Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 28 OCTOBER 1880

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LEGISLATIVE ASSEMBLY.

Thursday, 28 *October*, 1880.

Formal Business.—Duty on Queensland Spirits Bill—third reading.—Treasury Bills Bill—third reading.—Adjournment of the House. — Questions. — The Member for Bundanba.—Improvements on Selections Bill—committee.—Selectors Relief Bill.—The late Mr. Todd.

The SPEAKER took the chair at half-past 3 o'clock.

FORMAL BUSINESS.

On the motion of the PREMIER, acting for the Minister for Works, leave was given to introduce a Bill to authorise James Gulland to construct Branch Lines of Railway connected with the Southern and Western Railway.

The Bill was presented, read a first time, and the second reading made an Order of the Day for to-morrow.

DUTY ON QUEENSLAND SPIRITS BILL —THIRD READING.

On the motion of the PREMIER, the Bill was read a third time, and ordered to be transmitted to the Legislative Council with the usual message.

TREASURY BILLS BILL — THIRD READING.

On the motion of the PREMIER, the Bill was read a third time, and ordered to be transmitted to the Legislative Council with the usual message.

ADJOURNMENT OF THE HOUSE.

Mr. REA begged to move the adjournment of the House. The hon. member (as far as he could be understood in the gallery) called attention to what he considered an important misreading of last night's debate, with reference to what he said on the motion then before the House. He read from the *Queenslander* an extract from the Premier's letter in the London *Times*, and it was entirely put upside down, and misapprehended in the report as printed in *Hansard*. It was there stated that—

"Mr. Rea was understood to say that if any of these Treasury bills got to London, the Government would be liable to be charged with a breach of faith with the public creditor. He saw it stated in the money article of the *Times* that the three-million loan would be the last money that would be borrowed by the Government of Queensland for a very long time."

That left all the comments made with reference to the Premier's promises utter nonsense. What he did mean to say, and what he read

carefully and loudly enough, had been left out. He noticed on another occasion that when anything was said that was against the Ministry, the customary way of getting rid of it was to say the speaker was understood to say so-and-so. He (Mr. Rea) read, as distinctly and slowly as anything could be read, a communication of the Premier of the colony to the monied men of England to induce them to take up this loan. This was what the Premier said :—

"For the last four years Queensland has appeared before the British public as borrowers for amounts averaging per annum about £1,200,000. This constant annual borrowing, with no hint of finality, the present Government considered must ultimately weaken their credit. They carefully studied, therefore, the wants of the colony for the next three years, and have scheduled them in the Loan Act."

It was because the schedule was put there that he held the Premier responsible, and that made this House responsible. There was not one word in this morning's *Hansard* as to what he said upon this point. He had referred to it to show that the schedule was, in reality, the mainspring of all that induced the monied men of England to purchase the debentures, because the Premier defined—first of all—how the money was to be spent. First, it was to complete and equip railway lines already constructed; secondly, to construct cheap feeding branches; thirdly, to improve harbours and rivers; fourthly, to build roads and bridges: fifthly, to encourage immigration; sixthly, for the extension of main trunk lines; but the Premier did not say there, as he ought to have said, that he intended to take out of that loan money any deficiency he might have at the end of the year. This was what he (Mr. Rea) called a great breach of faith. When he saw this garbled statement this morning he could not help thinking that, as the country paid very heavily for its *Hansard* report, every member should be equally reported. He noticed down in Melbourne far more correct reports were given in the daily newspapers, which paid nothing, than could be done here. He had been told at times that it was almost impossible to get a fair report of Parliamentary proceedings; but in Melbourne, where there were double the number of members, every man seemed to be fairly reported. Only last week he found another instance in which anything that the Government had to say, no matter how gross it was, how virulent, was fairly reported; while what was said on the other side was eased off, so that the Government might be let down very comfortably. In the *Hansard* of the 21st instant was one of the statements made by the Colonial Secretary, which, if anything was to be left out, should have been modified. It was where the Colonial Secretary said—

"He had changed his opinions on some subjects; not many. One opinion he had never changed. He considered the hon. member for Northern Downs to be the greatest concatenation of ignorance, impudence, and folly that had ever sat in this House."

Further on the Minister for Works got up and told him (Mr. Rea) and the Hon. the Speaker they showed ignorance of the question before the House, but he (Mr. Rea) then told the Minister for Works that he ought to have more modesty in imputing ignorance, as it was he in reality who did not know what he was talking about. But see how lightly a Minister was let down in the *Hansard* report: not like Mr. Thorn, who got the full force of the Government blast. He had been told that the Colonial Secretary had lately complained that the Government had a right to complain that they were not properly reported. He could explain how that was: Last session the Colonial Secretary made an attack upon him (Mr. Rea), and he replied as he thought fitting; but next morning's *Hansard* reported what he said, but not one word of what was said as provocation by the other side. Therefore, he found the reason why Government statements were left out: because on that occasion he was represented to the public as having made a wanton and uncalled-for attack on the Colonial Secretary. He hoped members of the House would have fairplay in *Hansard*. He had taken up as little of the time of the House since July as any member. He admitted that the Government and ex-Ministers should have the fullest reports, but every other member of the House was on an equal footing, and had an equal right to a fair report, otherwise *Hansard* was only a premium to the delivery of long speeches. He hoped the extract he had read would go into to-morrow's *Hansard*, because that was the only way in which his remarks would be made to appear sensible.

The HON. J. DOUGLAS said he supposed the hon. member had his grievances about *Hansard* as everybody else had. Occasionally some errors must of necessity creep into *Hansard;* but he could only say that, whatever imputation the hon. member might make with regard to the accuracy of the reports of what was said by the Government, it was only two or three days ago that the Colonial Secretary complained bitterly of the manner in which he was misreported. If the Colonial Secretary was of opinion that the Opposition got all the benefit of the *Hansard* reports, and the members of the Opposition were of opinion that the other side got all the benefits, he did not know what they were to think of *Hansard*. On the whole, he thought there was really nothing to complain of;—considering the large amount of printed matter that came out every day, it was really wonderful how it was brought out as it was. Possibly in another session it might be considered advisable to adopt what he believed was the rule in the New South Wales Parliament, that all personalities of any kind should be omitted. There was, he believed, something like a standing order to the *Hansard* staff to carefully omit all personalities. All hon. members to some extent, at times, possibly came under this designation, and it might be advisable to ascertain whether the rule might not really be adopted here. He understood the system worked very well in New South Wales, and possibly it might be tried here with advantage.

Mr. RUTLEDGE said he did not think the hon. member (Mr. Rea) had any just grounds for imputing to the reporters any deliberate intention to exclude anything that any hon. member might say, simply because it happened to be opposed to the Government. When a large staff of reporters had to be kept, some might not be quite as accurate as others. He deemed it only due to the reporters to say, when he had spoken at great length on questions of importance, he had found so little inaccuracy in the reports of his speeches that they could not have been better given if he himself had written them out—in fact, he had often sent back the proofs without a single correction. He believed the reporters did their duty faithfully and impartially, and the wonder was that, considering the amount of work they had to do, they did it so well. What he chiefly rose to say was that he did not think the new arrangement of embodying the reports of the two Houses in one sheet conduced to a full report of the proceedings of the Assembly. It was stated at the commencement of the session that the change would not involve the necessity of abridging the reports of the Assembly; but he had noticed that, during the last few weeks, in consequence of the length to which the reports of the Upper House had extended, the

reports of the Assembly had been abridged to a greater extent than formerly. Although in the abridgment the sense of the speeches was faithfully given, he did not think that in succeeding sessions the arrangement would be found likely to give satisfaction.

Mr. MESTON said that occasionally they heard a member of the Ministry say that *Hansard* leaned a little to the Opposition, and hon. members opposite complained that *Hansard* leaned a little to the Ministry. That was conclusive evidence as to the absolute impartiality of *Hansard*. When Pitt, in the House of Commons, proposed his newspaper tax, an eminent statesman said he would vote against it out of gratitude to the reporters, who had credited him with far better speeches than he had ever delivered. Considering the way in which many hon. members spoke, their only feeling ought to be one of gratitude to the reporters, who had credited them with far better speeches than many of them had ever delivered. He never had any doubt of the entire impartiality of the *Hansard* reporters; and considering the quantity of work they had to do, and the circumstances under which it was necessary to be done, it was perfectly astonishing that there were not more mistakes in *Hansard* than there were.

Mr. REA said he had quoted cases which justified his remarks. He had disclosed how it was that if Ministers were not fairly reported it was to suit Ministers that their statements were left out. He did not blame the reporters, who, he believed, were remarkably efficient, but the gentleman who took upon himself, on behalf of the country, to condense and omit what he thought ought not to be published. He had heard the same complaint from other hon. members. It was not the reporters' fault that what was said did not reach the country. He could not agree with the suggestion of the hon. member (Mr. Douglas), because if members should make blackguards of themselves it did a great deal of good to let the public know exactly what was said in Parliament. It modified the opinion of people at a distance as to the conduct and character of men who had previously been highly spoken of. When they read certain speeches they at once said, "That man ought not to be in the House." He had seen the same kind of thing in Victoria, quite lately, when the guilty men met their fate at the elections. As he had said before, Ministers and ex-Ministers ought to be fully reported, and every other member ought to have a fair portion of space allotted to him. If that were done they would not be treated in the way he had complained of. He begged to withdraw the motion.

Motion withdrawn accordingly.

QUESTIONS.

Mr. MILES asked the Minister for Works—

1. What progress has been made with the survey of the railway line from Warwick to Killarney?

2. Is it the intention of the Government to lay the plans, specifications, and book of reference on the table of the House, during the present session, for adoption?

The MINISTER FOR WORKS (Mr. Macrossan) replied—

1. Fifteen miles of trial survey, *via* Swan Creek, has been made, of which four and a-half miles follows the main road.

2. It will be impossible to lay the plans, &c., on the table during the present session.

Mr. KATES asked the Minister for Works—

1. Whether he intends to reduce the Freight for Agricultural Produce from the Darling Downs to Ipswich and Brisbane?

2. Also, whether he contemplates reducing the present Charges for the carriage of Agricultural Implements from Brisbane to the Downs?

The PREMIER (Mr. McIlwraith) said the question had been altered from the form in which it was originally given. In its former shape it was against the Standing Orders.

The SPEAKER said the question originally given notice of was contrary to the Standing Orders, and he had therefore instructed the Clerk to strike out the words which were contrary to the Standing Orders.

The MINISTER FOR WORKS: In reply to both questions—no.

THE MEMBER FOR BUNDANBA.

The HON. S. W. GRIFFITH said he rose on a question of privilege. The other day the Speaker informed the House that he had received a telegram from the hon. member for Bundanba resigning his seat, and the Speaker had declared himself unable to act upon it. He had since heard that that hon. member had lost his seat by being adjudicated an insolvent. He should like to know whether the Speaker had made any inquiries on the subject. If the fact was as stated, the seat ought to be declared vacant.

The SPEAKER: Having seen a paragraph in the leading newspaper stating that the hon. member for Bundanba had been adjudicated an insolvent, I made inquiries at the Supreme Court, and have obtained from the Registrar a copy of the adjudication. On referring to precedents, I find there was only one, which took place in the session of 1867. In that case the Speaker did not report the fact to the House until the notice of the adjudication had appeared in the *Gazette*, signed by Mr. Justice Lutwyche. When the *Gazette* containing the notice with respect to the hon. member for Bundanba appears, I shall call the attention of the House to the fact, with the view of the House taking action upon it.

Mr. GRIFFITH said the document referred to by the Speaker as the one which he had procured from the Supreme Court appeared to be an original order adjudicating the member for Bundanba insolvent. The House had therefore official information of the fact of the insolvency, and was bound to act upon it.

The ATTORNEY-GENERAL (Mr. Beor) said the only information of which the Speaker could properly take notice was the notice of adjudication published in the *Gazette*, which by the Insolvency Act was made the proper evidence of the fact. There was another thing which might be considered, and that was that after a man had been adjudicated an insolvent he had twenty-one days during which to appeal against the adjudication. It would be premature and hasty on the part of the House to declare a member's seat vacant until he had had every opportunity which the laws gave him of upsetting the decision which had been come to by the judge in insolvency, for it might happen that during that interval he might succeed in getting the adjudication upset.

Mr. GRIFFITH said that as the Premier did not follow the usual practice and move for the issue of a writ, it was open to any other member of the House to do so; and he intended, therefore, to move the usual motion. With respect to the observations of the Attorney-General, if the *Gazette* was the only official authority in such matters, how did the House become acquainted with the fact of the death of a member, or that he had accepted office? Sometimes by the production of the *Gazette*, but not always. In the case of the late member for Fortitude Valley, Mr. Pring, he believed a writ was moved for without any information except the statement of the

Premier. In the present case there could be no doubt whatever, as the original order of the court had been produced; and action ought to be taken at once. The Attorney-General said the adjudication might be upset on appeal within three weeks. It might be taken to the Privy Council for all they knew. The argument amounted to this, that the House could not take action in the event of the insolvency of a member until after the expiration of twenty-one days from the date of the adjudication. He had never heard of that before. The result would be that Bundanba would not be represented in the House during the present session. He considered it his duty as a member of the House to move—

That the seat of the hon. member for Bundanba has become vacant by reason of his insolvency.

The PREMIER said the leader of the Opposition had taken a most extraordinary course. Had there been the slightest indication that the Government were trying to keep back the declaration of the vacancy, there might have been some justification for it. How was it possible that the Government could have become notified of the insolvency sooner than they had been? It was purely by an accident that the House was in possession of official information on the subject. Even the Speaker was not aware at first that it was an original document. It was beneath the dignity of a Speaker to go down to the Supreme Court and hunt up affairs of that kind. That was not the business of a Speaker. It was only since the hon. gentleman spoke that the Government had been put in possession of evidence that the hon. member was an insolvent, and the hon. gentleman at once moved that the seat be declared vacant, thus taking the business out of the hands of the Government. There was no justification whatever for the course the hon. gentleman had adopted. The ordinary course was that as soon as the notification appeared in the *Gazette* the leader of the House took action, and the leader of the House would have taken that action. To gain some point or other, the hon. member brought forward his motion quite unexpectedly—for, as he had said before, it was by the merest accident that they were in possession of evidence that the hon. member was insolvent. There was a great deal in the argument of the Attorney-General; and if an insolvent had a right of appeal during twenty-one days against the adjudication, they could not vote his seat vacant until the expiration of that time. Supposing the adjudication to be upset after the seat was declared vacant, what a position they would be in! The seat would have been declared vacant when there was really no insolvent. The point raised by his hon. colleague ought to receive serious consideration. He protested against the business being taken unnecessarily out of the hands of the leader of the House.

The COLONIAL SECRETARY (Mr. Palmer) said the only other case of the kind he could remember was that referred to by the Speaker, which occurred in the session of 1867; and on that occasion what he believed to be the correct course was taken. The Speaker did not notify the fact of the insolvency to the House until after the proper notification had been published in the *Gazette*. He could not imagine what business the Speaker of the House had in ferreting out the records of the Supreme Court; but he supposed the Speaker had satisfied himself that he was justified in doing so. He (Mr. Palmer) had never heard of the adjudication of insolvency—nor had many others—until the hon. member for North Brisbane took upon himself to assume the functions of the leader of the House. The question raised by the Attorney-General was also quite new to him, and it was a very serious question for the House to consider. If the hon. member for Bundanba were to appeal against the adjudication, and prove that he was not insolvent, what position would the House be in if they declared his seat vacant? It would be a most extraordinary position. The hon. member for North Brisbane, learned in the law as he was, did not dispute the point raised by the Attorney-General: he simply said it was new to him. It was a serious consideration whether the House was justified, within the twenty-one days, of declaring the seat vacant. But he had seen some very curious proceedings in the House. He had seen a man declared elected by the vote of the House. He never believed that hon. member was elected, and, from information which was laid before the hon. member for North Brisbane, he could say that that member was never elected.

Mr. GRIFFITH: Yes, he was.

The COLONIAL SECRETARY said there was indisputable proof that the returning officer was perfectly right, that the papers from the outside polling-places were destroyed, and were replaced by forged ones. He hoped they were not going to follow up that now. If the opinion of the Attorney-General was right, the House would put itself into a very curious position if they proceeded to declare the seat vacant within the twenty-one days prescribed by law.

Mr. DOUGLAS said the course taken was possibly an unusual one, but they ought not to forget how it came about. The hon. member for North Brisbane, he took it, did not wish to anticipate the action of the Premier until the fact of the insolvency had been disclosed, and the Attorney-General had given something like an opinion that action could not be taken until the notice of adjudication had appeared in the *Gazette*. The hon. member for North Brisbane then, under the rights which he undoubtedly possessed, moved the resolution now before the House. That that was quite in accordance with the practice of the House of Commons was evident from the following passage in "May," page 625—

"When the House is sitting, and the death of a member, his elevation to the peerage, or other cause of vacancy is known, a writ is moved by any member, and on being seconded by another, Mr. Speaker is ordered by the House to issue his warrant for a new writ for the place represented by the member whose seat is thus vacated."

The House was sitting, and there was satisfactory evidence—the certificate of the Registrar of the Supreme Court—that an act of insolvency had been committed by the hon. member for Bundanba. The hon. member was therefore justified in making the motion by the usage of the House of Commons.

Mr. O'SULLIVAN said the hon. member (Mr. Douglas) had omitted to prove one thing. The quotation from "May" stated that on the death of a member, or any other cause, being reported to the House, the seat might be declared vacant. The hon. member had not shown that a member who was dead had twenty-one days' grace, as an insolvent had under the Act. That point the hon. gentleman had overlooked.

The SPEAKER said it was desirable that the decision on the point raised should be unanimous. With reference to his action in obtaining the certificate from the Supreme Court, he was following the course he had always followed on the death of a member. During last recess he saw a notice of the death of the hon. member for Leichhardt, and at once applied to the Registrar for the necessary proofs. The point raised by the Attorney-General ought to be settled easily, by agreement among those qualified to give an opinion on both sides; because at that late period of the session it was a question of

little moment whether a member for Bundanba would be entitled to take his seat during the present session or not.

The ATTORNEY-GENERAL said, with regard to the twenty-one days' grace, that he thought there could be no doubt in the mind of anyone who looked at the statute that it provided that the time for notice of appeal should be limited to twenty-one days "from the date of the decision or order to be appealed from." That was provided for in the 16th section of the Act. The 15th section provided that—

"The Supreme Court of Queensland shall be the Court of Appeal in insolvency, and all decisions and orders of courts in the insolvency and Examining Courts under this Act shall, except as hereinafter provided, be subject to appeal to the said court."

The words "hereinafter provided" referred to the following :—

"But decisions and orders of the courts in insolvency relating only to claims to prove debts of less amount than thirty pounds, or relating only to the possession, payment, or delivery of property or money of less value than thirty pounds, shall not be subject to appeal."

With regard to the evidence, the 70th clause of the Act said—

"A copy of the order of the Court adjudging the debtor to be insolvent shall be published in the *Gazette*, and be advertised locally in such manner (if any) as may be prescribed, and the date of such order shall be the date of the adjudication for the purposes of this Act, and the production of a copy of the *Gazette* containing such order as aforesaid shall be conclusive evidence in all legal proceedings of the debtor having been duly adjudged an insolvent and of the date of adjudication, so that it shall not be necessary in any such proceedings to prove any petitioning creditor's debt or act of insolvency in order to support the adjudication."

The Act thus provided the form of proof, and that was the form which the Speaker and the House ought to require before taking any action in consequence of the reputed insolvency of an hon. member.

Mr. GARRICK said the Attorney-General was mistaken about the evidence. Notice in the *Gazette* was given only to facilitate evidence. The primary evidence—the best evidence which could be procured—was the order of the court which the Speaker had in his possession. That evidence was not always accessible in different courts and in different places, and, therefore, to facilitate business it was provided that notice might be given in the *Gazette*. But that was not made better evidence—it never could be as good —than the order of the court. Directly the best evidence obtainable was produced the House was bound to act on it, and not to wait for the production of the *Gazette*. As to the time of appeal, they all knew that an adjudication of the kind could be upset at any time on different grounds ; and was it reasonable to suppose that they were to wait for any length of time before taking action because of the possibility of the adjudication being upset? Mr. Hendren was *de facto* insolvent—there was the best evidence of that fact before the House, and it ought to be acted upon.

Mr. SCOTT said he did not know whether the evidence before the House could be called into question in any way, but for aught he knew it might not be evidence at all. It was simply a piece of paper.

Mr. GRIFFITH : It bears the seal of the Supreme Court.

Mr. SCOTT said it might be right, but for all the House knew it might be wrong. He thought the point involved a very simple one. The 7th section of the Legislative Assembly Act stated the grounds upon which a member's seat might become vacant; and one of these grounds was—

"Or shall become bankrupt, or an insolvent debtor within the meaning of the law in force in the said colony, relating to bankrupts or insolvent debtors."

The Insolvency Act distinctly provided that a person adjudicated to be insolvent should have twenty-one days within which to appeal against that adjudication, and he was of opinion that within that time it could not be said that a man was insolvent.

The PREMIER said he could not agree with the argument of the hon. member (Mr. Garrick) that the order of the court produced was better evidence than an announcement in the *Gazette*. What evidence had they that Mr. Hendren was insolvent, beyond the document in the possession of the Speaker? The Speaker, in mentioning the matter, told the House that the document was a copy of the order, and the hon. gentleman could not say now by looking at it whether it was a copy or whether it was the original document. It was only through the technical knowledge of the hon. member for North Brisbane that they were aware that the original document was in the House, and it was by mere accident that it had got there. The evidence of the *Gazette* was totally different ; it purported to be evidence of a document which was certified to by a lot of Government officers. When the *Gazette* notice was published there was proof positive to the whole world that the document was in existence. He had not the slightest knowledge that the document before the House was the original one, and beyond those who knew it from technical knowledge he did not suppose there were half-a-dozen members who would know it to be such.

The HON. J. M. THOMPSON said he quite agreed that the official notice—whatever the legal notice might be—was the *Gazette ;* and as the Speaker was an official personage and not a court, he was bound to take the official notice. He (Mr. Thompson) thought that indisputable. By what accident the Speaker became possessed of the record of the Supreme Court he did not know; he did not know of any provision in the law which allowed the Speaker to get possession of the document. As to the twenty-one days for appeal, he held a different opinion to the Attorney-General. The Legislative Assembly Act provided that an insolvent debtor should lose his seat. What was the status of Mr. Hendren after he was adjudged to be insolvent? His property actually passed away to his creditors, if he had any, and *de facto* he was an insolvent debtor ; so that any prospect or any possibility of the order of adjudication being upset had nothing to do with it.

The MINISTER FOR LANDS (Mr. Perkins) said he had heard the leader of the House argue a good many cases both in and out of the House, but he did not think that he ever heard the hon. member argue a weaker case than that which he had taken up that evening. If the hon. member took up the other view of the case, to show that the seat of Mr. Hendren ought not to be vacant, he (Mr. Perkins) believed that he would acquit himself better. The circumstances of the case were very peculiar indeed. It was a very strange thing to witness the hon. member (Mr. Griffith) as the first to take action to run out of the House a gentleman whom he was mainly instrumental in dragging into it. It just showed what changes the whirligig of time brought about. He was free to admit that the document before the House was an order of the Supreme Court adjudicating Mr. Hendren an insolvent, but it was clear to him that the law allowed Mr. Hendren twenty-one days to purge himself of his insolvency, if he had the materials to do so. He supposed no one would dispute the fact that if a man went to Melbourne or Honolulu, or any other place, a conspiracy might be arranged to declare him insolvent. To do that it was only necessary for two or three persons to conspire, and he believed that at the present

time they would have no difficulty in finding persons who would do that. What a nice quandary they would be in if they declared Mr. Hendren's seat vacant, another gentleman was elected in his place, and within the time specified by the Act Mr. Hendren purged himself of his insolvency! It seemed to him to be as plain as that two and two made four, that twenty-one days were allowed during which a man could purge himself of his insolvency. The hon. gentleman, Mr. Thompson, said that *de facto* Mr. Hendren's property had passed to the hands of the Official Assignee. That was right enough, but the property had to be accounted for or handed back *in toto* if Mr. Hendren was declared not to be insolvent. He could not understand the haste of the hon. member (Mr. Griffith). What sort of an article or instrument did the hon. member expect to introduce into the House next time? The hon. member was continually trying to push law down their throats whether it was right or wrong, and he (Mr. Perkins) was sure that if the hon. member so chose he could advance very strong reasons why Mr. Hendren's seat should not be declared vacant.

Mr. MOREHEAD said that none of the hon. members who had spoken had touched the key of the position. He recollected hon. members on the other side seating a member by a majority, and now they were trying to unseat a member by a minority. Both actions were equally illegal, but he hoped that on this occasion they would be defeated. Hon. members on the opposite side of the House must be well aware of the case of Mr. Adam Black.

Mr. MACFARLANE said if the evidence in the possession of the Speaker was not sufficient as to the insolvency of Mr. Hendren, he would take the liberty of reading an advertisement from an Ipswich paper.

Mr. MOREHEAD rose to a point of order. The hon. member was reading from a newspaper.

Mr. MACFARLANE said he found in an Ipswich paper an advertisement, signed by George Crawford, Registrar of the Supreme Court.

Mr. MOREHEAD asked whether an hon. member was in order in reading from a newspaper—especially an Ipswich one?

The SPEAKER: The hon. member is not reading from a newspaper. He is merely directing attention to something contained in a newspaper.

Mr. MACFARLANE said that the advertisement he referred to declared that William Hendren, of Ipswich, auctioneer, was adjudged insolvent on the 25th day of October, 1880, and stated that the first meeting of creditors would be held at the Principal Registry, Brisbane, on the 8th of November, at 11 a.m.

Mr. LUMLEY HILL asked whether they were to take an advertisement of that kind as evidence. The advertisement might have been put in the paper by one of Mr. Hendren's enemies—by one of the members of the Opposition. He was almost inclined to think that the leader of the Opposition had done so.

Mr. MOREHEAD said the hon. member had failed to identify the William Hendren mentioned in the advertisement with Mr. Hendren, the member for Bundanba.

Mr. RUTLEDGE said he was very glad to find from the latest utterances of the Attorney-General that that hon. member had waived the first objection he raised to the motion of the hon. member for North Brisbane.

The ATTORNEY-GENERAL: I have not done so.

Mr. RUTLEDGE said the hon. member had waived it by stating that the Speaker had not before him the *Gazette* containing an announcement of the insolvency, which announcement would be receivable as evidence in any court of justice in the colony. A man who was referred to in such an announcement in the *Gazette* must be held against the world to be insolvent; and, as had been clearly pointed out, that evidence had been rendered necessary merely because of the utter impossibility of supplying to all persons who might wish to prove that a man was insolvent copies of the adjudication signed by the Registrar. The 3rd section of the Evidence and Discovery Act said—

"All courts, judges, justices, prothonotaries, masters in equity, registrars, commissioners, or other persons officiating judicially shall henceforth take judical notice of the signature of any of the judges of the Supreme Court, and also of the prothonotary, and master in equity, and registrar thereof respectively, and of any deputy, or acting prothonotary, master in equity, or registrar of the said Supreme Court. Provided such signature shall purport to be attached or appended to any decree, order, certificate, or other judicial or official document."

The notice in the *Gazette*, it had been said, was primary evidence, whilst the other notification was only secondary evidence; but the announcement in the *Gazette* would be just as much secondary evidence as the evidence contained in the advertisement referred to by the hon. member (Mr. Macfarlane), but for the fact that the Legislature had stepped in and said that there was one print in the colony evidence published in which should be legally receivable. But that announcement did not override the right to put in the original document as evidence. He submitted that nothing could be more lowering to the dignity of the House than for them to say that, because a member of the House who was an adjudicated insolvent had the right to appeal within twenty-one days, they would wait fiddling about to find whether there were any just grounds upon which he could appeal before they would take any action. A man would not be adjudicated insolvent unless good reasons were shown for that being done; and although they might not intend it, they would virtually cast a reflection on the court which made the adjudication if they waited to see whether it could not be upset. Would it not be a scandal and a degradation to the House, supposing half-a-dozen members became insolvent—the proceedings in connection with some of the insolvencies being notoriously scandalous—for the House to say that those members should be entitled to their seats until the order of the Court was upset or affirmed? He did not say there was anything scandalous in the circumstances of Mr. Hendren's insolvency; but if they allowed the principle that all proceedings must be suspended for twenty-one days, occasions might arise when scandalous results would follow. His conviction was, that if a man was shown to be illegally adjudicated insolvent it was his misfortune and not his fault that he could not be reinstated in his former position. The only way to provide against such a misfortune was for a man to take care that he did not get himself so involved as to render him liable to the risk of being adjudicated insolvent. The document which the Speaker had in his possession had not been obtained surreptitiously: the Speaker sent to the place where alone could legitimate documents of the kind be obtained.

The PREMIER: What did the Speaker say the document was?

Mr. RUTLEDGE said that the Speaker said the document was one which stated that Mr. Hendren was a duly adjudicated insolvent.

The PREMIER said that the hon. member was misquoting the Speaker's words. The Speaker said that he sent for a copy of the document and got that which he had in his possession as a copy.

Mr. RUTLEDGE said that the Speaker, as the custodian of the honour and dignity of the House, was obliged to take cognisance of such a circumstance as the reported insolvency of a member; and, in discharge of his duties, he sent to the Supreme Court for what purported to be a copy of the adjudication. In response to that request the Speaker had sent to him what purported to be a document bearing the signature of the Registrar of the Supreme Court. That document bore the seal of the Court, which was evidence of a superior character to the evidence in the *Gazette*.

The MINISTER FOR WORKS said that the hon. member (Mr. Rutledge) had said that nothing could be meaner than for the House to be obliged to wait for twenty-one days to see whether an adjudication of insolvency against a member could not be upset. He (Mr. Macrossan) could conceive something meaner than that, and that was for a party in the House to hunt out of it one of their number without giving him the right which was due to every man—that was the right of appeal. Nothing could be meaner than that. According to the hon. member (Mr. Thompson) the Attorney-General was right in his contentions. The 7th section of the Legislative Assembly Act said that a member's seat would become vacant if he became an insolvent debtor within the meaning of the laws in force in the colony, and the laws in force gave him twenty-one days after the adjudication to prove that he was not insolvent.

Mr. GRIFFITH: No.

Mr. THOMPSON: I did not say that he was not insolvent.

The MINISTER FOR WORKS said that during the twenty-one days the adjudicated insolvent had a right to show that he was not insolvent, and during that time it was utterly beyond the province of the House to deal with the case of Mr. Hendren.

Mr. MILES said he could see nothing objectionable in the course taken by the hon. member for North Brisbane. If report was true, Mr. Hendren was the member for the Minister for Lands, and he (Mr. Miles) could understand that the Minister should be angered at the prospect of losing his member before the session was finished. It was currently reported that the Minister for Lands had bought the hon. member (Mr. Hendren). If he had, all he (Mr. Miles) could say was that he had a bad bargain. The people had a right to be represented in the House, and on that ground the House ought to take action in the matter. He would recommend the Minister for Lands to be very careful not to buy any more members.

Mr. O'SULLIVAN rose to a point of order. Was it parliamentary for an hon. member to say that one member had bought another?

The SPEAKER: The hon. member is not justified in saying that a member of this House has been bought.

Mr. MILES said what he said was, that it was currently reported that the hon. member had been bought.

Mr. O'SULLIVAN desired that the words should be withdrawn.

The SPEAKER: The hon. member has denied having said that an hon. member had been bought.

Mr. GRIFFITH said that when moving the motion he purposely disclaimed any intention of taking it out of the hands of the Premier.

The COLONIAL SECRETARY: You did it, though.

Mr. GRIFFITH: I waited until the Government, in effect, declined to take any action.

The COLONIAL SECRETARY: How long?

Mr. GRIFFITH: Until the House was proceeding to other business.

The COLONIAL SECRETARY: You waited until you saw that document.

Mr. GRIFFITH said he waited until the Attorney-General expressed the opinion that no action ought to be taken for twenty-one days: that was how long he waited. He did not take action before that. He waited until the Attorney-General, the only member of the Government who spoke had spoken, and said that the House must wait twenty-one days. It was hard to speak calmly upon a thing like this, and it was hard to conceive a Government endeavouring to make use of a majority to keep a seat in the House vacant for several months. This writ could not be issued until it was ordered by the House, and if no writ were issued this session it could not be issued till next session; so that for a considerable period of next session this constituency would remain unrepresented.

AN HONOURABLE MEMBER: That is a good wrinkle.

Mr. GRIFFITH said that he never could have believed that the Government would have made the efforts they had to keep a constituency in the colony disfranchised. The Colonial Secretary said last night that he would scorn to have anything to do with electoral rolls, but now it appeared the Government did not scorn to disfranchise a constituency. The seat was vacant——

HONOURABLE MEMBERS on the Government side: No, no!

Mr. GRIFFITH said that the seat was as much vacant as if the hon. member were dead. It was coming to a pretty pass indeed if hon. members were to treat a matter which involved an important principle as a joke.

Mr. LUMLEY HILL: So it is.

Mr. GRIFFITH said he was ashamed to hear the hon. member say so. By his interjection he meant virtually to say, "We have a seat vacant and will not allow it to be filled."

Mr. MOREHEAD: How does the hon. member interpret a chuckle?

Mr. GRIFFITH said he had a perfect right to interpret an indecent interruption in any manner he chose. He hoped the Government would not descend to this depth of degradation in Parliamentary Government, and he did not believe they were willing to do so; though the behaviour of some of their supporters made it appear that they did not realise the gravity of the situation, but thought the affair was rather a fine joke. They thought it was a fine joke to have a seat in their pockets and to keep it there.

The MINISTER FOR LANDS: So it is.

Mr. GRIFFITH: There was the Minister for Lands saying it was a fine joke for the Government to have a seat in their pockets and to keep it there.

The MINISTER FOR LANDS: I said no such thing: the hon. member says it is a fine joke, and I agree with him. It is a joke he made himself when he initiated these proceedings.

Mr. GRIFFITH said he could not see any joke in the matter. They were governed entirely

by force, apparently, even in a matter like this. Here was a seat vacant, but it was not to be declared so. The Government would not act; and when a private member acted his action was laughed at. The idea of wanting a seat filled was treated as a good joke. No doubt some hon. members on the other side would like to see it vacant till the end of the session, and much longer.

The MINISTER FOR LANDS: When was it filled at all?

Mr. GRIFFITH said he should be very glad to withdraw his motion, as he did not wish to interfere; but he would only do so on the Premier's undertaking to fulfil the functions which properly belonged to him. He would much rather the Premier did this. He moved the motion because he thought the Government intended to take no action. There were only two questions which really were to be considered. The first was whether the House was in possession of sufficient information that the late member for Bundanba had been adjudicated insolvent. On that there could be no doubt. Talk about technical quibbling and frivolous objections, they had a good example of them that afternoon. Here was a document in the Speaker's hand—an official document under the hand of the Registrar of the Supreme Court and the seal of the court, which would be recognised in any court of justice in this or any other colony, stating that the late hon. member for Bundanba was insolvent—and yet hon. members on the other side got up, and among them the Attorney-General, and told the House that the copy of the document in the *Gazette*, because it would by a statutory provision be sufficient, was the only evidence which could be acted upon. He (Mr. Griffith) did not think it possible that the Attorney-General would venture to tell anybody that on his professional reputation. He could scarcely conceive it possible that any lawyer would tell hon. members of that House, or anyone else, that a copy was better than the original.

The ATTORNEY-GENERAL: I say in this House it is better.

Mr. GRIFFITH could only say he could not conceive any lawyer making such a statement.

The PREMIER: Mr. Thompson said the same thing.

Mr. GRIFFITH said that for a moment conceding that question, was the House bound to require further proof? When a writ was issued on the death of a member did they send for the undertakers and others who could prove death, to be brought to the bar of the House? In England he knew of one case where a writ was issued and it was found that the gentleman was not dead at all; but that was done on the information of another member. It seemed, however, that the more important a matter was the more the members opposite thought it fit to be jeered at. Never before had he seen a Government try to prevent the issue of a writ. Party politics had never before within his recollection, or his reading of history, been so degraded, as to attempt to keep a seat vacant for an almost undefined period of time. There was ample evidence before the House that the seat of the hon. member for Bundanba was vacant, and the information had been given by the Speaker, who in the exercise of his official duties had obtained the information.

The MINISTER FOR LANDS: It is no part of his duty.

Mr. GRIFFITH said it was as much a part of his duty as to obtain information when a member was dead. The Minister for Lands evidently thought it was the duty of the Speaker to assist in keeping a seat vacant. It was the Speaker's duty to see that the proceedings of the House were regular and that the number of members in the House was complete. It would be as much the duty of the Speaker if a resignation were tendered him to keep it in his pocket till the Ministry wanted the seat to be filled, as it would be to prevent the writ being issued under the present circumstances. Here, he repeated, was a seat vacant—when would this writ be issued?—was it to be left indefinitely? The insolvency might be annulled that day twelve months. Were they to wait twelve months before the vacancy was declared? The statute of insolvency said that any person might apply to have the insolvency annulled within the prescribed time, which was not twenty-one days, as the Attorney-General said, but one month or such further time as the court might allow. They all knew where the hon. member for Bundanba had gone, and how it was he came to go there, and they knew very well that his seat was not desired to be filled this session.

The PREMIER: That is not true.

Mr. GRIFFITH said that he wanted to know what the Government proposed to do. All he required was to see the House complete in its members. He did not want to press his motion, but he was compelled to move it, by the action of the Government. If the Government would move a motion in the ordinary course he would willingly withdraw his, but if they intended to keep it open until the possibility of annulling the insolvency was at an end the seat would not be filled until next session. As to the case that occurred in 1867, the insolvency then referred to occurred in the recess, and, on the meeting of Parliament, the Speaker called attention to the fact, the *Gazette* having been issued before Parliament met. That was no precedent to govern the present case when a vacancy had occurred during the session. In the case of the appointment of a Minister it was not necessary that it should be gazetted before the information was given to the House, but the House acted upon any information it thought reliable. What the House had to be satisfied of was that the member for Bundanba was insolvent. When they were satisfied upon that they were bound to act. The duty belonged to the Premier, not as leader of a party but as head of the Government, and in that respect he was as much the leader of the Opposition as he was the leader of his own party. It was purely a Ministerial duty, and it was just as much the hon. gentleman's duty to act in a matter of this kind as it was to attend when a new Governor was sworn in. Under these circumstances it was the Premier's duty to have told the House what his intention was. It could not of course be tolerated that a seat should be allowed to remain vacant. He acquitted the Premier of any wish to keep this seat open for an indefinite length of time, though some of his colleagues and supporters seemed to think that it would be a fine thing to act upon that principle. The House certainly was entitled to know what were the intentions of the Government, because if the Premier declined to move in the matter, which was so plainly his province, it was the duty of some other member to take prompt action. In England, a Premier, he believed, never moved for the issue of a writ, but left the matter to one of the junior members of the Government or a private member. There was no precedent that he was aware of, in England, as the seat of a bankrupt in England was not avoided by the bankruptcy. All that happened was that the member was prevented

from sitting. By usage it was recognised to be the duty of the Premier in these colonies to bring forward a motion like this, and the House was bound to carry it. There was no justification for a motion of this kind being deferred; and as to there being a division upon it, it seemed to be inconceivable. Would the Premier be good enough to inform the House of the intentions of the Government in that matter?

The PREMIER said that if the hon. gentleman had commenced by asking the intentions of the Government, he would have prevented the angry debate which had taken place. It was positively indecent for the hon. member to force a debate of this kind upon the House, when he must have known that if he had asked a civil question he would have got the information he wanted. His (the Premier's) position was plain. He saw by the newspapers that Mr. Hendren was insolvent, and found that as leader of the House, whenever he had the information before him in an official manner, it was his duty to take action so that the seat might be declared vacant. He was perfectly prepared to do this the moment the Speaker had intimated officially that it was within his knowledge that the member for Bundanba was declared insolvent. Looking at the precedents, he (Mr. McIlwraith) found the usual course was to wait for the official intimation in the *Gazette*, and this he expected to see next Monday when the *Gazette* came out. It was his intention on the publication of the *Gazette* to move that the seat be declared vacant. Until he came into the House this afternoon that was the view he took—viz., that on Monday next, after the Speaker had declared that Mr. Hendren was insolvent from the official information he had received from the *Gazette*, he (the Premier) would have moved that the seat be declared vacant. In that view Mr. Thompson, the member for Ipswich, seemed to agree, and it seemed to be plain to every member that the House could not be officially cognisant of the bankruptcy until it was proclaimed in the *Gazette*. This afternoon the first business brought forward by the leader of the Opposition was to move that the seat be declared vacant; and such an unusual course had led to an angry debate, and the hon. gentleman had said that the House had been degraded by the Government, because they were anxious to keep the constituency unrepresented. He would not answer such an accusation; but he would say that the Government would be very glad indeed to have the seat declared vacant, if it was only to see the constituency of Bundanba creditably represented. He did not care one straw whether Bundanba sent a member into the House to sit on this side or that; but he did care a great deal for the honour of the colony and the House; and, therefere, he looked forward to the constituency redeeming its character by having a different man from the one they last sent to represent them. If for no other reason than this he should without loss of time have taken steps to see that Bundanba was not unrepresented in the House. But what did the hon. member do? On the intimation from the hon. the Speaker that he had received a copy of a document from the Supreme Court, the hon. gentleman said it was the original. The hon. member, however, did not know that it was the original document; the Clerk did not know; the Speaker did not know. It was sent for as a copy, and he (the Premier) believed it was a copy, and that the House therefore had up to this moment no official information of the insolvency. It was not even, as hon. members might see by examining it, an attested copy, nor was it sent for as official information that would guide the House in declaring the seat vacant. If he had taken action this afternoon the action would have been indecent on his part, and the Government would have been accused at once of having some party move in view in being in such a hurry to declare the seat vacant before they had official and authentic information. Up to the present time he had nothing but newspaper reports and the copy of this document to act upon, and he would not be justified in moving that the seat be declared vacant upon either one or the other. As to the point raised by the Attorney-General, he (the Premier) had never heard it before. It required the mature deliberation of the Cabinet, and at the present moment he was not prepared to express an opinion upon it, as it was a purely legal matter. There was nothing, however, to show that the Government had the slightest intention of prolonging the time during which Bundanba was without a member, nor one moment longer than was necessary; and the indignation which had been poured forth by the hon. member for North Brisbane had not been caused by the action of the Government, and was quite uncalled-for.

The ATTORNEY-GENERAL asked permission to say a few words as to the practice of the House of Commons with regard to insolvent or bankrupt members. The hon. member for North Brisbane had stated that the seat was not vacated in the House of Commons by the bankruptcy of a member; but such had been the practice for ten or eleven years. He referred the hon. member to the 121st, 122nd, 123rd, and 124th sections of the Bankruptcy Act of 1869. The practice of the House of Commons showed that they adopted there a considerably larger measure of caution than he had recommended the House to adopt here this evening; and he would read from "May" to show exactly the course which was adopted. And such was the case before the Bankruptcy Act of 1869. If the hon. member would look at 52 George III., chap. 144, he would find something very much to the same effect as the following from "May":—

"By the Bankruptcy Act, 1869, s. 121-124, if a member of the House of Commons is adjudged bankrupt, he shall be, for one year from the date of the order of adjudication, incapable of sitting and voting."

Mr. GRIFFITH: Hear, hear.

The ATTORNEY-GENERAL said he would advise hon. members opposite to wait a minute; they were a little too much inclined to jump before they got to the stile; and he thought they would be sorry for those ejaculations in a minute:—

"He shall be, for one year from the date of the order of adjudication, incapable of sitting and voting, unless within that time the order is annulled, or the creditors are fully paid or satisfied. At the expiration of that time the court is required to certify the bankruptcy to the Speaker, when the seat of the member is vacant and a new writ is issued."

Mr. DOUGLAS wished to call attention to what appeared to be a discrepancy between the opinion of the hon. gentleman at the head of the Government and that given by the Attorney-General.

An HONOURABLE MEMBER: You have spoken.

Mr. DOUGLAS said if he was not in order he should be glad to sit down; but he did not know whether on a matter of privilege it was not usual to speak more than once?

The SPEAKER: There is a question before the House, and the hon. member has spoken; he can only speak by permission, therefore.

Mr. HAMILTON said he thought the action of the Opposition in this matter was not only bad, but uncharitable. Here was a member who had sat with the Opposition throughout two

sessions, had voted with them on all occasions, had sat in their councils, and faithfully supported them, and now, directly the clouds of adversity lowered over him, they, like a pack of wolves when one of their number was hurt, were the first to worry him; but, not satisfied with that, they charged their own comrade with dishonour. He congratulated the Opposition on the opinions they evidently possessed of each other. The hon. member (Mr. Griffith) had said they all knew it was meant to keep the seat vacant. This was another of that gentleman's insinuations, for which that gentleman was so celebrated. It was, however, deserving of a stronger term than that, because, as a matter of fact, he (Mr. Hamilton) did not know it was meant to keep the seat vacant, and moreover he knew it was not meant to do so. The Government merely wished to give a member of the Opposition what his own side denied him, justice. According to a clause in the Insolvency Act, the person adjudged insolvent was allowed to petition at any time within twenty-one days against such adjudication, and, as that time had not yet expired, it would be most unfair to declare a member's seat vacant on account of insolvency when he might subsequently be able to show cause why he should not be rendered insolvent.

Mr. McLEAN said the hon. gentleman who just sat down charged the Opposition with wishing to deprive the hon. member for Bundanba (Mr. Hendren) of his seat in the House. It was notorious that it was the hon. member's own wish that the hon. member for North Brisbane should take action.

An HONOURABLE MEMBER: How do you know?

Mr. McLEAN said he would tell how they knew. He did not mean to state that Mr. Hendren had indicated the fact to the hon. member for North Brisbane, but he had indicated to the House that he wished to resign his seat.

AN HONOURABLE MEMBER: Where?

Mr. McLEAN said if hon. members would not accept the hon. the Speaker's telegram they were responsible. It was simply because the hon. member's signature was not on the telegram that the hon. the Speaker could not act upon it; but it was the wish of the hon. member to resign his seat, and he had availed himself of what he, the hon. gentleman, considered to be the only speedy method within his reach—viz., to send a message by telegram. Mr. Hendren sent the message by telegram because he could not send in his resignation in the usual way. There was no use trying to impute motives to the Opposition.

Mr. ARCHER said the hon. member for Logan had said the hon. member for Gympie imputed motives; but he need not be surprised, and he (Mr. Archer) did not think the hon. member had said anything very bad. Had not motives been imputed to the Government side? It was an absurdity to talk in that way. Instead of the leader of the Opposition asking the Premier what he was going to do, he launched into a speech which was such that he had never heard anything worse said in the House. If they had been called blackguards it could not have been worse than charging them with trying to keep a constituency disfranchised. If the hon. member had asked the Premier what would be the result, he would have been told that on Monday the Speaker would have the *Gazette* in his hand and the matter would be settled. He did not approve of such interruptions as had been made, but he must say that the imputations from the Opposition side of the House were very much grosser than anything which had been said on the Government side of the House. Nothing particular had been said by hon. members on the Government side beyond an expression of opinion that some of the Opposition members had been treating a late colleague rather badly, and they could not be blamed very much for that.

Mr. DICKSON said the altercation which had taken place might have been avoided had the Premier replied to the hon. member for North Brisbane, and made a distinct statement of his intentions with regard to the seat for Bundanba. When the hon. member drew the attention of the House to the fact that the seat was vacant, it was incumbent upon the Premier to have stated his intention; but, instead of that, the Attorney-General rose and led the House to believe that the Government had not the slightest intention of dealing with the seat for twenty-one days. That was the inference which hon. members unquestionably drew from the remarks of the Attorney-General, and it was made to appear that, notwithstanding the good intention of the Premier to deal with the matter at an earlier period, the point suggested by the Attorney-General had raised questions of such gravity that the Premier felt it would be necessary to consult with his colleagues before pledging himself to deal with the matter on Monday. Had the Premier clearly stated at first, as he did subsequently, that it was his intention to deal with the matter on Monday when official notice of the insolvency would have been received, the whole discussion would have been avoided. He was sure that the leader of the Opposition had no wish to forestall the action of the Government in the matter. The hon. gentleman deprecated the course he felt called upon to take in pointing out to the Government the necessity for taking action in order to prevent the disfranchisement of a constituency for the rest of the session. He hoped that the hon. gentleman would now withdraw the motion, and that the Premier would see that it was incumbent upon him to take early action.

The PREMIER: Not because you recommend it.

Mr. DICKSON said he was not to be interrupted by impertinent remarks. Whatever might be alleged against the Opposition, he could confidently state that the impertinent interruptions made by Ministers of the Crown, at times, during the session were derogatory to the gentlemen themselves and to the offices they held. The present gentlemen holding office seemed to vie with one another in being impertinently offensive at times, in their attempts to interrupt hon. members who were addressing the House, and who did not wish to introduce any objectionable expressions. Whatever the Premier might have stated with regard to his intentions when he came into the House, he (Mr. Dickson) was convinced that the voice of the country would insist that the Government should not unnecessarily allow a constituency to be disfranchised merely at the option of a Government who might be apprehensive of seeing a member returned in opposition to their views. The point raised by the Attorney-General had been combatted by members of the Opposition who were learned in the law. As a layman, he (Mr. Dickson) considered the objection of the hon. gentleman was not a good one. The insolvency had been proved, and whatever might be the final result—whether the adjudication was altered on appeal or not—the member had forfeited his seat, and a writ should be issued as soon as the Speaker was satisfied with the proof of the insolvency.

Mr. WELD-BLUNDELL said hon. members must have been taken by surprise when the hon. member (Mr. Dickson) referred to what he called impertinent interruptions. He should like to know what that hon. member would have felt if

he had been sitting on the Ministerial side of the House during the session, and been accustomed to hear day after day, not impertinences, but downright insults of every description from hon. members opposite. If the hon. member did occasionally hear something from the Ministerial side which he might consider impertinent, he should remember that it was not comparable in kind or degree to the insults offered, if not by the hon. member himself, at least by other hon. members sitting near to him.

Mr. SIMPSON said almost the last words spoken by the hon. member, when he inferred that the only object of the Premier was to keep a member out of the House, was impertinent and an insult to hon. members on the Ministerial side.

Mr. GRIFFITH said he wished to withdraw the motion, having heard the explanation from the Premier. In doing so, he would ask permission to say a few words. The hon. member for Blackall was pleased to say that he (Mr. Griffith) had made charges against some hon. members sitting on the Government side of the House. The fact was that he had answered the arguments used in the debate. When hon. members used certain arguments they must expect to hear those arguments replied to, and not come to the conclusion that the replies were charges. He had made no accusation against hon. members, but had replied to those who had insulted and interrupted him while speaking.

Mr. WELD-BLUNDELL rose to a point of order. Had the hon. member any right to make a third speech ?

The PREMIER said he might remind the hon. gentleman that he distinctly accused Ministers of having reached a stage of degradation never reached before, and using the power of their majority for the purpose of disfranchising a constituency. If that was not an impertinent allusion, he should like to know what was.

Mr. GRIFFITH said if he had done as stated he should be the first to apologise, but what he had said was that he trusted the Government had not done so. It seemed that some hon. members had, but he said he hoped that the Government had not, and he also said he acquitted the Premier of holding such views.

Motion, by permission, withdrawn.

IMPROVEMENTS ON SELECTIONS BILL —COMMITTEE.

On the motion of Mr. PERSSE, the House went into Committee for the consideration of the Bill.

Preamble postponed.

On clause 1—"Fencing to be a sufficient improvement under 40 Victoria, No. 15"—

Mr. DOUGLAS asked if the hon. member or the Minister for Lands was in a position to give information with regard to the probable operation of the Bill—whether it would be retrospective, and how many contracts made between selectors and the Government—as buyers and seller—would be affected by it ?

The MINISTER FOR LANDS (Mr. Perkins): If the hon. member will intimate what class of information he requires I will endeavour to supply it.

Mr. DOUGLAS said the hon. gentleman would no doubt be able to convey some idea of the probable operation of the Bill if passed into law. To what extent would it be applied, and how many people would be benefited or otherwise affected by it? Had the hon. gentleman any information with regard to the number of selections which were at the present time improved ?

The MINISTER FOR LANDS said it was very easy to ask questions but more difficult to answer them. All the reliable information he was possessed of at the moment was as followed : Number of selectors under 160 acres, 2,667 ; 160 and under 320, 1,003 ; 320 and upwards, 1,303.

Mr. DOUGLAS asked if the hon. gentleman could give the total area ?

The MINISTER FOR LANDS : That would be the work of some time ; but the hon. gentleman will find the area given in the report of the Under Secretary for Lands.

After a pause,

Mr. KING said it appeared to him that the effect of the Bill would be to very considerably relieve the larger selectors, without giving any relief whatever to the smaller selectors. He had been preparing a table, but had not had time to complete it when it appeared as though the 1st clause was about to be carried, no other hon. member having risen to speak. He found that to fence an 80-acre selection 1½ miles of fencing was required, while to fence a 5,120-acre selection only 12 miles was required : that was to say, that eight times as much fencing as was required for the eighty-acre selection was sufficient for a selection of 5,120 acres. Comparing the probable cost of fencing with the amount of improvements required by the Act—namely, to the extent of 10s. per acre—he found that the owner of the large selection would by this Bill save nearly £2,000, and the eighty-acre man would save nothing at all. The condition that a certain amount of money should be spent upon land taken up under the Land Act of 1876 was part of the land policy of the colony. Many immigrants were not able to settle upon the land themselves, and therefore it had been provided by law that those who were able to take up a certain quantity of land should spend money upon it, thereby giving employment to those who could not take up land then, but who in time would be in a position to take up some for themselves. That condition of employment was a very important part of the land policy of the colony, it being regarded as part of the price given for the land. He therefore objected to the Bill, and more especially as he noticed that there was another Bill on the paper aiming at alterations of the Land Act—namely, the Selectors' Relief Bill—and that notice had been given of amendments in this Bill, to be moved by the hon. members for Toowoomba (Mr. Davenport) and Dalby. It seemed, therefore, that a number of questions with regard to the land policy of the colony were about to be raised at a very inconvenient time—just at the end of the session; and he considered that it would be much better that all the proposed alterations of the Land Act should be embodied in one Bill, to be brought forward by the Government. He did not believe in tinkering the Land Act from several different points of view, and should therefore object to the passing of this Bill without proper consideration. In order to secure discussion, he should move an amendment, though he was not sure that the amendment he should propose would exactly embody his own views. He moved that after the word "selector" the following words be inserted—"holding not more than 640 acres and personally residing thereon." That would restrict the benefit of the Act to those who had small selections, and who actually resided on them. If the Bill passed in its present shape it would give relief to those who held land by bailiff, and would encourage something very like dummying.

Mr. DAVENPORT was understood to say that he was rather surprised to hear the arguments used by the hon. member (Mr. King), and thought the hon. gentleman could hardly have considered the question in its full bearings. Had he forgotten that the 80-acre man was in many cases only expected to pay 2s. 6d. per acre in five years, whereas the larger selectors of 5,000 acres in the majority of instances paid 1s. 6d. to 2s. per acre, besides being expected to expend 10s. per acre in improvements? Then the hon. gentleman sought by his amendment to limit the action of the Bill to selectors of 640 acres and under. Was not that class legislation?

Mr. ARCHER said he fancied the hon. gentleman (Mr. King) had deserted the North so long that he had forgotten the conditions of that part of the colony, and was beginning to look more to the south and view things from a Darling Downs point of view. If the hon. gentleman confined his observations to the very richest parts of Queensland, he might consider the Bill was unnecessary, as farmers paid more than 10s. per acre in fencing-in and improving their selections. The hon. gentleman forgot those selectors who, in other parts of the colony, had been trying for the last ten or twelve years to make a living by agriculture, and had found themselves compelled to revert to cattle feeding. He (Mr. Archer) spoke feelingly on behalf of those selectors whom he represented in the House, and he felt sure that the hon. gentleman would share his view if he turned his attention to that part of the colony in which the hon. gentleman had resided for many years. Selectors had represented to him the hardship they suffered in being required to expend money for purposes which gave no return, and several petitions—one of which was from the Blackall district—had been presented to the House asking for the relief which this Bill would give. The hon. member for Maryborough (Mr. Douglas), speaking on the second reading of the Bill, said that the condition of improvements was an important part of the contract, and that if it was not fulfilled the country was defrauded. No doubt the country had a perfect right to insist upon the conditions being fulfilled, but the reason given for proposing to alter them was that the country would benefit thereby. Selectors—those, at least, who had not ploughed their land—said that in being compelled to expend a certain amount of money they had often to spend it in such a way that they could not reap the full advantage, and that if they could only save £50, £60, or £100 in order to buy stock, they would be able to do better themselves and benefit the whole country by increasing its income. Instead of being poor and struggling they would be placed in a position to live in comfort and rear their families better, so as to be able to turn out their children stronger, better fed, and more able to cope with the world. That was the reason why he (Mr. Archer) and many others supported the Bill. In every part of the colony—except, perhaps, the Darling Downs—people who held 1,000, 2,000, or 3,000 acres of land were obliged to spend money uselessly. They put up fences, to be torn down again as soon as a certificate was obtained, and thereby money and labour was wasted which might have been profitably employed in increasing their means.

Mr. KING said he wished to point out to the hon. member for Blackall that a resident selector on a 1,000-acre selection probably spent more than 10s. per acre in fencing, building his house, and making other improvements; so that the Bill could only affect those who held larger selections, or who did not reside on their selections. With regard to the remarks of the hon. member for Darling Downs, he might inform the hon. member that he had submitted the two extremes—80 acres and 5,120 acres—in order to show the very great difference; but it should be borne in mind that the difference was equal in proportion between any selections of intermediate sizes. For instance, a 320-acre selection required three miles of fencing; one of 1,280 acres, six miles—that was to say, double the amount of fencing required for a 320-acre selection was sufficient for a selection of four times the size. A selection of 5,120 acres was four times as large as one of 1,280 acres, but only required double the amount of fencing. If the Land Act were to be administered in the way proposed by the Bill the price of land would be reduced as the selection increased in size. The large purchaser would be able to buy at a lower price than the small purchaser, because the amount required to be spent by the former would be proportionately less. The larger the selection was the less would be the proportional price to be paid for it, and that, he contended, was entirely opposed to the policy of the colony. He was confident that if the hon. members for Fassifern and Blackall had gone into figures as he had done, this subject would never have been brought before the House. It did not matter, so far as the general question was concerned, whether £70 per mile was the price for fencing or not; but at that price, which he took it was a fair one, the selector of 320 acres would pay rather more than 13s. 1d. per acre. The 1,220-acre selection would take only £420 to fence it in, which, therefore, gained £220; but the owner of a selection of 5,120 acres had only to expend £840, and actually gained £1,720. It stood therefore in this way: The owner of a 320-acre selection gained nothing at all by the alteration; the owner of a 1,280-acre selection gained £220, and the owner of a 5,120-acre selection gained £1,720. But putting the price of all this land at 10s. an acre, the 320-acre selection was worth £160, and would have to pay £1 an acre. The 1,280-acre man would have to pay £420 in improvements, the rest in cash, making a total of £1,060, or 16s. 6d. per acre; the 5,120-acre man would pay £2,560 in cash and £840 in fencing, or 13s. 3d. per acre; so that the 320-acre selector had to pay £1, the 1,280 16s., and the 5,120-acre man 13s. 3d. per acre. It was said that every man had a Land Act in his own head, and he (Mr. King) had believed in sales for cash as a great check upon dummying; but he had never heard any man before propose, nor did he think the hon. member for Fassifern really intended to propose, to sell land upon such terms that the larger the block a man took up the smaller would be the price he paid for it. The main object of their land legislation ever since the Agricultural Reserves Act was brought in had been, as far as possible, to abstain from encouraging the formation of large landed estates; but he did think nothing could more directly act in that way than to sell land in large blocks at a lower price per acre than was charged for small blocks, and that was what this Bill did.

Mr. ARCHER said whatever the effect of the hon. member's speech might be upon the member for Fassifern, the effect upon himself was nothing at all. The greater amount of money a person who had gone in for 5,000 acres of land had to expend in stocking and improving, the greater would the benefit be to the country. There was no good in keeping people poor in the hope that it would do the country good, and forcing them to effect improvements which would not return interest on the money expended. Fencing was practically the best thing a man could do to his land to make it return interest. If all the country in Queensland was agricultural land, and every man who settled down intended to farm it, undoubtedly it would be perfectly justifiable to compel him to make greater

improvements. They had, however, the hon. member for Logan's opinion last year that it was necessary in a great part of the country for people not only to have patches for cultivation, but to have grazing along with it; and the hon. member stated that 500 or 600 acres was the least a man could have to make a living upon. There were many cases where a person who had a capital of a couple of thousand pounds and wanted to invest it in land, or stock it as a small grazing farm, where the land was not fit for cultivation, would gladly go into a bigger piece—say, a couple of thousand acres; but by the present state of the law they compelled a man to expend money in improvements which were of no benefit to the country. Instead of allowing that man to invest his capital so that he might add to the wealth of the country and become a large employer of labour in the future, they were really crippling him. He had seen people who, on purpose to comply with the conditions, put up useless fences and removed them when they got a certificate. Was not that a waste of labour? The member for Maryborough appeared to think that it was a benefit to employ labour whether it was useful or not; but it was not a benefit, for it did not produce a return to the investor nor add to the wealth of the country. The law allowed a man to take up 5,000 acres in certain parts of the country, and that it was to his advantage to take it up and make use of it was undoubted; but do not force him to expend his capital in useless things and call them improvement. Let a man take up the maximum quantity the law allowed him and do the best he could to get a return for his capital.

Mr. McLEAN said that if the hon. member's argument came to anything, it was an argument to dispense with conditions altogether. It had been argued that this Bill would benefit a certain class of occupiers of over 320 acres, but it would not benefit those who had a less quantity. Why not introduce a Bill to dispense with conditions altogether, and then the benefit would not be one-sided? £5 to a man who possessed 80 acres was of as much value as £100 to a man who possessed 640 acres. If they were to meddle with the land laws at all let them not make patch-work as was proposed to be done by this Bill—namely, to benefit those who were occupiers of more than 320 acres, to the disadvantage of those who occupied less. He could corroborate the remarks made by the hon. member for Blackall with reference to the quantity of land upon which a man could make a livelihood, and he would say if ever Queensland was to be a successful colony a settler must combine both agricultural and pastoral pursuits. He referred, of course, to those who were engaged in what was called farming. If a man confined himself entirely to cultivation without combining pastoral pursuits he could not hope to be successful. They ought, as far as they could, to adopt the system of the old country, and the sooner they came to that system the more successful would they be. Those, however, who went into the occupation of land to the extent of 1,280 or 5,120 acres did not do so to combine the two, but confined themselves to one pursuit, while men who were possessed of 320 acres, in all probabilty, cultivated a portion of their land and kept the rest for stock. Those men were entitled to encouragement just as much as they who were only engaged in pastoral pursuits. Conditions were to a great extent necessary, because they were very good safeguards, but they should not attempt to relieve one class of conditions exclusively, as the Bill proposed to do.

Mr. KING said that, as the hon. member for Logan had said, the member for Blackall had argued, practically, in favour of abolition of conditions altogether, and this Bill was really a Bill for the imposition of differential conditions on different classes of selectors. The 320-acre selector would have to pay 10s. an acre to fulfil his conditions, the 1,280-acre man would have to pay 6s. 6d., and the 5,120-acre man 3s. 4d. per acre. He had not heard a single convincing argument in favour of differential conditions which should bear most heavily upon the poorest men.

Mr. KATES said he intended to oppose the Bill because it would facilitate the selection of large estates, and be injurious to the settlement of the colony. If hon. members would look at the list of selectors they would find that while there was one selection of 1,240 acres, there were a dozen who had selected a smaller quantity. He would go a step further than the hon. member for Maryborough, and would limit the area to 1,280 acres. He believed a provision of that kind would bring in a great many selectors who would not be at all benefited by the Bill as it stood. He begged, therefore, to move an amendment that the figures 1,280 be substituted for those mentioned in the clause.

Mr. SIMPSON said the Bill as it so stood was better than any of the amendments. He did not see the use of drawing these lines: either let every selector obtain his certificate by fencing or not. He wished the hon. member for Logan would bring in his Land Bill, doing away with all conditions; that would be a very good amendment, and he would support him. The Act recognised the difference in the selectors, and recognised that one man could select 160 acres, or up to 520 acres if he liked, and it gave the Government the power to make a difference in price—and it must be recollected that not only in price but in area was there a difference. Where land was good the Government, generally speaking, exercised its right to make the area small, and where it was inferior it was correspondingly large. He did not say that a man who got his 500 acres of poor land should be compelled to spend a lot of useless money. No doubt, strictly speaking from the point at which it had been argued, there was a little difference in favour of the large selector, but it did not practically exist, and the fact that nearly all the large selections in the colony now would either be inferior lands or in out-of-the-way parts of the country, met the objections of hon. members opposite. Where the land was good the Government would take care it was only put up in small lots, and *vice versâ*.

Mr. RUTLEDGE said it would be a pity to patch up the present land law by the addition of an Act of this kind. The present land law was not as satisfactory as it might be, but the principle of perpetually tinkering with the measure was not a wise principle to adopt. It would be far better to defer a thing of this kind and wait for the time, which he hoped was not far distant, when the Government would bring in a comprehensive measure which would include, he hoped, some reforms which had not yet been attempted in the colony. His own feeling was against exacting any condition in the shape of improvements. When he was before his constituents he said, and he repeated it now, that it would be far better for the Government to fix fair and reasonable prices upon all the land in the colony, and give the selectors a lengthened period over which they might extend their payments, and not require any conditions whatever in the shape of improvements, because the conditions very frequently were capable of being evaded. Under the Bill now before the Committee what was aimed at would not be secured. It was a well-known fact that the Minister for Lands had it in his power to fix the price at which certain lands in certain districts should be selected, and in throwing open

lands for selection he would be able to do that which was fair to the intending selectors, and to fix the prices at such a figure as should not press unduly upon the selector. Men who took up the large areas took up inferior country, as a rule, at such an inferior price that it would not, in the aggregate, make it a heavy price to pay for the land. It was the selectors under 640 acres who took up the best land. Those who took up homestead areas had to pay 2s. 6d. an acre for the land, 10s. an acre for improvements, and were besides, subjected to the condition of residence; and at the end of three years, on receiving a certificate, he would be able to deal with the property. The law did not press so strongly on men with large areas as on men with small areas of land. This Bill was a step in the wrong direction. There was no need to be continually adopting measures which were likely to engender unnecessary suspicions in the minds of people out of doors. If a measure like that was passed, people would say, "Here is another thing the squatters have contrived to do for themselves." Not that they would be justified in saying so, for he believed the Bill was brought in with the best intentions, but it was a kind of Bill which would induce people to say so. The terms of the clause ought to be wide enough to include all selections. It was well known that the cost of fencing a small selection was proportionately greater than the cost of fencing a large one; and it might be said that the measure was introduced for benefiting large owners of land, who already enjoyed a great many privileges. It would be much better to wait until the present or some other Government brought in a comprehensive measure, dealing with all the defects which admittedly existed in the present Act.

Mr. SIMPSON said he wondered if the hon. member (Mr. Rutledge) had ever seen any of those selections about which he talked so glibly. If he went a little further from Brisbane, west or north, he might see cause to change his mind. The hon. member was evidently not speaking from his own knowledge, but from theory, and a bad theory too.

The ATTORNEY-GENERAL agreed that it would be a bad thing to be always tinkering with the Land Act, and that it would be better to wait for a comprehensive measure. But when they saw a glaring evil which could be easily remedied by a short Bill like the present, and when they knew that if they were to wait for a comprehensive measure they might have to wait some years, it was wise to endeavour to remedy that evil at once. It was certainly a glaring evil to make people pay considerable sums for useless—not improvements, but—works. It was contrary to all principles of political economy, and was a sinful waste in a country where money was not plentiful. He could not see the logic of the argument by which the amendments were supported. It was argued that on any selection below 640 acres the fencing alone would be sufficient to comply with the conditions; and yet it was proposed that either all selections above that area should be excluded from the operation of the Act, or that all selections above 1,280 acres should be excluded. If what was contended was true, the proper course would be to negative the Bill, for it would be of no effect. He did not see why the large selectors should be cut out because the small selectors would not be benefited by the Bill. But the argument had been carried much too far. It had been contended that in selections under 640 acres fencing would be a compliance with the conditions, because it would cost nearly the sum which selectors were required to spend on their selections. But, in point of fact, that would not be so in the great majority of cases. Selections were taken up adjoining each other, and on a large number one side was protected by a water frontage. In those cases the selector would have nothing to pay for fencing one side of his selection, one-half the cost on two sides, and the full cost on the fourth. That occurred in a great many cases, and selections even as small as 320 acres would benefit by the Bill.

Mr. O'SULLIVAN said he did not understand a single word of the Attorney-General's speech, and it was clear that the hon. gentleman did not understand the subject himself, and had better let it alone altogether. What sort of an argument was it to say that a small selector had water on one side and neighbours on the other? Were not big selections similarly situated? The same argument applied all round. He was exceedingly sorry the hon. member (Mr. Persse) had brought forward the Bill, although he would willingly support it if all selections were made alike, which could easily be done. The figures and arguments of the hon. member for Maryborough had not been attempted to be answered. The hon. gentleman had shown clearly that the amount per acre for a selection of 5,120 acres would be about 3s. If that could be applied to 80-acre selections and make the amount 3s. an acre, the whole thing would be simplified. If it was done in any other way it would be nothing but class legislation. As the Bill stood, he could not possibly vote for it. According to the hon. member (Mr. Rutledge), men who took up large areas took up bad land. They took up as good land as the small selectors, and they often had far better water frontages. He knew several 80-acre pieces which were worthless as agricultural land, but which had been taken up because they were near railways or townships. He did not agree with the hon. member (Mr. Archer) that farming was a failure. He had never known a man in West Moreton, who stuck to farming and kept a few head of cattle, who did not knock a good living out of it. He could mention them by hundreds. If hon. members went on amending the Land Act it would soon be like a housekeeper's patchwork quilt. To pass a comprehensive Land Bill would be the work of one session for both sides of the House. The hon. member would do well to withdraw his Bill. He certainly could not agree either to the Bill or to the amendments; he could only vote for an amendment which would place all selectors on one footing.

Mr. REA said that if they began to pass, bit by bit, Bills of that kind there would be no end to them. When they had got rid of the improvements they would be asked next year to get rid of the unpleasantness of the price, and then of fencing, until finally nothing but the bare country would be left: and should a twenty-years' lease plan be adopted a class would be raised up in ten or eleven years which would smother all other interests, and would prevent any man sitting in the House unless he would comply with their requirements over and above those of all the other classes in the community. All other interests would have to give way to theirs. New South Wales showed in that direction an example to be avoided. The selectors there now wanted to dictate to the country, and to repudiate their bargains, and if the New South Wales Legislature gave way they would come again next year to do away with the purchase-money. This Bill was an imposition, for its sole effect would be to enable persons to get rid of engagements they had made with the country.

Mr. GROOM said that if he were to speak for hours he could not say more than had been said

by the hon. member (Mr. O'Sullivan), with whose views he perfectly agreed. If the Bill could be made applicable to all classes of selectors there would be some sense in it, but, as it stood, it would benefit only the large selectors. The figures supplied by the hon. member for Maryborough could not be refuted. Any important change in the land laws ought to be made by the Government on their own responsibility. Bills of the present kind, consisting of only one clause, and introduced by a private member, made a bad impression outside; and that seemed a fatal objection to it. No doubt, during the four years which the Land Act of 1876 had been in operation some defects had been discovered in it, but any measure to alter it ought to be brought in by the Minister in charge of the department. He was sorry he could not support the Bill, and if it went to a division he should be obliged to vote against it.

Mr. DOUGLAS said he had listened with much pleasure to the remarks of the hon. member (Mr. O'Sullivan), who was familiar with the details of the land question and knew the class of farmers in the West Moreton district. The Attorney-General spoke of the glaring evil which this Bill was to remedy, but neither he nor the Minister for Lands, nor the mover of the Bill, had told them what that glaring evil was. The hon. gentleman had merely given it as his opinion that it was desirable to do away with certain conditions because they were oppressive. That might have been a good argument when the Bill was passed, but, the Legislature having decided the principle on which land should be administered, it would lead up to most dangerous principles were they to go back on the bargains they had made. It would have a most detrimental effect; it would lead people to infer that no bargain between buyer and seller would stand good. Selectors might be benefited, but a much graver evil would be introduced by undermining the fabric of trust and confidence. But there was the public to consider as well as the selectors, and they had no right to forfeit the rights of the public for any class whatever. If retrospective legislation was allowed in one direction, it would soon be wanted in another. The Government, if they did not consider they had made an advantageous bargain, might refuse to hold to the bargain in order to make a more advantageous one. One effect of the Bill would be to induce people to acquire larger areas than they could usefully improve, and men would pay the first year's rent in the hope that pressure would be brought to bear to do away with the conditions, so that they could get the land for less than they, on the part of the public, would be justified in parting with it. They were really not benefiting him by doing that. The hon. member for Blackall had said that it was inexpedient to drive a man to spend money on improvements which were not profitable. If that were so, let them look at the other alternative. Might it not be advantageous in the public interest if, instead of 10s. worth of improvements, they asked for 10s. in cash? That would be a fair bargain to the public, the Treasury would be benefited, and they would not be parting with the public estate without getting some equivalent value. The whole theory of land legislation had been this: When the country was held by leaseholders for pastoral purposes, it was not considered advisable to alienate the land from that purpose unless they could devise a better purpose to apply it to. The land was taken from the leaseholder in order that it might be given to the freeholder, who, it was thought, would apply it to more extensive use, but the result had been that they did no more with it than the leaseholder did. If the freeholder did not improve the land, he was not a worthy custodian of what they looked on as public property. He could not help repeating what was often said—that they ought to look well after the public estate. They could sell it once only. It was all very well to say that they got an equivalent for it, but his contention had always been that they should get a real equivalent in the form of settlement—not *quasi* settlement—not mere fencing, but something better than that. If they got such settlement, they got what was worth a great deal, and if they could not get it, let them get money. If they were all free selectors, as Sir John Robertson recently said in Sydney, they could square the matter very easily; but it would not be fair to the rest of the community that they should part with the public estate even to benefit free selectors. They did all they could to advance the interests of the selectors, but the interests of the public at large should rank first of all. If they frittered away the public estate and allowed private members to introduce Bills every session whilst they were in ignorance as to where those Bills would lead them, they would be foregoing the trust imposed in them. No doubt the time would shortly come—as it ought—when they would be called upon to deal with the land question on a different basis altogether, and in the meanwhile they ought not to be tinkering at the existing law by passing small Bills. The Minister for Lands could not tell them where the Bill under discussion would lead them; yet he considered that they would be perfectly justified in undoing bargains which ought to be sacredly adhered to. He certainly disapproved of any law of the kind being retrospective.

The MINISTER FOR LANDS said that during the time he had been in the House, although he had often felt almost persuaded that the hon. member (Mr. Douglas) was serious, he had doubted whether there was anything practical or sensible in the hon. member's remarks. The plausible way in which the hon. member spoke might lead people to believe that he had had the experience which he pretended to have. The hon. member talked to-night about its being inadvisable to tinker with the land laws, and in that he showed his inconsistency. The hon. member claimed to be the parent of the Act of 1876 from which great things were expected; but although that Act did not come into operation till March, 1877, the hon. member, as early as 1878, allowed the hon. member for Fassifern—who was a new arrival in the House—to tinker with it. Which was the greater crime—tinkering with the Act in 1878 or in 1880? The hon. member did not object to tinkering with the Act in 1878, and the reason was perhaps obvious—he was leading the hon. member for Fassifern on another string: it was a sort of double-barrelled transaction. He regretted that the hon. member had not shown that he was ready to keep the promises which he then made. He noticed that whenever the hon. member went high up the tree he talked loudly about the people and in the name of the people. He had noticed that the politicians in Victoria and elsewhere who swindled the public were those who climbed up on the backs of the people—they perpetrated every public fraud in the name of the people. That was the ladder on which men like the hon. member climbed. When they had no opinions of their own they talked about the opinions of the people. As a matter of fact, he believed that the hon. member did not care much about the people or about what might happen to them. Really, after the hon. member's lengthened experience in the colony, they ought to get some practical ideas out of him; but he (Mr. Perkins) believed that he did not know a single thing about the land question except what he had

gleaned from books and magazines. The hon. member was good in theory, but not so in practice; he was continually treating them to dissertations on squatting, and if he knew so much about it why did he not stick to it or go and take up land again so as to show people what a squatter ought to do. He (Mr. Perkins) had as great a horror as anyone of tinkering with Acts—he knew how undesirable it was to interfere with Acts, and probably that was one of the reasons why a comprehensive measure was not brought in; but if the Legislature felt that a mistake had been made they should adopt the speediest means to correct it. He could not illustrate the matter better than by referring to what occurred last session. A Bill was brought in to deal with exchanged lands at Allora, against which the old hue and cry was raised in the name of the people by hon. members on the opposite side of the House. The Premier was getting tired of it, and as there were more important measures to attend to, he suggested that the Bill should be withdrawn, but he Mr. Perkins) was anxious that it should be passed in some form or other, and he persevered with it until it was passed. Hon. members succeeded in limiting the maximum to 200 acres, and, as the result, what was the condition of Allora at the present time? Was it not notoriously apparent that if it had not been for the fixing of the maximum at 200 acres Allora would have become a flourishing place with a large and thriving population, supporting various establishments in their midst. He defied anyone to contradict him on that point. The hon. member (Mr. Douglas) contributed to the unsatisfactory result, and all for the sake of securing a little ephemeral popularity. For the benefit of hon. members he would read an extract from a memorandum of Mr. Tully, the Under Secretary for Lands, in regard to petitions presented to the House asking for the extension of the time for the payment of rents from ten to twenty years. Mr. Tully said:—

"The other papers, which have been handed to me for perusal, refer to the difficulty of fulfilling the conditions on selections under the Crown Lands Alienation Act of 1876, where 10s. per acre has to be expended on each selection In many instances this sum is in excess of the selector's requirements for working and utilising the land. It is clearly no advantage to the community that money should be uselessly expended by selectors on their holdings. It is very often the case that a selector finds it difficult, through want of means, to erect what may be considered necessary improvements, and in such instances the additional expenditure required by the Act is found to be a crushing burden. There is also the dissatisfaction of having to spend money without any remunerative result in prospect. The subject is one that demands attention As the law stands, the condition of expenditure is an imperative one. The selector cannot obtain his certificate without proving that he has spent the required amount.

"So far as I can form an opinion, I believe that the fencing-in of the land with a good substantial fence is the best condition that can be enforced. That should be insisted on in all cases. The erection of any other improvements should be left to the discretion of the selector. He will be the best judge of what is necessary, and will be enabled thus to husband his resources, instead of wasting them on unremunerative expenditure."

Every word of that he (Mr. Perkins) endorsed. His experience in the Land Office led him to believe thoroughly in Mr. Tully's remarks. Mr. Tully, from his long connection with the Land Office, knew as much, probably, as any man in the colony about the land question; and in asking him to prepare a memorandum he (Mr. Perkins) told him distinctly to express his own views. During the course of the debate he had heard it urged as a reason why the law should not be altered that the selectors should be compelled to expend money and employ labour—he believed the hon. member (Mr. King) advanced that argument.

Mr. KING: I did not apply it as you have said.

The MINISTER FOR LANDS said they were constantly hearing hon. members on the other side talking about the employment of labour. He did not know how many amongst them were employers of labour; but this he knew, that if any of them found it necessary to employ labour, they looked out for the black in preference to the white man. He wished the people to understand that those hon. members who were so persistent in their agitation for the employment of the white man looked for the black man first if they wanted any work done.

Mr. GRIFFITH: The public know better than that.

The ATTORNEY-GENERAL: What about the hon. member for Enoggera?

The MINISTER FOR LANDS said they employed blacks as coachmen, cooks, waiters, and in every capacity in life.

HONOURABLE MEMBERS OF THE OPPOSITION: Who do? Name!

The MINISTER FOR LANDS said nearly everyone of them did. Pretended sympathy with the working men was cheap—in fact, it cost nothing, and how the working men allow themselves to be hoodwinked he could not understand. What did all the black men in Brisbane do but work for the working men's advocates? There was not one of those members who would not wish it to go forth that the Colonial Secretary was in favour of importing black labour for the squatters.

Mr. GRIFFITH: And so he is.

The MINISTER FOR LANDS said that if Opposition members could gain 6d. a-year by employing black labour they would do so; under any circumstances they would almost employ the black in preference to the white man. He would accord every man full liberty to do as he liked, but he thought it just as well that persons who were guilty of these little malpractices should be branded. The hon. member for East Moreton laughed; perhaps he had a black man working in his garden, and drove one, fitted out with white gloves, on his carriage every day; at any-rate if the cap fitted him he could take it and put it on in the name of the people. The hon. member (Mr. King) had given a lot of figures relative to the costs of selections. On that point he (Mr. Perkins) wished the House to bear in mind that when a selector went into the market for land he had a wide range of choice up to 640 acres, and he was foolish if he did not make use of his opportunities, and select the best portions. There was no comparison between the cases of the selector of 640 acres and the selector of 5,120 acres. Except in favoured localities it was very difficult to get more than one-half of the latter quantity of even second-quality land, so that it would not be fair to make a *pro ratâ* rate per acre for fencing. He knew of many selections in the colony the land comprised in which was of such poor quality that he did not think he would fence it in if he got it; still there were people who wanted large blocks of land, and they had to do the best they could with the poor land they selected. Those selectors who could take up 160 acres picked out the eyes of the country, and what they left was known as third quality land. He happened to know numbers of selectors in the country—men who were most desirable colonists—who had expressed their determination not to pay another year's rent and to throw up their land. He had heard it stated that the selectors would make so much money if the condition of spending 10s. an acre were not to be imposed. He knew it was a cruelty and hard-

ship to compel a man who would honestly and faithfully comply with the other conditions to spend 10s. an acre on a large selection. It was argued that if the money were spent some one must benefit by it. His experience was that people who made money out of their selections did not go away and invest it elsewhere; it all went into circulation. All but those who were absentees spent in the colony the money which they made in it. They all knew what happened here when wool was low and the value of cattle was down—there was no elasticity, no buoyancy, everyone was afraid to invest. No matter how small a landholder a man was this stagnation affected him. If he wanted to sell out he could not do so, because no one had the courage to buy; however, when the markets were good, and money was circulating freely, people who wanted to sell could get full value for their property. It was a mistake to suppose that because they passed a Bill in 1876 imposing the condition of spending 10s. an acre they should adhere to it. They had been taught a bitter lesson during the time that Act had been in existence, and the experience of the last two years showed that it would not operate beneficially with that condition. If that most desirable class of colonists —those who brought something with them and did not expect the Government to provide everything for them—were to be kept here, and they were to try to induce others to come with success, the sooner such an alteration of the land law as that now proposed was made the better. The amendment which the hon. member (Mr. O'Sullivan) had suggested would be inoperative, and would not benefit the class whom the hon. member expected it would benefit. The small selector could derive no benefit from the limitation of improvements to 3s. per acre. Any proposition which would remedy the present state of things and which would induce people to settle on land of a questionable character should have his hearty support, no matter from which side of the House it might come.

Mr. McLEAN said that, in the event of the amendment of the hon. member for Maryborough being defeated, he intended to propose an amendment to the effect that the selector who had spent 3s. per acre on his land should be considered to have complied with the conditions of the law. Such an amendment as that ought to be supported by the hon. member who had introduced the Bill.

Mr. KING said he wished, in reply to what the Minister for Lands had said, to say that he had never used the argument that the money should be expended in the country in the sense stated by the Minister. What he said was that as settlement was the object of our land laws, the purchasers of land ought to spend some money in improving it. If the amendment suggested by the hon. member for Logan were agreed to, it would involve considerable alteration in the whole system of the settlement of the country, because it would diminish the amount of employment which would be required in the colony, and would thereby transfer to the pockets of present selectors funds which ought to be available for the further settlement of the country. He thought hon. members would admit that the question raised by the amendment was one which involved not only the prosperity of settlers now in possession of land, but also a check on future settlement. They had in the past agreed to sell the land at a moderate price on condition that in addition to paying the State so much in cash they should give so much improvement. In the neighbouring colony of New South Wales the price of land which had been paid in cash was fully equal to the amount which had been paid in Queensland both in the shape of cash and improvements. They were not charging any more for their land in Queensland than in New South Wales. The Government got about half, and the other half they allowed to be spent by the selector in improvement. The proposition of the hon. member for Fassifern involved a question of greater importance than he seemed to think. Anyhow, such a Bill as this should not be introduced at the end of a session.

Mr. KATES said he was obliged to rise in answer to the Minister for Lands, who had made some misstatements respecting Allora. The hon. gentleman was talking of that which he knew nothing about. If he had taken the trouble to go to Allora he would not have said what he said that evening. The hon. gentleman had talked a good deal about popularity-hunting. He (Mr. Kates) was not a popularity-hunter. He was independent, and did not come there to get a billet—not the best the Government could afford. The hon. gentleman always rose with a pack of falsehoods in his mouth. The Allora Lands Exchange Bill was the best ever put on the statute-book, and of that they had a proof in the amount of land that had been taken up in spite of the heavy restriction. 20,000 acres were exchanged last year; 3,200 acres were thrown open, of which 2,500 were already taken up, fenced in, and partly under cultivation by *bonâ fide* farmers residing thereon. There were a few hundred acres not applied for which were the worst portions of the land. He would like to know what the hon. gentleman meant by saying that Allora was not flourishing. It was flourishing, and if the hon. member saw the grand metamorphosis that had taken place within the last few months on those exchanged lands he would not talk as he did. It was the best piece of land legislation ever done. Every selector was living on his homestead, cultivating it, and raising crops. It was astonishing how inclined the Minister for Lands was to abuse the members for the Darling Downs. Instead of assisting them he went dead against them, though he was one of them.

Mr. MACFARLANE said he was not in the House when the Bill passed its second reading. He came into contact with farmers who held from 100 to 1,000 acres of land, and not one of them approved of the Bill. If the hon. member had been anxious to benefit the free selector he would have adopted a different plan. If, as had been suggested by the member for Stanley, he had made it something like 3s. or 5s. an acre, to be judiciously expended, it would have been far better. He had in his mind's eye at that moment a farmer in West Moreton who told him that he had over 600 acres of land and had spent over 12s. 6d. per acre upon it, and yet because it was taken up in two sections, he could not get the land-bailiff to pass it. The conditions were more than fulfilled on one section, but not on the other. Such a clause as that suggested by the member for Stanley would be a relief where men had spent so much money. If it could be made a money value at 5s. an acre it would be a relief. As it was, it was no relief, although the men held 600 acres. The partiality of the Bill would prevent him (Mr. Macfarlane) from supporting it. He should like to say a few words with reference to what had fallen from the Minister for Lands. That hon. gentleman had said that every member on that side of the House might employ black labour if he could. No exception was made. He (Mr. Macfarlane) employed labour, but he did not employ black labour, and he never would.

Mr. REA said the Bill now introduced was one to make a present to men who had large areas, instead of giving relief to men who had spent their little all in the selections they had taken

up. The Minister for Lands said the small men were in the habit of picking the eyes out of the country; but that was not true. Small men, who were supposed to pick the eyes out of the country, were tied hand and foot in making a selection at all—they had to keep near good roads; but a big man, who wanted land merely for grazing purposes, could go further afield and take up the very best of the country. When he (Mr. Rea) spoke before he forgot to say that the Bill would put an end to all sales by auction for cash, because it would suit the men who bought for cash on a large scale. According to the Bill, a man might make a selection and get ten years' credit and no condition of improvement. As to the black labour question, and the statement that members of the Opposition largely employed black labour, he would undertake to say that if they could be all put into a ship together it would be found that members on the Opposition side did not employ one-fiftieth part of the black labour employed by the Ministry alone.

Mr. RUTLEDGE said hon. members had lost sight of the fact that the Bill would be likely to operate unjustly as regarded a large class of selectors who had taken up land, and whose improvements extended beyond what was necessary to fence-in their selections if they were taken up in the way that homestead selectors took up 160 acres under the Act. They would have to pay in the course of five years at the rate of 12s. 6d. an acre, and that amount on 100 acres would be less than £100; and the man who wished to farm that land would, before he could utilise it, be obliged to spend £100 right off; so that before he could have a stick of fencing he must necessarily incur an expenditure of about £100 for house accommodation, barns, and so forth. This man, having expended a certain amount in improvements within one year after taking up the land, had fulfilled the conditions as regarded improvements already. On the contrary, those who took up conditional purchases, and whose payments extended over ten years—perhaps, in the great majority of instances, since the taking up of the land—had paid nothing in respect of improvements, or only a small proportion in comparison with what he would have to pay by the time the ten years had expired—and this was how it operated unjustly. He wanted to know if they were going to provide relief for the men who had yet to expend money in fulfilling the conditions of improvement, and to ignore the claims of men who had already expended money for that purpose. Would it not be a necessary consequence of this Bill that they should provide a refundment or some relief for those men who had already expended money in improvements? The hon. member for Rockhampton was speaking of selectors in New South Wales, and the influence there would be upon elections if they were to have a large class of selectors demanding that their interests should be first considered. In New South Wales the selectors were required to pay a comparatively high price, and the position they stood in was that they were allowed to leave their outstanding balances unpaid on condition that they paid interest; and the agitation in New South Wales now was for the abolition of outstanding balances. This did not touch the consideration of the case at all. They had no right to legislate so as to relieve one class of selectors, whose improvements were not yet completed, from fulfilling the conditions, and neglect the class of selectors who had already placed upon the land all the improvements which the law required. Unless they provided some compensation for the latter and placed them in the same category he would not give his adherence to the Bill.

Mr. NORTON said the hon. member who had just sat down had stated that he did not know much about selectors' improvements. He need not have told the Committee that because it was apparent from his remarks. When he said the selector was to spend £100 for house and barn, and so forth, he evidently did not know what he was talking about, for it stood to commonsense that before a man built a barn he would build a fence. It was a great mistake for hon. members to speak about what they knew nothing of. If they did not understand the question they had better say nothing about it, but he supposed the hon. member wanted to have a little talk, and could not deny himself. With regard to this measure he thought it was a mistake to bring in a Bill like this at the tail-end of the session. This was not a Bill for a private member to bring in, but if he did bring it in it should be earlier in the session. Putting that question aside, he agreed with the principle of reducing the cost of improvements. Under the present system no doubt men were very often compelled to expend a great deal more than was necessary on their selections, and they must remember they if by law they compelled men to expend more than they wanted to expend, it was really a temptation to avoid conditions. The temptation was not to honest men, because they would carry out the conditions whether they wanted to spend the money or not. That was one great objection to the present system, which compelled men to expend 10s. an acre. They had heard a great deal about inducing men to come to the colony with a little money in their pockets, so that they could take up selections and improve them and live upon them and further their own interests and the interests of the colony. When those men came here—they heard before they came that they could buy their land at 10s. an acre, and had ten years to pay the money—they found they had to spend an additional 10s. an acre on it whether they liked or not. The consequence was that the money they looked forward to expending on stock had to be laid out in improvements. The system was a bad one, and he agreed with the suggestion of the hon. member for the Logan, who proposed to reduce the expenditure to a smaller sum per acre. He was not in the House when the hon. member for Maryborough (Mr. King) spoke; but, from what he heard afterwards, he gathered that the hon. member's objection was that those who held large selections would have an advantage over those who had smaller ones, and if a system was introduced which enabled the small men to spend no more than the large ones per acre, it would receive the support of that and other hon. members. He thought the proposal of the hon. member for the Logan carried that principle out. It fixed a certain amount per acre, and reduced the amount so much that though in some cases a might man have to spend more than he would wish, yet as a rule they would have no reason to complain, whether large or small. If the question came to a division he should not vote for the amendment now before the Committee; but if the hon. member for the Logan proposed his amendment afterwards he should vote for it. At the same time he did not altogether think it wise to bring in the Bill at the present time.

Mr. THOMPSON said that in all questions of public policy the Government should introduce the Bill. There was no such dangerous question to touch as the land question; no such important question to the colony at large. If a measure like this was introduced by a private member the Government were under no responsibility. If they agreed with it as they appeared to do, why did they not introduce it in the ordinary way Government measures were in-

troduced? If they were simply giving a *pro formâ* support, then they (the Committee) wanted to know something more. What he wished to impress on the Committee was, that in matters of such importance they wanted the Government to be responsible. A measure introduced by a private member and carried did not make the Government responsible. When the hon. member who introduced the Bill spoke to him (Mr. Thompson) the first time about it he could not see any very great harm in it, but thought it might be a good thing to allow a man to spend his money as he liked; but when he came to look into it he found it was substituting an uncertain and fluctuating amount for a fixed and uncertain amount; so that it would have in every case a different operation. Hardly two cases would be treated alike: one man would get off with a mere trifle, another would have to spend a large amount of money. It was also to be considered that some had already spent their money; and how were they going to compensate and relieve them? If this was a relief measure they must relieve those who had suffered as well as those who were likely to suffer. The Bill wanted more consideration than it was likely to receive, being brought in as a one-clause Bill at the end of a long tedious session. This view of the Government having the responsibility of important measures was borne out by the practice in England, where it had become evident from year to year that if a measure was to become law and be really effective it was advisable that the Government should introduce it. The duties of private members with regard to legislation were being reduced to the very least proportion, and quite rightly so. It was quite right that hon. members representing various classes of opinion should come to the House and ventilate matters and educate the public up to them, but when the time came for reform the Government stepped in and passed the measure. That would be found to be the course of reform in modern times, and he did not think it a good principle at all to allow a private member to be the father of a land Bill.

Mr. SIMPSON said, with his small experience, it seemed a strange time to object to the Bill now. Hon. members should have objected on the second reading, when the Bill came before them and they had an opportunity of objecting. Why did they not express their opinion then? By their reticence they encouraged private members to go to great trouble and work the matter up with the idea that it was going to receive favourable consideration. But now they did not profess to consider it on its merits, simply because the Government had not brought it in. The senior member for Stanley said that if the Government had attempted to bring in this small measure it would have worked itself into a large one, and they would have had full work for the whole session with this one Bill without anything else. If it was admitted there was something wrong in the Act, and a private member thought he would amend it, surely he had as much right as the Government or anyone else to do so. It seemed most absurd now the Bill was in committee, to say it should not have been brought in. Hon. members would have shown a better spirit if they had objected on the second reading and put the matter to the vote then. The hon. member for Maryborough said this was retrospective legislation; he (Mr. Simpson) had no knowledge of the meaning of the word if it was so. It was not retrospective, it was simply for the future. It was all perfect rubbish talking of these things at this time. Hon. members should have made their objections earlier; but after allowing the Bill to get into committee they should try and help the hon. member through with it.

Mr. O'SULLIVAN said it was not a very lively reason that because they had allowed a Bill to go so far they were bound in honour to carry it through. That was a sort of argument that did not go very far with him. Since he proposed that the small selector should be reduced to the same proportion as the large one, about 3s. an acre, he had somewhat altered his mind. He thought even that would not suit the small selector, because they would have to repeal a good deal more than the Act of 1876. The 3s. an acre men would not fence in their property, and the consequence would be that they would have more confusion than ever; in fact, he did not know anything brought before the House that would raise such a confusion as that single-clause Bill. With regard to the quantity of labour that would be done away with, as suggested by the hon. member for Maryborough, that would be another great drawback. He was very thankful to the hon. member who brought forward the Bill for offering to accept his amendment; but it had somewhat raised his suspicions.

Mr. PERSSE: I do not want your amendment at all; I never said I should accept it.

Mr. O'SULLIVAN said the only proper way would be to meet the Bill by a direct affirmative amendment. Before he sat down, although they were carrying the thing a little too far, he had one remark to make on a statement of the Minister for Lands, who said that the small selectors always picked out the eyes of the country. His (Mr. O'Sullivan's) complaint for nearly twenty years had been just the other way—that the eyes were picked out before the small selector came, and then he was compelled to pick up the bone and gnaw at it. He was prepared to take any gentleman who liked to go, in two hours and a-half from the time they left the railway station, to a selection where there was not as much cultivation as the breadth of the floor of the House. It had been asserted that if hon. members in this House were not so fond of popularity nothing would have been said against the Bill. He (Mr. O'Sullivan) acknowledged that he was fond of popularity; he had always depended upon it to send him to the House, and he lived upon it, politically speaking. Perhaps he might be better at home without it, but whether or not it was certain that as soon as he lost that he should lose his seat in Parliament. Therefore he did not shrink from the charge. He sought for popularity, and he should not be worth his porridge if he did not. It had also been stated that this Bill would be a means of inducing men with capital to come into the colony, but whether they were likely to come or stay away he would not be guilty of doing an unfair thing, and he believed that by voting for the Bill he should be doing what would be unfair to, at anyrate, seven-tenths of the people. He regarded it in the same light as he regarded legislation to give kanakas to the sugar-growers only, and he would not be a party to any sort of legislation which did not reach all alike. As he found it impossible to make this Bill dovetail with the interests of the people of the colony, he thought the better plan would be to reject it altogether. He agreed with the hon. member (Mr. Thompson) that the land laws of the colony were too important to be left in the hands of a private member; and as a supporter of the Government he might say that he did not think they had the slightest cause to be afraid of taking upon themselves the responsibility of bringing in a good comprehensive Bill during next session, when they might rely upon having

all the assistance which his knowledge and experience could give them. He might as well tell the hon. member (Mr. Persse) at once that, much as it pained him to go against that hon. member, so long as he was in the House he should oppose all patchwork legislation—on the Land Act at any rate. At the same time, he entirely agreed with those hon. members who had shown how the restrictions on small settlers had retarded settlement. That was an opinion which he had always maintained, because he had seen how small farmers had been forced into banks or stores, in order that they might make useless improvements in compliance with the Act. He had always held that no one knew better than the farmer how to improve his own farm, and that he should be allowed to improve it in his own way and not according to red-tape regulations. That was the ground upon which he and other hon. members had always acted, and he considered that the memorandum of Mr. Tully, stating that the less restrictions the better it would be, was perfectly true and just. He did not believe this fencing clause would be any benefit whatever to any farmers who held less than 640 acres. In reference to the constituent of his to whom the hon. member (Mr. Macfarlane) had referred—namely, Mr. Dickins, a respectable farmer on the Brisbane River—he might state that he had brought his case before the House last year. The farmer in question owned somewhere about 600 acres of land, and there was no farmer in the colony who had improved a farm more than he had. The farm consisted of two adjoining lots, and he had a large cultivation paddock, a large calf paddock, a large horse paddock, besides a good house and the post-office. His improvements were, in fact, sufficient for several farms, yet strange to say, he had never been able to get his certificate. The last time he applied at the Ipswich Lands Office he was told that the strict letter of the law must be complied with. The man must comply with the strict letter of the law, it appeared, even though he should spend all his earnings in doing so. What sort of legislation was that? He thought it would be better to withdraw all the amendments. The two previous ones would in any case have to give way for his amendment with reference to the 3s. per acre. At first he believed that amendment would have been an improvement, but finding that it would not suit at the present time he thought the Committee would act wisely to go to a division at once and dispose of the Bill one way or the other.

Mr. FRASER said the hon. member who had last spoken had placed the whole question in its proper light. There was no doubt that if the House attempted to deal with such an important question in a small patchwork way they would get matters into such a confusion that no one would know what the land laws of the colony were. The very idea of adjusting the Land Act of the colony by a Bill of a single clause, in order to remedy some few cases of hardship, was a perfect absurdity. There were now some hon. members in the House who were partly authors of the Bill of 1868, and who would remember that that Bill was almost the work of a session. The Act of 1876 also occupied the greater part of a session; and was it likely that this defect, which was to be remedied by a one-clause Bill, was the only defect in the law? Admitting the existence of all the defects which the Minister for Lands pointed out, did that not point to the fact that hon. members had a right to expect—not that the defect should be left to a private member to remedy, but that one of the cardinal measures of the Government should be a measure to recast and revise the whole of the land question and put the law on a satisfactory footing? Whatever Land Bill were passed, there could be no doubt that in a very short time there would be parties who had selected under it coming to the House for relief. A great many would rush to take up selections who were without the experience and capital necessary to enable them to fulfil the conditions, however simple and easy they might be, with the inevitable consequence that they would find out their mistake, and think the easiest way of meeting their difficulties was to come to the House for relief. The Committee had, to-night, for the first time, heard a very strange doctrine. They had been told that because a Bill had passed its second reading without a division it should be allowed to go through committee without alteration. He had opposed the second reading, but had not seen any use in calling for a division. His reason for objecting to the Bill was that such an important question—he ventured to say the most important question that could occupy the attention of the House—should not be dealt with in this piecemeal style. As to the Bill offering inducements to capitalists, he had heard that argument used for the last fifteen years;—that had been the end and aim of every land Bill which had been brought in. But where were the capitalists?—echo answered where! The most successful settlers in the colony, especially among the agricultural section of the community, were those who commenced with comparatively little capital, but with experience and the power and the will to labour. Those were the people the colony desired to encourage. And if the necessary facilities were given, very few of that class would be found coming to this House periodically asking for the introduction of relief Bills of this kind. The Minister for Lands, he must say, had a wonderful ability for evading the real question when he rose to speak, and the hon. gentleman had asserted on this occasion that the only motive actuating hon. members who opposed the Bill was a desire to court popularity; but he (Mr. Fraser) ventured to say that no member of the House had posed before the public as a popularity-hunter more than the hon. gentleman himself had. He was sorry the hon. gentleman was not in his place to hear his remarks. Hon. members must remember that the hon. gentleman occupied a seat in the House for some time before he became a Minister of the Crown, and during that period he hardly ever got up except to advocate the interests of the free-selector and the poor man. Now that the hon. gentleman was a Minister of the Crown things had changed, and the hon. gentleman found it convenient to forget. With regard to the employment of black labour, he was astonished that the hon. gentleman should have made the statements he did. The Colonial Secretary was too candid and manly to disavow his sentiments on the black labour question: he never had denied—as the Minister for Lands asserted—that he had always been in favour of giving black or other labour free access to all parts of the colony. In deference to public opinion, however, the hon. gentleman had brought in a Bill with the object of restricting black labour to a certain occupation and within certain limits. So far from hon. members on the Opposition side employing black labour, there was sitting beside him (Mr. Fraser) an hon. member who employed sixty or seventy hands every day, and who had never employed a black or coloured labourer. The hon. member in charge of the Bill, whose intention was no doubt a commendable one, seeing the opinion of members on both sides of the House, should withdraw the Bill, which he might now do with credit. The danger of introducing reforms of this kind was already seen, for no sooner had the hon. member introduced his one-clause Bill than other members came in with Bills, one of which attempted to introduce a radical change in the homestead

selections. In the public interests, he hoped the hon. member would withdraw the Bill and be satisfied with what he had done before the Committee.

Mr. PERSSE said he was sorry he could not accept the advice, and withdraw the Bill. He had introduced it for the good of the colony and the interests of the settlers. Mr. Tully (the Under Secretary for Lands), in his report, said it was not advisable to compel selectors to expend 10s. per acre upon their land. Commissioner Smith and Mr. Rankin (the Land Commissioner at Gayndah) reported to the same effect. Having their opinions in view, he thought it would be a very good thing if an Act were brought forward; and, seeing the amount of business the Government had to do this session, he thought he as a private member had a perfect right —indeed, as much right as the Government— to bring it forward. If a member saw that the Land Act of the colony was not working satisfactorily, it was not only his right but his duty to bring the matter before the House; and any hon. member had a right to criticise the measure he had brought forward. It had been said that they should not legislate piecemeal on the land question; but he saw, looking over the records of 1865, that the Hon. John Douglas began legislating piecemeal on the Land Act then, and every year there had been some piecemeal legislation to a considerable extent. When the Bill was being read a second time the criticisms might have been made more freely, and members might have gone to a division then instead of stonewalling the Bill as they were attempting to do at present. The hon. member for North Brisbane said it would be no benefit to selections below 320 acres; but the hon. member made a great mistake from the start, especially when he said there would have to be three miles of fencing and an expenditure of £150 on 320 acres. In nine cases out of ten the men would not have to spend on three miles of fencing, but on one and a-half miles. Where selectors had a small area of 320 acres they had neighbours who had to pay half the cost of fencing. The member for the Logan talked about 3,000 acres being fenced for £20, but he (Mr. Persse) knew it could not be done; he had a selection himself bounded on one side by the Albert and the other by the Caningera, and he ran a fence across, and when he applied for a certificate the commissioner told him he must put up nine miles more fencing. A certain amount of frontage was allowed by the Act, but the balance would have to be fenced. He brought forward this Bill, not to hamper the selectors but to prevent them from making needless improvements. In all the Land Acts there had been too many conditions attached to settlers getting their certificates. It was strange that this Bill should be so opposed when in 1878 he got support from members on the other side in bringing forward a Bill which had the same aim as the present one, to assimilate the Land Acts. No one said this was not a good measure, or that it would not be for the welfare of the country; but they said it should have been brought forward by the Government. To his mind that was no argument at all.

Mr. MILES said the hon. member who introduced this Bill complained that he had been blamed for bringing it forward. He had no objection whatever to a private member bringing in a Bill of that kind. The difficulty was not in bringing the Bill in, but getting it through the House, as the hon. member would no doubt find out before he had got rid of it. There was a general complaint that the Bill was not comprehensive enough, and he (Mr. Miles) pledged his word that before it got through committee it would be made comprehensive enough for anything. He was not in the House when the Minister for Lands made some statements with reference to the people of Allora complaining about the Allora lands. All he (Mr. Miles) could say was, that if they had complained about it he had never heard of it, and if they had complained he must have heard. His own opinion was that all the people grumbled at was, that the Minister for Lands would not throw open sufficient land — only about 3,000 acres were thrown open, and the greater part had been taken up. What the hon. gentleman's object was he could not tell. As to the Bill, it might be made into a good one, and he had a clause to propose, as also had the hon. member for Dalby, which would make it a comprehensive measure, and satisfy hon. members on that side of the House.

Mr. O'SULLIVAN said he was sorry the introducer of the Bill had been put to so much trouble. Had he (Mr. O'Sullivan) been present at the second reading he should certainly have voted against it. The Bill was, no doubt, brought in with the purest motive and the best intentions to relieve the small settlers; but the matter had been put in a new light by the able speech of the hon. member for Maryborough, whose arguments were unanswerable. He moved that the Chairman do now leave the chair.

Mr. GRIMES said he admitted that the hon. member (Mr. Persse) had a perfect right to introduce the Bill; but other hon. members had an equal right to improve it if they could. It was his intention, after voting against the second reading, to try to improve it in committee, and he intended to move an amendment which he thought would meet the views of most hon. members. He did not object to persons taking up large areas of land so long as they made a better use of it than the pastoral tenants did; but he objected to land being taken away from the pastoral tenants if it was not made a better use of. The amendment he intended to move was that after the word "fence" the words "and cultivated one-twentieth part thereof" be inserted.

Mr. KING said he had moved his amendment mainly to give time for discussion. The more he considered the matter the more strongly convinced was he that the Bill ought not to have been introduced in the manner in which it had been. One unanswerable reason why he should vote against the Bill was the fact that it entirely altered the national scheme of settlement by doing away with the conditions. Although any private member had a right to initiate any Bill, yet there were some subjects which the House would always desire to see taken up by responsible Ministers. The land question was the most important question in the colony, and yet a Bill to alter the law on a most important point had been introduced by a private member. Then there were two amendments to be proposed by the hon. members for Dalby and Toowoomba; the hon. member for Darling Downs intended to move some comprehensive amendment, and the hon. member for Oxley intended to move another. Supposing the Bill was passed under those circumstances, to whom could the country attach the responsibility for the measure? A measure of that kind for which no Minister was responsible had scarcely a constitutional basis, and the present Bill was perhaps the most important introduced during the session.

Mr. MOREHEAD said the one great fault of their land legislation had been the attempt to settle population on the land by means of conditions. Those conditions had been the bane of settlement, and had given rise to frauds innumerable. Had not the hon. gentleman himself (Mr. King) taken up land in the colony under conditions?

Mr. KING: Yes, but I never broke any of the conditions.

Mr. MOREHEAD said he had an idea that the hon. gentleman did not do much to promote settlement. The great danger in the colony was fencing round selections with conditions; and one result of those conditions was that the best land had gone into the hands of the large holders. He would prefer to see all conditions abolished, except the condition of payment, and in some instances, of residence. He would not compel a man to fence his land or to erect buildings upon it, except in some favoured localities where he should attempt to make the settlers develop it if he could. He maintained that the conditions in the land laws were their curse. That they were intended to do good he did not doubt, but that they had done more harm than good must be evident to everyone. No land legislation had succeeded in benefiting the State or the individual which imposed such conditions. The remarks of the hon. member (Mr. King) were somewhat strained when he talked about the scheme of their land legislation being settlement of the country. He should like to know what settlement had taken place on the land owned by the hon. member?

Mr. KING: There is a family residing on it.

Mr. MOREHEAD said that the hon. member had taken up thousands of acres of land—and no doubt good land, because he fancied the hon. member was a good judge of land—and he supposed that he had a wire fence around it and nothing more. There were several other hon. members who orated, and said it would be a good thing to have settlement, some of whom would be the first to get hold of the land and allow settlement to look after itself. He believed that if, in the earlier days, they had adopted the system of reserving large areas throughout the colony for agriculture they would have done a great deal of good by promoting settlement. He objected to the highly moral dodge, or rather the highly moral tone, adopted by the hon. member (Mr. King) in talking as he did, when he was one of those who took advantage of the existing Act to secure a large area of land which he enclosed with a ring-fence.

Mr. KING objected to the extraordinary attack which had been made on him by the hon. member for Mitchell. He had only taken up one conditional selection since he had been in the colony, and with respect to that he had strictly fulfilled all the conditions. He did not contend that the law in existence was the best, but when it was proposed to upset the plan on which they had hitherto acted it was only right that he should protest against it.

Mr. REA said that the speech of the hon. member for Mitchell meant that they should go back to the £1-an-acre cash-down system, so that none but big men could get a footing in the country. He appealed to hon. members to take their memories back and compare the settlement before 1868 with what it was now. He admitted that the altered circumstances of the colony caused by free selection had made land administration more difficult, but to say that the country would have been better off under the old £1 cash-down system was pure nonsense. All the other colonies had found it necessary to impose conditions similar to those imposed in Queensland.

The MINISTER FOR WORKS said that the land question was the most difficult for the House to deal with for more reasons than one—the principal reason, perhaps, being that every hon. member had a system of his own which he wished to see adopted. He thought the great mistake they had made was in legislating solely for agriculturists. They seemed to forget that Queensland was a continent in size, and that within its bounds there were different conditions of climate and soil, and what suited one portion did not suit another. If they looked to new countries for examples they would find that America had been the most successful in settling people on the land, and there no conditions were imposed. There were only two classes of land. There was homestead land, which people got by paying for the title-deed and living on the land for a number of years. For all other land the purchasers paid down the State price, and they were at liberty to do what they liked with it afterwards. Settlement in the States of America had been great and prosperous, and, with the hon. member for Mitchell, he thought it would be much better if they abolished all conditions and adopted a system similar to that in operation in America.

Mr. REA said it was very evident that the Minister for Works had studied the land laws of other countries very little. The state of things in America was entirely upside down to what it was here. There were no squatters in America. Owing to the wild thickly-wooded nature of the country they would not be able to keep cattle as squatters did here; the settlers would soon make mincemeat of all the cattle that might be turned out to feed. In America speculators had found that they could do nothing with land as grazing land; whereas the native grasses and mild winters here were the original foundation of the fortunes made in this country by first-comers, and the necessity for conditions that small men should have a chance.

Question—That the Chairman leave the chair—put.

The Committee divided:—

AYES, 22.

Messrs. Meston, Griffith, Dickson, McLean, King, Rea, O'Sullivan, Garrick, Douglas; Rutledge, Macfarlane, H. W. Palmer, Miles, Thompson, Fraser, Beattie, Grimes, Price, Groom, Horwitz, Swanwick, and Kates.

NOES, 16.

Messrs. Palmer, Macrossan, McIlwraith, Persse, Morehead, Perkins, Norton, Davenport, Stevens, Weld-Blundell, Simpson, Amhurst, Hamilton, Cooper, Archer, and Hill.

Question, consequently, resolved in the affirmative.

SELECTORS' RELIEF BILL.

Mr. MESTON said that he hardly thought it would be wise to move the second reading just then, as the first clause was identical with that embodied in the Bill of the hon. member for Fassifern; and, consequently, he presumed that it would meet with the same fate. There was no alternative but for him to move that the second reading be postponed for a fortnight.

Mr. SIMPSON said it was a most extraordinary proposal for the hon. member to make. He said that the first clause of his own Bill was identical with the one that had been negatived. The hon. member appeared to think that, by a little hanky-panky work, in a fortnight's time he would get it carried. He would propose that the Bill should be read that day six months.

Mr. MESTON said he was postponing the Bill under no delusion whatever. He did not believe in the first clause at all, and if the hon. member for Dalby was anxious for the information as to how it came to be embodied in the Bill he would tell him. When he first introduced the Bill, it did not contain the clause that was embodied in the Bill of the hon. member for Fassifern. That hon. member having intimated that he also intended to bring in a Bill, they met and decided that it would be much better if he embodied the clause in his Bill, so that one Bill would not interfere with the other. Though he did not believe in the principle of the clause, he agreed to accept it so that they

should not interfere with one another. To his astonishment, when he (Mr. Meston) rose to move the first reading, the hon. member for Fassifern arose and announced that he was going to table a Bill, and he did so, anticipating his (Mr. Meston's) first reading, which, considering the mutual understanding they had come to, did not seem to him to be a very creditable transaction of which a gentleman should be proud. He would say again he did not believe in the first clause of his own Bill.

Mr. WELD-BLUNDELL said he was standing by when the conversation alluded to by the hon. member who had just sat down took place, and the hon. member for Fassifern expressed himself as being much surprised at its being brought forward by the hon. member.

Mr. AMHURST said it was one of the most amusing scenes he had ever witnessed. He did not see why the hon. member for the Rosewood proposed a thing he did not believe in. He either did not believe in it, in which case he had no business to put it in the Bill, or he had voted from reasons of pique against the hon. member for Fassifern.

Mr. MESTON said that if an hon. member were to embody only his own opinions in a Land Bill it would be impossible to frame a Bill.

Mr. PERSSE said he regretted he was not in the House when the hon. member for the Rosewood brought in the Bill, to have heard his remarks. He had been led to understand that the hon. member had stated that he made an agreement to embody one clause of his (Mr. Persse's) Bill in his own, and said that it was not fair to bring in his Bill before that of the hon. member. The hon. member also mentioned that it was discreditable. He would give the House an idea of the way in which Mr. Meston had treated him in the matter. The Bill was originally brought in in a very different shape to what it was at present. He pointed out to the hon. member that the way it was worded made it utter bosh, and the hon. member tried to put it in his own form, and found he could not word it properly. The hon. member sent it round and asked some hon. members to criticise and return it. The junior member for Stanley criticised the Bill freely, and sent it back with amendments; and it was pointed out that every single clause was utter nonsense. He would call attention to clause No. 3, and read it—

"3. Whenever any selector under the Crown Lands Act of 1876, having paid the first or any subsequent year's rental for any land that he may have selected, or may hereafter select, is unable to continue his payments, he may, within two months from the expiration of such first or any subsequent year, apply to the Commissioner of Crown Lands for the district in which such selection may be situated, for a certificate of such inability; and on such certificate he may apply to the Minister for Lands for relief, under the provisions of this Act; and unless good cause to the contrary, in the opinion of the Minister, shall be shown, such relief shall be granted."

He pointed out to Mr. Meston that this would be an encouragement to every man who had the smallest grievance to come to his member and ask for relief. It would not be worth the while of the Minister for Lands to live on account of the amount of worry he would have to undergo. Clause No. 4 read as follows :—

"4. Whatever sum of money may be the amount that may have been agreed to be paid by the selector, whether the upset price or any higher price at which he may have bought any land by auction under the recited Act shall be considered the price for which he shall have purchased such land, such price being agreed to be paid by instalments under the said recited Act."

The simple meaning of that was that a man had to pay the same sum of money as he agreed to pay. What was the use of inserting that? Then came No. 5, which he would read, and if it did not "lick cock-fighting," hon. members might take him for a fool :—

"5. Whatever money any such selector may have paid from the time of such purchase up to the time at which he shall claim relief under its provisions, shall be deducted from the amount of rent or payment agreed under the said recited Act to be paid by him, and the sum remaining due shall be the 'principal sum' under this Act."

Did ever man hear the like! He would have to pay the interest, £9 a-year, and would be able to reduce the principal sum. Clause 6 read as follows :—

"6. Upon any principal sum the selector shall pay on the first of January in each year, a sum equal to per cent. as interest upon such principal sum, and if such interest shall not be paid within one month from the date upon which it shall become due, the amount shall be leviable by distress upon the land, or any occupier thereof, or the property of any defaulting selector or occupier."

Here, unless a man paid the interest, which would not be reducing his debt, the bailiffs would be sent into his house. When he found that after five weeks the hon. member could not knock the Bill into shape or form, he thought it was about time that he brought it in himself. He was sorry he had done anything so discreditable, but he thought the discreditable part did not rest on his shoulders.

Mr. GRIMES moved the adjournment of the debate.

Mr. MESTON said it was quite true that he sent his Bill round and asked for suggestions, because he was desirous to obtain as much information as possible. If the hon. member for Fassifern had taken the same precaution he would not have gone so far as the present stage with his Bill. The hon. member stated that he (Mr. Meston) embodied an exact copy of his own clause word for word in his Bill; but the clause in his (Mr. Meston's) Bill which embodied the fencing provision was drafted by the leader of the Opposition without having seen the hon. member's Bill at all.

Mr. MOREHEAD regretted very much there did not appear any probability of this Bill getting into committee. He did not notice in the Bill any allusion either to the crocodile or to the ibis, or to any of the Egyptian statutes, and therefore he was, to a certain extent, nonplussed. If the Bill had been evolved out of the inner consciousness of the hon. member for Rosewood it would have contained more classical allusions. He saw however, that allusion was made to a sub-section. There was no doubt this was one of the most wonderfully constructed Bills that had ever been placed on the table, and he trusted no action of the House would lead to its being destroyed. It should be used as a monument to show the intelligence the hon. member for Rosewood possessed. Aristides was a great law giver, and Sophocles could sing a good comic song—but the evidence was not clear on the latter point. There were several other ancient friends of the hon. member for Rosewood whom he was continually dragging across the trail like a red herring, and he thought some allusion might be made to the hon. member's old friends in the Bill. The hon. gentleman was behaving very badly to the ancient Greeks and Romans, the Visigoths, the Egyptians, and the Copts. He had never heard the hon. member deal with the origin of the Coptic language, and should like the hon. member when he had time to devote himself to this subject. He would do more good to the State in that way than by framing a Bill of this sort. If the hon. member would eschew politics, leave the colony, go and live on an island as a hermit, he would do more good to the State; and even if a crocodile found him, and if he became the food of the

crocodile, the world would be no better and possibly no worse.

Mr. SIMPSON said the adjournment had been moved for the purpose of giving the hon. member (Mr. Meston) an opportunity of explaining what he said; but his explanation was very lame indeed. He confessed that the first clause in his Bill was almost identical with the clause in the hon. member for Fassifern's Bill—his words would be found on record to-morrow morning—and that was the only reason he gave for voting against the hon. member for Fassifern. The hon. member ought not to be so free in calling an hon. member who brought in a Bill discreditable, simply because he brought his Bill in and tried to get it passed. The hon. member did not seem likely to get his own Bill passed, and he (Mr. Simpson) did not think he was at all anxious to try.

Question—That this debate be now adjourned—put and negatived.

Question—That the Order of the Day be postponed till this day six months—put and passed.

THE LATE MR. TODD.

Mr. BEATTIE moved that the report from the Committee of the Whole House recommending that the sum of £100 be placed upon the Supplementary Estimates as a gratuity to the widow of the late Mr. Todd be adopted.

Question put and passed.

The House adjourned at twenty-six minutes past 10 o'clock.