources of the country would be tied up for special purposes, and would not be available for general purposes. He had endeavoured to impress upon the Government that it would be a very small concession to give the pastoral tenants a parliamentary title instead of a title from the Minister for Lands. But the Minister for Lands had not chosen to do so. For his own part, he did not think the new clause was worth the paper which it was written on. His amendment would give a very small concession—a very miserable one. But, as the Government did not choose to accept it, he would not press it. Even if his amendment were accepted, he would still deem it his duty to vote against the clause as a whole; and he hoped, with the assistance of the casting vote of the Chairman, he would negative it. He withdrew the amendment.

Amendment withdrawn accordingly.

Mr. MCILWRAITH said that the honourable member for Bulimba objected to the whole of the lands within the several districts being reserved for purposes of railway construction. He would point out to him and other honourable members that, by the amendment before the committee, they were going to affirm that the whole of the lands should be devoted to railway construction, and at the same time they had before them the Financial Separation Bill, the principle of which was that the colony should be divided into districts, and that each district should apportion its lands for the payments of its debts and for other purposes. Merely to get the Government out of a technical difficulty, they were going to vote these lands for railway construction. By this amendment, it was ostensibly proposed that only half should be devoted to that purpose, but in reality all was reserved. His suggestion to get out of this difficulty was to take only half the

run, leaving the other half under lease, and leaving it to the consideration of the House as to what should be done with it for the future. He wished to bring prominently before honourable members on the other side that they were making a difficulty which they would not be able to get over when they came to consider the Financial Separation Bill—they were stultifying themselves. The responsibility of creating this difficulty lay with them, however.

Mr. WALSH said he was very glad that the honourable member for Port Curtis had withdrawn his amendment, because he should have to vote against it. He hoped the committee would vote against the tying-up principle contained in the clause proposed by the Premier, and that the Minister for Lands would feel bound to reply to the last powerful argument used by the honourable member for Maranoa.

Mr. GRIMES, referring to the remarks of the honourable member for Maranoa, admitted that he had strong objection to the Bill; but he did not see why he should not on that account endeavour to make it less objectionable. He believed there was a substantial concession in the clause, and that it would have the effect of giving the pastoral tenants six months' additional time.

Mr. WALSH said that he thought the Opposition had, surely, a perfect right to say that they did not want the concession; considering that it was offered by the other side to their mortal enemies, the squatters, he would look upon it with considerable distrust. He hoped the Premier would withdraw the clause altogether, for it ought never to have been introduced. Its introduction was contrary to the Standing Orders and to the practice of Parliament, seeing that the nature of it had already been negatived; but he would not raise that point now.

Mr. GRAHAM said that, if the Opposition desired a concession, they would be very glad to get it; but that was a very different thing to ramming it down their throats, to suit a few individuals on the other side. He should vote against the clause. To ignorant people there might be an apparent benefit; but there was no real benefit in it.

Mr. MACROSSAN said he thought the Premier should reply to the honourable member for Maranoa. He believed that this Bill would become law before the Financial Separation Bill could be passed. By this measure they withdrew from the financial district of Wide Bay and Burnett the whole of the lands in that district, and placed the proceeds for the purposes of railway construction. No other district in the colony proposed by the Financial Separation Bill would be placed in the same condition, for, although certain lands would be taken away for railway construction, there would still be a large quantity left. He believed that the Treasurer was sincere in introducing his Financial Separation Bill; but he should consider whether the manner in which Government proposed to deal with the Wide Bay and Burnett lands would not obstruct its progress.

The COLONIAL TREASURER thought that the matter would be better dealt with under the Financial Separation Bill, and when that Bill came under discussion, he would be glad to hear the honourable member explain any anomaly that he might believe existed in it. He would, however, point out that under the 11th clause of the Railway Reserves Bill, the land, although primarily devoted to the construction of railways, would not be altogether lost to each district, as after that object had been fulfilled, any surplus could be devoted to whatever purpose Parliament chose. The Wide Bay lands would, therefore, not be lost, as the Bill clearly did not contemplate that every shilling should be spent on railways.

Mr. MCILWRAITH maintained that under the very clause the Treasurer had quoted, the lands were devoted to pay off the cost of the construction of railways, and so long as there were any railways to construct, they could not be devoted to any other purpose. The Bill devoted all the lands in Wide Bay to railway construction, and no doubt under the Financial Separation Bill they were devoted to another purpose. This was a difficulty that would arise. He was always met with an evasive answer from Government, to the effect that it was not the proper time to consider his suggestions; but he thought it was the proper time to tell members wishing to pass a good Bill, that they were taking measures to defeat their own object.

Mr. MACROSSAN believed that the Government contemplated the Financial Separation Bill before the session began, and it should have been introduced before the Railway Reserves Bill. He feared that the Treasurer saw the objection raised by the honourable member for Maranoa as clearly as he did himself, and saw, also, that it would be used by some honourable member to block the progress of the Financial Separation Bill.

Mr. J. SCOTT said that, if the Government really wished to make some concession to the squatters, they would accede to an amendment that he was about to propose, the effect of which was, that in the third line of the clause the words "not be dissented from" be omitted, with a view of inserting "be assented to" in their place.

Mr. WALSH said that this would really change the whole clause and Bill. He wished to know if the Premier consented to the amendment, and, if not, his reasons for not doing so?

The PREMIER said this was the old discussion all over again. He had expected this amendment; but did not intend, at

that time of the night, to discuss the difference between the Acts of 1868 and 1869; the amendment proposed to revert to the Act of 1868.

Mr. IVORY had not yet heard what boon the new clause professed to bestow on the country. Putting aside the question, whether it was a boon to the pastoral tenants or not, he wanted to know of what value it would be to the country, and why they had been kept there all the day, discussing an amendment by the Premier on his own Bill.

The PREMIER would not occupy any more time in the discussion.

Mr. IVORY wanted to know the Premier's reason for pressing this clause, as it was neither desired by the committee nor by the country.

Mr. WALSH suggested that it was brought in to satisfy the honourable member for Blackall; for that one vote, the Government had introduced a complete innovation on their own measure.

Mr. MACDONALD always understood that the clause was introduced to meet the wishes of a large number of persons who had petitioned from the Central districts, and it would be of great use to many of them; although, no doubt, they would have preferred being under the conditions of the Act of 1868. He thought that those who voted against the clause would repent it when they returned to their constituents.

Mr. IVORY objected to the honourable member who had just sat down always answering for Ministers. He still wanted to know if Government insisted in pressing a clause not required by the country?

The PREMIER said that he had already told the honourable member that no amendment which he brought forward would satisfy him.

Mr. IVORY said the Premier could easily satisfy him if he tried.

Mr. J. SCOTT regretted that the Premier would not accede to his amendment; the principle of it had been accepted by the fullest House they had had that session.

Mr. IVORY thought the Premier would facilitate business if he would withdraw his amendment, which would be no improvement on his own Bill. This clause would be considered by the Press at large as a concession to the squatters, which would create an impression injurious to the Premier's own interests.

Question—That the words proposed to be omitted stand part of the amendment—put and carried.

Question—That the new clause, as read, be inserted after clause 5 of the Bill—put.

The House divided.

AYES, 22.

Messrs. Griffith, Thorn, Douglas, Dickson, Miles, Kingsford, Stewart, King, Hockings, Bailey, McLean, Fraser, Garrick, MacDonald, Beattie, Tyrel, Murphy, Grimes, Perkins, Foote, Scott, and Fox.

NOES, 10.

Messrs. Palmer, Walsh, McIlwraith, Ivory, Haly, Graham, Stevenson, Buzacott, Macrossan, and O'Sullivan.

The question was, therefore, resolved in the affirmative.

The PREMIER proposed that the following new sub-section be added to clause 7 :—

All lands within two miles of any line of railway within the said reserves except such part thereof as shall be reserved for township reserves or public purposes shall be set apart as homestead areas under the Crown Lands Alienation Act of 1876.

This, he would explain, was merely introducing the principle of the Western Railway Act, which it was thought desirable to insert in the present Bill.

Mr. WALSH doubted if such an amendment could be moved, the Bill having been re-committed for a special purpose. This clause would alter the whole nature of the Bill; but, if the Government liked to make a jumble of their own measures, he would not fight against them.

Question—That the new sub-section, as read, stand part of the Bill—put and passed.

The CHAIRMAN reported the Bill with further amendments. The report was adopted, and the third reading fixed to stand as an Order of the Day for to-morrow.