

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 23 AUGUST 1882

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mentary experience that within two minutes after the meeting of the House they should proceed with the Orders of the Day. Of course if hon. members were informed that that was to be the course for the future they would understand it, but it had not been the practice of the past. Hence he said that commencing business at two minutes past 4 appeared to him to take everyone by surprise, and probably some hon. member would interrupt and give notice of motion that might yet be given. In the other House twenty minutes was the time that was generally allowed. As far as his knowledge went, the Speaker never called upon the Clerk of the House to read the Orders of the Day until twenty minutes had elapsed. It seemed to him that the way in which it had been attempted to proceed with business was treating the House with an abruptness which he did not think would be conducive to the proper doing of it.

The POSTMASTER-GENERAL (the Hon. B. D. Morehead) said that if there was really any blame to be attached to anyone, it should be attached to himself. He, seeing that there was not, as far as he could judge, any intention on the part of hon. members to give any notice of motion or notice of a question, went over to the President and asked him to go on with the business, as they had an important Bill before them. It was not with any intention to offer any disrespect to the House. If there was any blame it should be cast upon the right shoulders, and they were his own. He thought the notice given by the President was simply a notice of warning, because they did not proceed with the Orders of the Day so long as there was any hon. member who wished to give notice of motion or notice of a question. An hon. member had only to rise in his place—and he did not see why twenty minutes grace should be allowed for a member to be in his place—and the President would at once postpone passing on to the Orders of the Day until that hon. gentleman had given the notice that he wished to give. However, he wished to state that the hon. the President was in no way to blame; it was himself, if there was any blame at all.

The PRESIDENT said he did not see that anybody was to blame, and he did not see why the Postmaster-General should take any blame upon his shoulders. He (the President) took the chair, according to the Orders of that House, at 4 o'clock, and he was not going to sit there as an ornament for twenty minutes to be looked at by hon. members, and keep them there doing nothing. He should proceed with the business of the House, and if an hon. member had any question to ask, or notice of motion to give, he should give it. Every member got ample warning; and he was not going to sit there for twenty minutes, nor was it the duty of the Chairman of the other House either to do anything of the sort. He simply sat there until all business, such as questions and notices of motion, had been disposed of, and then he proceeded to the Orders of the Day, and he (the President) intended to do that for the future.

The HON. W. H. WALSH said he was addressing himself to a question of privilege. He did not desire that the hon. President should sit there as an ornament, and he was very sorry that gentleman should have used such an obnoxious word—which was not parliamentary language—in that Chamber. But he wished to see the business of the House conducted decorously, and not that they should proceed with the Orders of the Day within two minutes after meeting. He maintained that it was unusual in parliamentary practice, and it was unfair to members who could not arrive within two minutes of the proper time. It was because he respected

LEGISLATIVE COUNCIL.

Wednesday, 23 August, 1882.

Privilege.—Petition.—Immigration Bill—committee.—Corrected Titles to Land Bill.—Appropriation Bill No. 2, 1882-3.—Sale to Local Authorities Land Bill.

The PRESIDENT took the chair at 4 o'clock.

PRIVILEGE.

On the PRESIDENT directing the CLERK to read the Orders of the Day,

The HON. W. H. WALSH said he would like to point out that it was rather hasty to proceed with the Orders of the Day without allowing hon. members a few minutes to prepare notices of motion they might wish to bring forward. He had never seen business so abruptly brought forward. It was something new in his parlia-

the dignity of that Chamber that he made the remarks he did; and he repeated that he had had some experience on the subject during the last fifteen or eighteen years in two colonies. He maintained that never did the Speaker in another Chamber, as far as his knowledge went, call upon the Clerk to read the Orders of the Day until twenty minutes had elapsed. It was a kind of stereotyped understanding between hon. members that any member coming into the House within twenty minutes was able, so to speak, to overtake his lateness of arrival by giving his notice of motion, or assisting in the resolutions that might be under discussion, but which were not the Orders of the Day. He trusted the hon. President would understand that when he was speaking he was not referring to him in any way at all. The President said he did not choose to sit in his place and become an ornament of the Chamber. He (Mr. Walsh) said they were falling away at any rate from their parliamentary practice. He grieved very much that he had to make those remarks, but he should ill become the position he occupied as an humble member of that House if he did not maintain, at any rate, its rights and assert the knowledge he possessed upon the subject. It was not common in parliamentary practice, even in that Chamber, that within two minutes after its meeting the President, in the chair, announced that he would call the Orders of the Day to be read. He himself was meditating a motion that he intended to give notice of. He had been too busy otherwise to attend to parliamentary business recently, but he was meditating on the form in which he should give a notice of motion when that announcement was made by the hon. President. Hon. members were the managers of that House; it was not the President. They occupied a very different position in that Chamber. So far as concerned the status between the members in the Legislative Assembly and the Speaker, there was this difference—that there the members addressed the Speaker, whilst in the Council they addressed each other and did not address the President. The President was a removable officer by the Government; whenever he offended the Government he could be removed, but the Speaker could not. He would call the attention of hon. gentlemen to that; there was a vast distinction between them. He deplored that the President should say from his chair that he was not going to sit there to be considered an ornament while it was their dignity and their wishes that had to be considered.

The PRESIDENT said he should only repeat what he had already said. As President, he should conduct the business of the House in what he believed to be a thoroughly constitutional manner. Hon. members who had motions to make or notices to give had better come prepared with them. That was not the place to cogitate whether they should be brought forward or not.

The Hon. J. C. HEUSSLER said he was sorry to see such a discussion brought before the House with reference to the conduct of business. He was now one of the oldest members of that House, and, he believed, the oldest member present, and he never remembered such a discussion before. He might say, with regret, that they had not been favoured that session or last session with Bills that had originated in that House, so that they could occupy the House half-an-hour before any Order of the Day could come on for discussion. No hon. gentleman had yet brought any business forward in the course of that session, and it appeared that very little business was at present to be brought before that House. He really could not agree with the

Hon. Mr. Walsh, who said they must sit there for twenty minutes—

The Hon. W. H. WALSH: I said nothing of the kind.

The Hon. J. C. HEUSSLER said the hon. gentleman might not have exactly said so. What he understood him to have said was that the Speaker in another place and the President in that House should wait twenty minutes before calling the Orders of the Day. If he misunderstood the hon. gentleman, of course the whole of his remarks went for nothing; but he would point out that hon. gentlemen who were not there at 4 o'clock had had already half-an-hour's grace. Their hour of meeting was half-past 3 or 4 o'clock—just as a quorum was present—and any hon. gentleman who wanted to bring any question before the House, or to give any notice, might arrange his business so that he was there about 4 o'clock. He came to the House yesterday at five minutes to 4, and found the President in the chair. He did not see why thirty members should be kept waiting a quarter of an hour or half-an-hour for the convenience of one. He always thought that business was the first question, and that when they met at 4 o'clock it was just as well that they should begin with the business that was before them. Their late Presidents had done similarly.

The Hon. W. H. WALSH: No!

The Hon. J. C. HEUSSLER said their late Presidents had always asked if any hon. gentleman had any motion or any question, and, if they had not, he sat down for two or three minutes and then asked the Clerk to read the Orders of the Day. As he said before, he did not see why thirty members should be kept waiting for one. After the President had said that if there was no motion or question the Orders of the Day should be read it was just as well that they should go on with business. He was very sorry that such a discussion should have been raised at all, because it could not lead to any good understanding in the House; and certainly they had important matters before them that ought to be proceeded with.

The POSTMASTER-GENERAL said he thought he would not be doing his duty as, at any rate, temporary leader of that House, did he not call attention to the speech of the Hon. Mr. Walsh with reference to the relative position of the President of that Chamber and the Speaker of the Legislative Assembly, subordinating unquestionably the position of the gentleman who presided over their deliberations to that of the gentleman who presided over the deliberations in another place. He thought they would all resent that statement. He held himself that the hon. gentleman who held the position of President in that House was the second man in the colony; and although the contention of the Hon. Mr. Walsh—that the President could be removed by an Act of the Governor in Council—might be true in letter, he did not think the hon. gentleman could quote any precedent where such a state of affairs had taken place. He was speaking to preserve as far as he could the dignity of that House and that of the President of that House, and he contended that the Hon. Mr. Walsh was altogether wrong in making any comparison such as he had made. There was no occasion for it. It appeared to him to be a reflection that was uncalled for, unchallenged, unprovoked, and, he thought, ill-timed and injudicious. If the hon. the President had made a mistake in directing the Clerk to proceed to the Orders of the Day, there might have been something in the Hon. Mr. Walsh's statement that matters had been hurried, but what was the fact? The hon. President warned them, and in fact invited hon. members to give notice of

motion. Failing that invitation being acceded to, he then very properly, as a business man presiding over a business Chamber, said that if there was no work—no anticipated work—they would proceed to the Orders of the Day. It was not a peremptory order of the President; he simply followed the custom which had prevailed, to his knowledge, certainly for ten years in the Lower House. He had been present a great many times when the Hon. Mr. Walsh was Speaker there, and he said, without fear of contradiction, that that gentleman had never waited twenty minutes. They knew very well that in the other House a large number of notices of motion and other business had to be done.

The Hon. W. H. WALSH: You are quite wrong.

The POSTMASTER-GENERAL said the hon. gentleman said he was quite wrong. He was quite right, and he left it to other members in that House, or one hon. member who was present who had been a member of the Lower House, to bear him out in that statement. He regretted very much that that discussion had taken place that afternoon, and he thought that Mr. Walsh, on consideration, would see that he had made a mistake with reference to the twenty minutes statement; and he was sure all hon. members would agree with him that the hon. gentleman who presided over their deliberations would not act discourteously to any gentleman.

The Hon. W. GRAHAM said he really thought that the discussion might have been very well saved. He supposed, however, that through their business having been got through so very quickly it was thought necessary to make some sort of show and have a discussion of that kind; but the proof of the pudding was in the eating. The President gave notice exactly as the Postmaster-General had said, that in the event of there being no notices of motion or questions, they would proceed to the Orders of the Day. The fact was that there was time for the Hon. Mr. Box to get up and give notice of motion; and he was perfectly certain that if any other member had shown any intention or the slightest sign of being desirous of doing the same, their President would have given him sufficient time, even if he had to prepare his notice of motion at the table, should he not have been able to prepare it before. As to the twenty minutes, he had had a little experience in the other House as well as in that, and he said the thing was preposterous. He had never seen such a thing, and he could not picture such a thing as the hon. the Speaker sitting in the chair, if there happened to be no notice of motion or question, and waiting until twenty minutes had elapsed before he proceeded to the Orders of the Day. He had no hesitation in saying that such a thing never happened; and he could appeal to the Hon. Mr. Walsh whether he ever, in his long parliamentary experience, remembered a single case in which such a thing happened. He thought a greater waste of time could not be, and he was very glad to know that it would not occur in that House.

The Hon. W. H. WALSH said he was perfectly ready to answer all the questions which had been put to him. In reply to the Hon. Mr. Graham, he did not hesitate to say that twenty minutes was the time that was considered necessary in the other Chamber to allow members to give notice of motion. He repeated it, and he was not speaking frivolously, but from a strong sense of duty. He did not see that there was anything in the remarks of the Postmaster-General which required explanation from him. He repeated that he did not see why they should commence business at two minutes after 4—that was, two minutes after the House was known to meet, not

half-an-hour, as was jesuitically put by the Hon. J. C. HEUSSLER.

The Hon. J. C. HEUSSLER said he should like to know what the hon. member meant by "jesuitically." He wondered whether that was a parliamentary expression.

The Hon. W. H. WALSH said he had no doubt the hon. gentleman would like to know what he meant. He could not speak in language which would further convey his meaning to the hon. gentleman. He repeated that the hon. gentleman had got up in a most jesuitical way and said they had half-an-hour to prepare notices of motion or questions between half-past 3 and 4, and he knew he was speaking that which was not the case. He knew they never met at half-past 3, and therefore there was no time—

The Hon. J. C. HEUSSLER said he did not see why his observations should be put down in that manner. He had always in his life been open and candid, and had never done anything jesuitical; and he would not have such imputations made by any member of that House, or anyone else in the world, without contradicting them.

The Hon. W. H. WALSH said if the hon. gentleman did not keep his seat and conform to the practices of the House he would probably hear other imputations. The hon. member appeared to be very disingenuous when he tried to mislead, he supposed, the new members of the House, and make them believe that because, nominally, their time of meeting was half-past 3 they had ample opportunity to prepare their motions. The very fact that the hon. member went there yesterday at five minutes to 4, and found the House sitting, showed how necessary it was for members like himself to see that parliamentary practice was carried out. The hon. gentleman stated that he arrived at five minutes to 4 and found the President in the chair. He (Mr. Walsh) did not know it before, but he said it was improper; it showed that there was a want of regularity in the House, which it devolved upon those who had the courage or the knowledge to check. They did not want those who had not the courage of their opinions; they were Englishmen, and as Englishmen they could assert their rights.

The POSTMASTER-GENERAL rose to a point of order. He said that the Hon. Mr. Walsh was not justified in making the statements he had, that hon. members in that House had not the courage of their opinions. He thought the hon. gentleman was going beyond all ordinary bounds, and using language that certainly was not creditable to himself or to that Chamber.

The Hon. W. H. WALSH said he did not want any personalities with the hon. Postmaster-General, who was much more able in the performance of them than he was, and he did not wish to provoke him. He had a kindly regard for him; he was a very able politician, and if he were a little more discreet he would be a very able leader of that House. He was at present harping upon the point that that defender of malpractices—the Hon. Mr. Heussler—said that at five minutes to 4 o'clock yesterday afternoon he found the House sitting. That was contrary to the practice of the House, and he could hardly credit the hon. gentleman in saying it. He did not believe that the President or leader of that House would sanction such a thing. He rose to protest against such a thing, and said that calling on the Orders of the Day within one or two minutes after they met that afternoon was not conducive to the carrying on of the business properly in that Chamber. That was his contention, and when he was forced

into making a statement he would do so on behalf of the interests of that House. He did not know whether it was worth while to prolong that discussion. He only hoped, at any rate, that that House would carry on the business with more dignity, and thought that hon. members should not be rushed and compelled to give notices of motion, or notices of questions, or even move the adjournment of the House, within two minutes after its meeting. It was because he felt that it had not been the practice there, and was at variance with the practice in another Chamber, that he raised his objections.

PETITION.

The HON. G. EDMONDSTONE presented a petition from certain residents of Charters Towers in reference to the introduction of coolie labour.

Petition read and received.

IMMIGRATION BILL—COMMITTEE.

On the motion of the POSTMASTER-GENERAL, the House was put into Committee to consider this Bill in detail.

Preamble postponed.

Clause 1—"Repeal of the Immigration Act of 1872 and the Immigration Act Amendment Act of 1875"—put and passed.

On clause 2—"Interpretation"—

The HON. W. D. BOX said he would like some information on this clause. "Agent-General" was here defined to mean the Agent-General for Immigration, and in clause 3 provision was made for the appointment of an Agent-General for Emigration to Queensland. If he understood it aright, the Bill contemplated the appointment of a new officer, to be called the Agent-General for Emigration. Further on, clause 4 stated the duties of the Agent-General for Emigration, one of which was that he should report to the Governor in Council direct. It was in that, if he were correct in his view of the matter, that the danger lay, because they would appoint an officer to take charge of emigration in London, and he was not to be subordinate to the Agent-General for the colony, but would report directly to the office here. He thought very serious trouble might arise from that, and he would like to know whether the gentleman who now filled the office of Agent-General would also discharge the duties of Agent-General for Emigration.

The POSTMASTER-GENERAL: Certainly.

The HON. W. D. BOX said he was glad to hear it, because the matter had been a great trouble to him, being under the impression that the clauses he had mentioned contemplated the appointment of a new and independent officer for emigration only.

The HON. P. MACPHERSON pointed out that the law as proposed was simply the same as the existing law. The Act of 1872 provided:—

"It shall be lawful for the Governor in Council from time to time to appoint some person to be Agent-General for Emigration."

There was nothing at all new about it.

The POSTMASTER-GENERAL: In fact, he is appointed.

The HON. W. D. BOX: There are not two officers then?

The POSTMASTER-GENERAL: No.

Clause put and passed.

On clause 3—"Appointment of Agent-General for Emigration to Queensland."

The HON. W. H. WALSH said this appeared to be the most important clause in the Bill, and

he certainly thought there should be some justification shown for the passing of such a clause, which really contained almost the whole gist of the measure. He had an amendment to move which he trusted hon. gentlemen would see the necessity for supporting. It was that the last two lines of the clause—"Provided that the present Agent-General be deemed to be appointed Agent-General for Emigration under this Act"—be omitted. The proviso was totally unnecessary. It was introducing into their Acts of Parliament an element that might be most dangerous in its after effect. He did not intend to cast any slur upon the present occupant of the office—he would be the last in the world to do so; but there was no necessity whatever in an Act of Parliament to say that Mr. Thomas Archer should be their Agent-General. By universal consent that gentleman would be their Agent-General. He believed if the whole of the colony were polled on the question that there would not be a dissentient voice on that point. He was the man of all men worthy to fill the position, but that was no reason why they should introduce foreign matter into an Act of Parliament. He did not know whether it was for the purpose of pandering to the Archer family or not, but he maintained it would be a great mistake to allow such a provision to be made in an Act of Parliament. On those grounds he asked hon. members to agree with him in omitting the last two lines of the clause.

The POSTMASTER-GENERAL said he thought if the hon. gentleman would consider for a minute or two he would not press the amendment. He knew perfectly well that by the 1st clause of the Bill the Act of 1872 would be repealed, and some doubt having arisen as to the position of the Agent-General for Emigration, which was really the full title of Mr. Archer, it was thought advisable to insert the last proviso of the clause to assure that gentleman of the position which he had been appointed to, and to prevent the reappointment of it. He did not say that the Bill would affect that gentleman's position, but it was thought it might do so, and it was to assure him of the position which he now enjoyed that the proviso had been, he thought very properly, put in. At any rate, he should most certainly resist any attempt to strike it out, and he believed there was nothing at all in the hon. gentleman's objection. It could only deal with one individual, and that individual the hon. gentleman said he had no objection to; but, on the contrary, he held him to be one of the best men who could be found to occupy the position, if not the best. Holding that view, and knowing that no possible harm could ensue from the passing of the clause, yet the hon. gentleman wished to put one of his greatest friends in a difficult position.

The HON. W. H. WALSH: Not at all!

The POSTMASTER-GENERAL said that was what the hon. gentleman wished to do, apparently. However, he should oppose the amendment.

The HON. G. KING said if he recollected the objection of the Hon. Mr. Walsh yesterday, it was that if the appointment were made under the clause it would be an appointment by Parliament, and not by the Governor in Council. He (Mr. King) thought that objection could be met by adding to the proviso the words "by the Governor in Council." That, he thought, would take the sting out of the objection, and he moved it as an amendment.

The HON. W. H. WALSH said he wished every hon. member to understand that he had not the slightest objection to Mr. Archer being Agent-General. On the contrary, he believed

that he would be a great loss to the colony if he left that position. But he did object to a new-fangled principle being introduced into their Bills. He said that if the present Government were right in introducing Bills, nominating their friends or their best servants in that way, every other Government would have a right to do the same thing, and then the difficulty might arise that if a servant of the Crown turned out to be inefficient there would be great difficulty in removing him because he was appointed by Act of Parliament, and not by Executive authority. He could not be removed by Executive authority; and there was no provision for the removal of Mr. Thomas Archer if he was appointed Agent-General by the Act. It was to the introduction of so dangerous a precedent that he objected. He did not believe that any Government would dare to remove Mr. Archer from office—he was too good an officer; but why introduce under this clause an innovation on the ordinary way in which all officers were appointed other than the Auditor-General of the colony? There had been nothing whatever advanced by the Postmaster-General to show that he should be appointed by Act of Parliament instead of in the ordinary way by the Executive Council, and he maintained that, although the Government might, if they dared, annul his appointment under the Bill, he would be able to get a certain indemnity from the Crown such as no other officer, except the Auditor-General, could demand. If, however, the majority of the House were in favour of passing it, let it go. He would, however, be very glad if this passed, so far as Mr. Archer was concerned, because it would enable him to get a status in the Public Service acknowledged by Act of Parliament. But, at the same time, sitting there he felt he would not be doing his duty to the country if he did not object when he saw such a needless innovation introduced from, he believed, romantic rather than commercial judgment.

The POSTMASTER-GENERAL said he hardly thought any other member of the Council, except the Hon. Mr. Walsh, would accuse him of being romantic. He was much more commercial, as far as he could make out himself, and he could assure the hon. gentleman that romanticism was much more in his (Mr. Walsh's) way. But the hon. gentleman's objection to the clause seemed to him almost too absurd, and the amendment of the hon. member (Mr. King) was also unnecessary. The Hon. Mr. Walsh said that he would be very glad if this passed, so far as Mr. Archer was concerned, because if that gentleman were removed he would have a splendid case, or words to that effect; but the hon. gentleman had evidently not read the first portion of the clause. It was quite possible that Mr. Archer's salary might be reduced to such a rate that it might pay him to retire. The clause provided that the Agent-General for Emigration should be entitled to receive such salary as Parliament might from time to time provide; so that even if there were anything in the contention of the hon. gentleman that Mr. Archer would be in for a good thing for all time, he had not the slightest doubt, if such a state of things could arise—and it could not under this clause—that Mr. Archer or any other Agent-General could be properly dealt with. The clause was perfectly clear, and the omission of the words mentioned would alter the whole spirit of it. It was simply a statement that the present Agent-General was deemed to be appointed Agent-General for Emigration under the Act. He was not appointed by the Act. He was simply placed under the Act—not created by it, which was quite a different thing. He could not follow the hon. gentleman's argument, nor did he think the majority of the House could

follow him. The clause put the Agent-General in exactly the same position as before, only, the Act of 1872 being repealed, it was necessary that the portion of the clause the hon. gentleman objected to should be inserted. As to the Agent-General only being removable by Act of Parliament, he had shown that even if the contention of the hon. gentleman was correct, that could be met in another way; but he held that the contention was not correct—that the clause did not in any way appoint Mr. Archer as Agent-General by Act of Parliament; and the addition of the words suggested by the Hon. Mr. King he was not inclined to accept, holding the opinion that they were mere surplusage and unnecessary.

The HON. SIR ARTHUR PALMER said if the hon. member would look at the meaning of the word "deemed" in any dictionary, he would find that it meant "considered," "thought," or "supposed." It did not confer any right or title on the Agent-Generalship. He was simply supposed to be Agent-General under the Act. He did not think there was anything whatever in the amendment.

The HON. F. H. HART said, as he understood the matter, it appeared to him that as soon as the Bill passed both Houses and received the Governor's assent the Act of 1872 would be repealed altogether, and therefore anything done by Mr. Archer as Agent-General for Emigration would be illegal until he was appointed under the Bill; but by putting it in the way provided for by this clause they would simply legalise his action in the meantime.

The HON. W. H. WALSH said he would point out to the hon. gentleman that the re-appointment of the Agent-General was simultaneous with the Governor assenting to the Bill, and therefore not an instant would elapse. For that reason the argument of the hon. gentleman would have no effect whatever. He did not know whether the hon. gentleman was present and heard his remarks yesterday, but he might state that he intended to propose that the Bill should not come in force until the 1st January, 1883, by which time the Government could take every necessary and prudent step—not a hurried step; not meeting at 4 o'clock and proceeding with the business of the country two minutes afterwards—but they could do it in a more dignified and careful manner. They would have months to carry out their arrangements. Respecting the remarks made by the hon. the President—whom he was glad to see on the floor of the House giving them the advantage of his experience and knowledge—he must say that he was not convinced that that hon. gentleman was quite correct as to his interpretation of the word "deemed" as used in Acts of Parliament. That word as used in an Act of Parliament was not to be frittered or explained away in that dictionary style by saying the meaning was "thought" or "supposed." In an Act of Parliament it was either one thing or another. An Act of Parliament was supposed to be precise. It laid down the law and was supposed to carry its meaning. It did not refer its exponents to a dictionary to know whether "deemed" was meant to be "thought" or "supposed," but it meant what it said. "It shall be deemed" meant "it should be considered"; that was the legal explanation of it—that it should be considered and treated as none other than as such. Hence he thought the explanation given by the hon. the President was not such as should guide them in the present instance. Nor should a dictionary guide them in the present instance. He did not think any legal member of the House—and probably he was trenching on their ground when he gave that explanation—would admit that "deemed" in law was

explained by the dictionary meaning "thought" or "supposed."

The HON. P. MACPHERSON: I do, for one.

The HON. W. H. WALSH said then he was perfectly willing to give way at once. He should not for one moment doubt the legal knowledge of his valuable friend; but if he would be kind enough to show him the law dictionary which had guided him to that conclusion he should be more pleased. He was sorry that the Postmaster-General should consider it necessary to oppose the amendment he (Mr. Walsh) intended to move, because he could see the advantage of it. The injury which might arise under the clause as it stood did not appear, but he was sure it was beginning a very bad precedent in the construction of Acts of Parliament, which they ought to check at the outset. He should later on, as there might be some previous amendment, move that the proviso he had read be omitted.

The HON. G. KING said he was satisfied with the explanation that had been given, and therefore withdrew his amendment.

Amendment withdrawn accordingly.

The HON. W. H. WALSH said he should take a division upon the amendment he had already suggested—that was, the omission of the last two lines of the clause.

The HON. P. MACPHERSON hoped that the hon. gentleman would withdraw his amendment. The sense of the clause was really apparent. It provided that the Agent-General should be deemed to be appointed under the Act, which meant, of course, as if appointed by the Governor in Council. Surely no words could be plainer, and he hoped his hon. friend, upon consideration, would not trouble the Committee by calling for a division.

The HON. W. H. WALSH said he would not be led away by the voice of his seductive friend, who, he was sorry to see, did not stand by him when he was endeavouring to improve the Bill in a constitutional manner.

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

Clause 3, as read, put and passed.

Clause 4—"Duties of Agent-General for Emigration"—put and passed.

On clause 5—"Agents in Europe under Agent-General"—

The HON. W. H. WALSH suggested that the Postmaster-General, having charge of the Bill, should expound the qualities of some of its clauses. Here was a most important clause, and yet not a word was said on behalf of it. Had the hon. gentleman such a tremendous phalanx at his back that he thought it unnecessary to say a word at all in support of it? The clause provided, "It shall be lawful for the Governor in Council to appoint fit and proper persons to act as agents for emigration on the Continent of Europe." Who, he would ask, was to appoint agents in the kingdom of Great Britain? There appeared to be no provision made for that. He thought it would be much better to omit the words "on the Continent of Europe," because then the clause would give the Government proper power. He should propose, in order that the Government might be armed with full and unmistakable power, that those words be omitted. The Governor in Council would then have power to appoint agents wherever they pleased, and he did not see why any distinction should be made.

The POSTMASTER-GENERAL said if the alteration proposed by the hon. gentleman was

made in the clause it would have been made through the whole of the Bill. The Bill had been very carefully drawn with respect to emigration agents on the Continent, with reference to the agreements made on the Continent, and to Continental emigration generally, treating both systems upon the same basis but at the same time separately, and, he thought, very properly so too. If the hon. gentleman wanted clause 6 to be before clause 5, he (the Postmaster-General) did not object. Clause 6 provided that the Agent-General might from time to time engage competent persons for the performance in the United Kingdom of the clerical and other duties required in the execution of the Act. The hon. member must know, if he read the newspapers—and he believed there was no more arduous reader of newspapers than the hon. gentleman—that they had two gentlemen lecturing in the United Kingdom to try and induce emigrants to come out here, and the 6th clause met the difficulty completely. Surely the hon. gentleman would not, at any rate, accuse him of anti-English proclivities! He knew perfectly well that he would never assist in passing a Bill which would not have the effect of bringing out their own countrymen in preference to others. The clause was perfectly clear, and, together with the 6th, completely met the case.

The HON. W. GRAHAM said the clause had been very carefully drawn up, and those two clauses had been kept purposely distinct. It was insisted that the appointment of the agents should receive the sanction of the Governor in Council, and after that consent was arrived at they were to obey the instructions given to them by the Agent-General at home. In the other case the Agent-General had entire control over all emigrants that called at his office. The two things were perfectly distinct, and if they tried to box them up they would certainly make a mess of it.

The HON. A. J. THYNNE said that the amendment that had been proposed by the Hon. Mr. Walsh would be a very serious omission in the Bill. There was no doubt that some of their very best immigrants came from the Continent, and he did not think it would be right to leave it in the power of any Government to prevent or stop immigration from the Continent of Europe to Queensland. He thought that the British Government were losing quite enough of their people, who left the British dominions and transferred their loyalty to other countries, and they should take every action which would have the semblance of getting some compensation by obtaining colonists from other countries. He thought the number of people who went away from Great Britain to America made it incumbent upon the colonies of Great Britain to give every facility to make up the loss she sustained in that way by getting people from other parts of the world. He thought the omission of those words would leave it open to Governments in the future times who might have rather narrow views on the subject, to prevent European immigration altogether.

The POSTMASTER-GENERAL would point out to the Hon. Mr. Walsh that clauses 5 and 6 were practically, with a little difference in verbiage, identical with the 4th and 5th clauses of the Immigration Act of 1872. There was no new departure. It was what had existed for the last ten years, and might exist another ten years with benefit to the country.

The HON. W. F. LAMBERT said it was no doubt the intention of the Bill as drafted, that the Agent-General should have sole control in Great Britain. He would then have all those who were engaged or employed in facilitating or encouraging immigration under his control.

He could get from one end of the country to the other in twenty-four hours, and see that the agents were doing right and acting on their instructions; but it was quite a different thing on the Continent, and it was necessary that a very reliable man should be appointed as agent, and a security of £1,000 was required as a guarantee for the due performance of his duties. He did not see why there should be any change in clause 5; leaving out the words proposed to be omitted would do away with the value of the clause altogether.

The HON. W. H. WALSH said it had been his object to get more information on the clause, as he did not like an important clause like that to pass without any explanation whatever. It was reducing that Chamber, in his opinion, to a Dorcas committee. He was quite satisfied now an explanation had been given by the hon. member.

The POSTMASTER-GENERAL said he would not like the remarks of the Hon. Mr. Walsh to pass without challenge. If there had been anything new in the clause there might have been something in the hon. gentleman's contentions, but when the clause was the same as the one that had been in existence for ten years, and the hon. member probably assisted in composing it, he did not see the necessity of his remarks. The hon. member must have read the clause very carefully, for he cavilled at every point.

The HON. W. GRAHAM said that, from what had been said lately by the Hon. Mr. Walsh, it seemed to be his belief that, whether he believed in the clause or not, it was necessary that they should discuss it or object to it. The only person who objected to the clause was the Hon. Mr. Walsh himself, and as far as he could see discussing it was only waste of time.

The HON. W. H. WALSH withdrew his amendment.

Clause put and passed.

Clause 6—"Provision for clerks, offices, expenses, etc."; and clause 7—"Agent-General may grant assisted passages"—put and passed.

On clause 8—"Eligibility of assisted passengers"—

The HON. W. D. BOX asked the Postmaster-General whether he included tradesmen as suitable immigrants? A coachbuilder might be called a tradesman.

The POSTMASTER-GENERAL said that if the hon. member looked at the clause he would see that it said, "and such other persons as the Agent-General might think fit." The clause was a great deal wider than the clause in the Act of 1872, and he was not sure that it was not too wide.

The HON. W. D. BOX said that the word "mechanic" was described in the clause further on; but he thought a mechanic applied more to a man who worked at a machine, such as an engineer or engine-fitter.

The POSTMASTER-GENERAL said the words in the old Act were almost the same. The words "and the like" covered the whole question, and it was very difficult to enumerate all trades unless they wanted to convert an Act of Parliament into an encyclopedia.

Question put and passed.

On clause 9—"Nominated passages"—

The HON. W. H. WALSH said there was something about the clause that he did not like. It said:—

"Any natural-born or naturalised subject of Her Majesty residing in Queensland, desiring to provide a passage to the colony for any friend or relative in Europe."

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According to that a person would have to prove that he was a friend or relative. It appeared to him that such a thing ought not to be introduced into an Act of Parliament. It was a very clumsy way they were drifting into of wording their Acts of Parliament, and he should do his very best to prevent it.

The POSTMASTER-GENERAL pointed out that the 12th clause of the Immigration Act of 1872 contained almost precisely the same words. The hon. gentleman said they were getting into a slovenly style of legislation, and led hon. members to believe that that was some new departure. He (the Postmaster-General) assumed that as a rule people imported their friends or relatives, and he thought the words were very good ones.

The HON. A. J. THYNNE thought the words in the Act spoke in the most eloquent way to the people who were likely to use the clause. The technical construction of the Act was not a question which was likely to arise in the minds of the people who were likely to use it.

Clause put and passed.

On clause 10—"Applicants to forward passage warrants to nominees and refund to applicant in certain cases"—

The HON. J. C. HEUSSLER said he thought a slight amendment might be made after the words "Immigration Agent" in the 27th line, where the words "extend the time or" might be added. He did not think there was the slightest objection in having the money refunded if it was required. It was only just to make the clause a little more liberal in regard to time, and he thought the Postmaster-General would concede that amendment.

The POSTMASTER-GENERAL said he was very sorry he could not agree with his hon. friend. He thought twelve months, which was the time in the old Act, was very liberal. As a matter of fact, the friends of intended emigrants were in communication with those they wished to bring out here long before their passages were taken. He thought the provision in the proposed Bill was quite liberal enough, when they allowed people twelve months to make up their minds. It would, perhaps, be advisable to make a provision that if the nominee were to die in the meantime the money should be returned without any reduction, because it would be unjust to insist on the payment in such a case.

The HON. F. H. HART asked the Postmaster-General whether, supposing an intended passenger did not avail himself of the passage ticket within the twelve months, could he get the ticket extended to eighteen months?

The POSTMASTER-GENERAL said the application must come from the nominor.

The HON. F. H. HART asked whether the nominee could get a passage if he applied after the twelve months was up, supposing the money had not been refunded?

The POSTMASTER-GENERAL said a fresh application would have to be made. The clause was a very plain one, and was to the following effect:—

"In the event of such friend or relative failing to avail himself of the passage provided for him by such warrant within twelve months of the date of its issue, it shall be lawful for the Immigration Agent to refund the applicant the amount deposited by him on account of the passage of such friend or relative, less a deduction of 10 per cent. from the amount of such deposit."

The HON. F. H. HART asked, would the money be refunded if the nominee applied after the twelve months?

The POSTMASTER-GENERAL said that in his own opinion the law would not be adminis-

tered so strictly as the hon. gentleman seemed to expect, but would be stretched so as to deal leniently with such cases as the hon. gentleman suggested.

The HON. J. C. HEUSSLER said that that was exactly his opinion—that the law should be a little lax, and the Agent-General should have power to extend the time. That was why he had brought the matter forward.

The POSTMASTER-GENERAL said his hon. friend (Mr. Macpherson) had just shown him that the words "it shall be lawful," in the Acts Shortening Act, should be taken to import that the power might be exercised at discretion.

The HON. F. H. HART said that was exactly what he wanted to know. If it were left at the discretion of the immigration agent, and the money had not been applied for by the nominator, would it be still available to send out the person nominated?

The POSTMASTER-GENERAL said he doubted that it would be so. He took it that the consent of the nominator would have to be given, because he might not have made a bargain that would be lasting for all time. He might have made a bargain only to last for the time provided for by the Bill, and he might have changed his mind during that period.

The HON. A. J. THYNNE said there was one question which he desired to call attention to, and that was that there was no provision, so far as he had seen, defining who the immigration agent was, or what his functions or duties were. The immigration agent, he presumed, was an officer appointed in Brisbane to conduct the business of immigration on this side, and he would ask was it proper to leave a discretion of that kind to the immigration agent? Should it not be left to the Governor in Council? While calling attention to that he might say that one case had come to his knowledge recently that had reference to the working of this clause. A man whom he knew sent home for certain relatives, and those relatives at the same time had friends in America who offered them the same privileges of immigration to America. They had therefore two places open to them at the same time, and unfortunately they chose America; and this man, after working a long time to get sufficient money together to pay for their passages, lost the 10 per cent. of his deposit. The matter seemed a very trifling one, but it was a matter of some importance to people who had to work hard to save money to send home for their friends; and when the Government went to so much expense in bringing out immigrants, he thought 10 per cent. seemed rather a paltry matter to insist upon, especially as the nominator would be twelve months out of his money, and would lose perhaps 10 per cent. on the use of it.

The POSTMASTER-GENERAL said, in reference to the remarks of the Hon. Mr. Thynne, it must be borne in mind that the immigration agent here was subordinate to the Colonial Secretary, and would refer any matters of the kind to that Minister, who was always a prominent part of any Ministry. There would therefore always be an appeal to the Administration for the time being. In fact, the immigration agent was a mere instrument in this case. It had been thought better to word the clause in that way, and there was not likely to be any trouble arising from it.

Clause put and passed.

On clause 11—"Free passages may be granted to foreign nominees?"—

The HON. W. H. WALSH inquired what was the nature of the clause?

The POSTMASTER-GENERAL said he explained the clause yesterday, and the hon. gentle-

man knew that well enough. The fact was simply that Continental immigrants had to find their way to the port of embarkation at their own expense, and the clause was only legalising what had been done by the present and past Governments. It was simply putting Continental immigrants on exactly the same footing as other immigrants—nothing more nor less.

The HON. W. H. WALSH said the explanation of the hon. gentleman furnished a stronger reason why he should watch closely the clause of the Bill. He was advised that this was not a part of the measure as introduced by the Government, but that it was an amendment moved in the other Chamber by members of the Opposition. It was because those members had so much to do with the framing of the measure, and because it was not a Government measure, as the Government themselves introduced it, that he was all the more suspicious as to the virtues that might be found in it. He would ask hon. gentlemen if they could see any use whatever in the words, "notwithstanding anything contained in section 9." Would not the clause read much better and simpler by commencing "It shall be lawful for the immigration agent," and so on? What was there in the clause that was at all in opposition to clause 9? It was simply a complication of words, and struck him as the most blundering phrase in the Bill. It had been inserted by no one of any great authority in the construction of Bills; it had been altered probably by the Minister in charge of the department, and it then came to the House in its present form. The words were totally unnecessary, and he should move that they be omitted. He was fast coming to see that there was no advantage whatever in being an Englishman in Queensland, when they had a Bill brought in putting people of other nationalities upon the same or a better footing than British-born subjects.

The HON. J. C. HEUSSLER said the Hon. Mr. Walsh wished to know what was the advantage of the privilege of being an Englishman. It was generally acknowledged all over the world that the privilege of an Englishman was to grumble; and he really thought his hon. friend took full advantage of that privilege. He would point out that colonial Governments had oftentimes sent home to foreign countries and got people to come and settle in the colonies—that they, or their descendants, had become as good colonists as any who were born in that country or England. He believed himself that the constant wave—the rolling tide of emigration from Continent of Europe to England—had really made the England what it was, and if that were the time and season he could prove it. He could prove it in one direction to the conviction of every hon. member, and that was in connection with mercantile matters. He alluded to the great house now in England, Baring Bros., and a great many others he could mention, who were the descendants of those foreigners who were so often abused by his grumbling friend. He could only repeat what he said yesterday, that he believed the Bill was really a reasonable and just one. It placed those foreigners who had settled here, mostly on the distinct invitation of the colony and their friends, in the same position as Englishmen; and he believed they did their duty when they came to the colony, and, therefore, were entitled to the same rights as other colonists. However, he might mention that they had not quite the same privilege as people in the United Kingdom. They had to undergo greater expenses in going over to England at the present time by paying their passages; and when they arrived in London—which was generally the central point to which passengers from the Continent of

Europe went, they had to meet higher expenses than emigrants from the United Kingdom. They had to pay their board during several days when the ship was not ready to start; and when they arrived in England they were often imposed upon to a very great extent in various ways; and consequently it would be much better, in his humble opinion, if there was direct immigration from ports on the Continent such as was foreshadowed in another clause of the Bill. He believed that the Government would be obliged directly to get Continental emigrants—that they would be forced into it. He allowed himself yesterday to make the remark that he did not believe in coolie emigration, on account of economical reasons; and he thought the sooner the bringing out of immigrants direct from the Continent was again resumed, the better it would be for the colony at large, although he could well understand that the United Kingdom should be tapped first.

The POSTMASTER-GENERAL said he could hardly allow the remarks of the Hon. Mr. Heussler to pass unchallenged, and he must say that these remarks did not appear to him to be at all called for, nor what they should expect from a nominee representative in an English colony. He maintained that in the Bill they were giving the fullest and the freest system of Continental emigration that existed in any of the colonies, but the hon. gentleman seemed to want something more.

The Hon. J. C. HEUSSLER rose to a point of order. He did not say that he wanted anything more; he only suggested that—

The POSTMASTER-GENERAL said that was no point of order. The hon. gentleman distinctly stated that certain extra considerations should be extended to Continental emigrants by reason of their journey to Great Britain, which cost a considerable sum, and that when they got there they were robbed; but in his (the Postmaster-General's) experience he found the Continental emigrants were quite able to look after themselves, and were quite as hard to be robbed as other emigrants. What he wished particularly to state was this: that so long as he was a member of the Government he would extend nothing but equal justice to Continental emigrants, as compared with the home-bred ones. He said their first object should be to settle an English colony with English people. That was the policy he thought most hon. members believed in; and after that he would be inclined to go afield, and go even further than the Bill did. They now put the foreign emigrants in exactly the same position as they did the English emigrant, and they could not go further than that. He should certainly oppose any attempt to go further, and he should take the clause as it stood.

Clause 12—"Persons may be engaged in Europe for employers in the colony"—put and passed.

On clause 13—"Amount to be paid by employer for immigrant's passage"—

The Hon. W. H. WALSH said they were labouring under the disadvantage of not having the Bill made plain enough. What were they to understand by "employer or his duly authorised agent in Europe"? It might give rise to a great deal of misapprehension.

The POSTMASTER-GENERAL said he was not going to define what a "duly authorised agent" was. The hon. member knew it as well as anybody. It should be the business of the agent to prove that he was duly authorised.

The Hon. W. H. WALSH said that was no answer at all, and no such answer ought to be given. They were all in a fog about it, unless the

Government had some intuitive knowledge which hon. members did not possess.

The POSTMASTER-GENERAL: The 18th clause in the Act of 1872 said: "The employer or his duly authorised agent in Europe." An Act might be repealed and yet a portion of the same phraseology might be used. Several Acts had been repealed, and the Repealing Act had used the same phraseology.

The Hon. W. H. WALSH said he did not wish to get the hon. gentleman into a difficulty from which he could not disengage himself; but they had a right to know who would be constituted a "duly authorised agent in Europe." He was quite right in demanding an explanation, as he was called upon to assent to the clause.

The POSTMASTER-GENERAL said that if he was expected to explain every phrase that existed in that or any Bill that was proposed in that House, the interpretation of which was quite clear to anyone except the Hon. Mr. Walsh, there would be an end to all legislation. The phrase "duly authorised agent" was recognised in every agreement, and in hundreds of transactions taking place in Brisbane the words were used. They explained themselves: a duly authorised agent was an agent who was duly authorised. That was his explanation, and the only one he could give. If the hon. gentleman was going to frame a new legal dictionary the sooner he started on it the better. They had in all their Bills a certain style of phraseology, and that had been adopted in the present Bill. That it did not commend itself to the hon. gentleman he did not doubt, but it would be maintained. He should like to know what words the Hon. Mr. Walsh proposed to substitute for the words "duly authorised agent." They were the best words that could be found.

The Hon. W. H. WALSH said it was easy to point out the wretched way in which the Bill was worded. A man was not an employer until he was an employer. Having examined the Bill studiously they would see that it was one of the most slipshod Bills ever introduced. He did not know how the House should deal with explanatory matters of that kind, but he wanted to know who was an employer.

The Hon. A. J. THYNNE said the reason for a good many of the difficulties the Hon. Mr. Walsh had found in the Bill had been explained by himself at an earlier period of the day when he stated that from pressure of other business he had not been able to attend to parliamentary work. If the hon. gentleman had looked at the schedule which was referred to in the preceding clause, he would have seen that the agent was absolutely appointed in the colony.

The POSTMASTER-GENERAL said it did not follow that because an employer, as he was termed, wished to employ labour that he did not already employ labour. If the Hon. Mr. Walsh read clause 12, and took the 13th clause in connection with it, he would find that an employer was a man who had gone into an industry and required more labour.

Clause 13 put and passed.

On clause 14—"Validity of agreement"—

The Hon. W. H. WALSH took exception to the use of the word "secretary" in the 2nd section of the clause. The 6th clause excluded it, and he hoped the Postmaster-General would see to the matter. In no part of the Bill were the Government authorised to appoint a secretary, who was a most important officer, as he had to endorse the documents for the Agent-General.

The POSTMASTER-GENERAL said the Hon. Mr. Walsh could not have read the clause.

"Every such agreement shall bear an endorsement by the secretary to the Agent-General or some other officer employed in connection with Agent-General's Department;" so that it was a position which could be delegated to any responsible officer of the Agent-General's Department, and the 6th clause amply provided for that.

The HON. A. J. THYNNE said that one thing that suggested itself to him was whether the Agent-General had authority to make the endorsement? The secretary might have authority to make it, but the Agent-General might not; and there was no allusion to an endorsement of that kind being made by emigration agents in different parts of Europe. The clause appeared to have been made with reference to British emigration, but not to meet the requirements of Continental emigration.

The HON. J. C. HEUSSLER said, except the agents on the Continent were included in the phrase, "or some other officer employed in connection with the Agent-General's Department," it might be a question whether the clause applied to agents on the Continent, because those agents were appointed by the Governor in Council. The point had struck him as well as the Hon. Mr. Thynne, and he intended to move, if it were necessary, the addition after "Agent-General's Department" of the words "or agents on the Continent of Europe."

The HON. SIR ARTHUR PALMER said that clause 5 placed the agents under the instructions of the Agent-General.

The HON. J. C. HEUSSLER said that as it did not appear necessary he would not move an amendment.

Clause put and passed.

On clause 15—"Free passages may be granted"—

The HON. W. H. WALSH said he would again point out the impropriety of the wording of the clause. It commenced, "Notwithstanding anything hereinbefore expressed." Would it not be far better to commence by saying, "It shall be lawful for the Governor in Council," and so on? What was the use, after passing a dozen previous clauses, to say, "Notwithstanding anything hereinbefore expressed"? It might in course of time be considered by improper administrators as a justification for acting in defiance of other clauses in the Bill. He could not conceive the object of the author of the Bill in inserting such a thing unless there was some sinister object; and he moved that the words he had mentioned be omitted.

The POSTMASTER-GENERAL said that that was another ten-year-old sinister object, for they were passing a clause almost identical with a clause in the previous Act. He could understand why the words were there, and he thought they were properly inserted. They called attention to the preceding clauses, and if they did not exist it might be thought that there was a conflict between that clause and those preceding it. At most the hon. gentleman could only say that it was a surplusage, but it was a good surplusage. It was nothing new, but simply what was found in every Act of Parliament.

The HON. P. MACPHERSON pointed out that the words were very simple and very necessary, because the other portions of the Bill dealt entirely with a different class of immigrants, and therefore it was necessary to insert the words.

The HON. W. H. WALSH, by permission, withdrew his amendment.

Clause put and passed.

Clause 16—"Agent-General may defray travelling expenses of intending emigrants"—put and passed.

On clause 17—"Agent-General may contract for reduced passage rates for passengers of all classes"—

The HON. P. MACPHERSON said he did not see the necessity for that clause. It seemed to him to be what might be called a purely sentimental one, and he thought everything it provided for was amply met in clause 8, which said that—

"Persons eligible as assisted passengers are farmers, farm labourers, vine-dressers, labourers, mechanics, and their families, and domestic servants. Provided that the word 'labourer' shall be held to mean persons whose labour has been connected in some way with the land, such as farm servants, gardeners, road-makers, miners, quarry-men, navvies, and the like, and such other persons as the Agent-General, with the authority of the Governor in Council, shall deem eligible."

He considered that the clause provided for a class of immigrants quite equal to those in whose behalf clause 17 was proposed, and therefore thought it ought to be expunged.

The HON. SIR ARTHUR PALMER said that the clause was perfectly unworkable. It was not at all likely that any party would contract to carry passengers at rates so very much below what they could get for other passengers. He did not know what on earth the clause had been introduced for; and he quite agreed with the Hon. Mr. Macpherson that it had better be left out.

The POSTMASTER-GENERAL said although the clause was not introduced by the Government, still he should very much prefer that it should remain in the Bill. He quite agreed with Sir Arthur Palmer that the clause would be perfectly unworkable; but the other House having, by a large majority, insisted upon it, he thought it should be left in, for, being unworkable, it could do no possible harm. The clause was introduced by the leader of the Opposition in another place, and he should prefer to see it remain as a monument to that gentleman.

The HON. W. GRAHAM said he was not quite sure that the clause if it could be made workable would not do harm. They must imagine it as a clause to bring out a medium style of immigrant, too proud to come in the ordinary steerage cabin, at the same time unable to pay for a saloon passage. The second way to look at it was to say that two classes of people would take advantage of it—the industrious farmer who ought to be able to pay his own way out; and the other a class who, being utterly useless at home, it would pay their friends very well to pay their full passage so as to get rid of them.

The HON. W. H. WALSH said the clause was introduced in the other Chamber into a Government Bill—a Bill, he supposed, upon which they intended to stake their existence as a Government; but yet they submitted to that new clause being inserted by the leader of the Opposition—a clause that they did not agree with, that they said there was not the least value in, and yet it was sent down to that Chamber to be mangled. That was not the way a Government measure should be dealt with in that Chamber. It appeared now that the supporters of the Government and his hon. friend, Mr. Macpherson, were going to vote against the clause, partly on the ground that it was inoperative, and partly on the ground stated by the hon. the Postmaster-General—that it had been introduced by the leader of the Opposition in the other Chamber. That hon. gentleman said there was no good in it, but he would prefer to leave it as a monument to that hon. gentleman. He thought the Hon. Mr. Macpherson was right in objecting to the clause, and he thought the Government, who staked their existence as a Government on the Bill, should also have objected to it, and not have swallowed the

nauseous pill which was so subversive of their measure. But, having swallowed that pill, of course their representative in that Chamber, the Postmaster-General, could not get up and say he objected to its remaining in the Bill; but he said he would regard it only as a monument of the folly, or stupidity, or ignorance of the leader of the Opposition. That was not the way in which they should consider matters of that kind. It was their duty to render the Bill as operative and as good for the country as they could possibly make it; and while he would gladly expunge the clause, because he thought it was foreign to the real nature of the Bill, still the reasons given by the Postmaster-General for retaining it were certainly such as should not weigh with the Committee for one moment. He should support the Hon. Mr. Macpherson in voting against the clause, for he presumed that was the form which his objection would take; but at the same time he thought it would have been much better if the Postmaster-General, with that determination which was common to him, had stated at once that he did not approve of it, and was not going to support it.

The HON. F. H. HART said he quite agreed with the hon. the President in saying that that clause would be altogether unworkable. He would even go further and say it was unintelligible. As far as he could make out, the object of the clause was to give power to the Agent-General to deal not only with vessels under charter by himself, but also to deal with what were commonly known as "short ships"—vessels coming out with a few passengers. It gave him power to go to the agents of that ship and say, "I will give you so many second-class passengers if you will take them at £10 less than the ordinary fare." But why should he be restricted to £10? Why should he not be left to make as good a bargain as he could? The agents of those "short ships" he was sure would give him a very short answer, because they did not want passengers. The whole thing, to him, was the greatest rubbish he had ever read. The only good portion of the clause at all was that which prevented an Agent-General sending out as immigrants people who had resided in the colony before.

The POSTMASTER-GENERAL admitted that the clause had not his full sympathy, and he himself saw various objections in it which had not been pointed out by hon. members. At the same time, having introduced the Bill as a Government measure, he should accept any amendment; but the expungement of the clause was a thing he certainly would not agree to. The second portion of the clause, which had not been touched upon, he admitted, was also liable to serious objection. It appeared that these ten-pounders had not got to go to the same trouble, or make the same declaration, that the other immigrants had. They simply had to prove, to the satisfaction of the Agent-General, that they intended to remain permanently in Queensland. It seemed to him to be a vague way of putting it, and the clause was vague in other ways. In fact, its vagueness seemed to be its strongest point. It was not for him to propose any amendment. The clause would not affect in any way the good points contained in the Bill, and it might possibly be treated as an excrescence, or there might be no harm in getting rid of it, but he was not going to be the performer of the operation.

The HON. SIR ARTHUR PALMER said the question was not whether this was a Government measure or not, but whether they were going to stultify themselves by allowing a Bill to pass which contained such a clause as that, which no member could understand. He said it was

unworkable, and, as the Hon. Mr. Hart had said, it was also unintelligible. The wording was bad in every part, and he confessed that he did not understand it. It was not at all likely that agents would bring out passengers for £10 less than they are taking other passengers for. The rate of the colonies was £16 or £17 per head, and was any ship likely to bring them out for £7 or £8? And then, again, the clause was unintelligible and badly worded:—

"Persons eligible to be approved as passengers under this section shall be any persons of good fame, who have not previously resided in any of the Australian Colonies and who shall prove to the satisfaction of the Agent-General that they intend to remain permanently in Queensland, or the families of any such persons."

He thought they had better reject the clause. It was not for this House to stultify themselves by inserting a clause which all hon. members had spoken against.

The HON. P. MACPHERSON said he had no "bones" whatever about the suggestion that the clause should be rejected. He knew how their amendments were criticised in another place. That was not the question, perhaps; but at the same time he thought with the hon. the President that it was their duty to negative the clause.

Clause 17 put and negatived.

On clause 18—"Immigration depôts to be established; railway passes may be granted to immigrants"—

The HON. A. J. THYNNE said that, as the clause went into some details as to how immigrants were to be treated on their arrival, he thought that was the proper place to make a suggestion as to what might be done to make those immigrants more likely to become permanent residents in the colony. At present a great many farmers and mechanics came out with small sums of money, and were landed in a port, and, as a general rule, they heard such accounts of the bush that they were afraid to go out of the towns, and they perpetuated what had already been an evil in the colonies, and that was assembling too much in the towns, and not settling in the country. The object of his remarks was simply to suggest that something further might be done for the purpose of assisting immigrants to settle upon land open for selection. Immigrants had most extraordinary ideas of what the country was like, and when they had been in the depôt a few days they were completely at sea—they did not know how to set about seeking for suitable land to settle upon; and he thought it would be a good thing if some provision was made by which some officers should be detailed to indicate to immigrants who came out for the purpose of settling upon the land, where they could get suitable land. He did not propose to move any amendment. Perhaps the Postmaster-General might see some way of doing something further in that direction than they had been doing up to the present time.

The POSTMASTER-GENERAL said he distinctly objected to introducing that system of spoon-feeding the immigrants. If the system proposed by the Hon. Mr. Thynne, which was theoretically a very good one, were to be carried out, they would want a leader for every immigrant, and it would increase the expenditure so enormously that it would be worse than the Education Department, which was already most tremendously expensive. What they should do, and what he believed would be done, was to get a class of lecturers at home to educate the people before they came out, so as they would not come out as they had in the past, to a great extent strangers in a strange land. His idea was that the way of introducing immigrants to the colonies was by the system adopted by

their late Agent-General, Mr. Daintree, who did more to introduce them than anyone else. That system was by a series of large coloured maps and photographs, and even the produce of the soil; and pointing out on those maps portions of the colony where they might take up land, and telling them at what rate; thus educating them before they came out and not afterwards. Education after they came out would not only be costly, but not good. He sympathised with Mr. Thynne, but he did not think that the system could be applied in the colony. It was in the first place impracticable, and he did not think that, even if practicable, it would be the best way to put immigrants on the land.

The Hon. W. F. LAMBERT said he agreed altogether with the remarks that had fallen from the Postmaster-General, that it would be spoon-feeding if they had to look after immigrants when they went into the country after arrival in the colony; in fact, it would be impossible to do so, as the cost would be far too great. The best course for an immigrant who wanted experience was to accept employment from a colonist who could instruct him. Some few might come who had gained experience in other countries outside Great Britain, and were fully competent to go at once on the land and settle and become useful colonists.

Clause put and passed.

On clause 19—"Emigrants to be despatched to Brisbane and Northern ports"—

The Hon. W. H. WALSH said he regarded this as the most important clause of the Bill—in fact, the only clause that justified the introduction of the Bill, because it afforded an opportunity of amending the present system, and doing justice to the North. He, however, objected to any clause which gave such latitude to the Minister, and which might enable some future Ministry to administer the Act most unfairly. To guard against caprice on the part of any Minister, he thought a strict line should be laid down with regard to the apportionment of immigrants, as was done by a clause in the Act now proposed to be repealed. That provision was carried by the party he then belonged to after a severe struggle against Southern popular opinion, and the object of it was to secure a fairer proportion of the immigrants for the North. The provision then made for one ship to the North, for every ship that came to Brisbane, was only a modicum of justice in those days when half the population of the colony was located in or about the metropolis. Since then great changes had taken place, making a copious supply of labour necessary; and Parliament was bound to take into consideration the newly-settled portions of the colony and protect their interests. Nothing short of a provision that three ships should go to the North for every one that came to Brisbane would satisfy him or do justice to that portion of the colony, which might be considered to represent five-sevenths of the wealth and importance of the colony. Without detracting from the high importance of the South, he wished to advocate the great and growing importance of the North. If the matter was left in the hands of the Government hon. members would find three ships coming to Moreton Bay for every one that went to the North. He therefore moved that all the words after the word "colony," in the 24th line, be omitted, with a view of inserting "in the proportion of one to Brisbane, and three to the Northern ports of the colony."

The POSTMASTER-GENERAL said he should certainly oppose the amendment, as he considered the clause as it stood one of the most valuable in the Bill. The Government had been much trammelled by the similar clause in the Act

of 1872, and that clause had on many occasions been disregarded or actually broken. If it were attempted to fix the Government for the time being to send population in a certain direction, the time might come when the proportion so fixed would prove to be most unsuitable. Goldfields or tin-mining areas attracted a very large population which often vanished as quickly as it came together; whilst there were centres of population, like the sugar lands in the North, where the people settled down permanently. While the colony was in such a transitional state it was simply absurd to attempt to fix the number of ships that should be sent to any one port. How would the hon. gentleman propose to divide his immigration?

The Hon. W. H. WALSH: As you are doing now.

The POSTMASTER-GENERAL: Then why alter it? They were doing it so now at their own sweet will, so to speak. The present Government, like other Governments, did not bind themselves to the strict regulations laid down under the existing Act. They had transgressed it as other Governments had done, and very properly done; and it was to prevent them from breaking the law that the clause had been inserted. He had just jotted down the names of most of the ports north of Brisbane, and he found they were Maryborough, Bundaberg, Gladstone, Rockhampton, Mackay, Bowen, Townsville, Mourilyan Harbour, Cairns, Cooktown, and Normanton. If the hon. member wished to provide that three-fourths of the immigration should be to the north of the colony, he should go still further and define what proportion should go to each particular port. The only way to make the immigration system work properly was to empower the Government, who would be in constant consultation by wire with the immigration agent, to distribute the immigrants to those parts of the colony where there was the greatest demand for labour. There could be no object in any Government bringing down a lot of people to Brisbane to turn them adrift, for they would go to the other colonies, because the further they came south the more likely they were to leave the colony. He thought most hon. members would agree with him that the Ministry for the time being would know where were the best points to land immigrants, so that they would be readily absorbed. He admitted what the Hon. Mr. Walsh said, that if that Act had been regarded a great injustice would have been done to the Northern ports. Since that Act had been passed the North had taken vast strides, and he hoped it would still continue to progress. All the present Bill asked was that the Ministry for the time being should have the power of saying, "We do not want immigrants at Brisbane, or Gladstone, or Maryborough; but we do want them at Cooktown or Cairns." Surely the Executive were vested with very much greater powers than those; and as to those powers being converted into a political engine, he considered the idea absurd, and he did not intend to further discuss the question.

The Hon. F. H. HART said he thought there was nobody in the colony who was better able to judge of the requirements of the various ports than the Minister who had control of the Immigration Department. The clause was evidently intended for sailing ships, for it said, "Ships direct to Brisbane or the Northern ports." It must be within the recollection of hon. gentlemen that within the last few years immigration to some of the Northern ports had been overdone. He believed he was right in saying that the Government were requested to intercept vessels and not let them go to the Northern ports. If they found there was an increased demand

for labour at, say, Townsville, why not let the Ministry of the day have the power to telegraph to the Agent-General to send a ship direct there; or if he was making arrangements to send to Maryborough, and the people of Maryborough said they had no want of immigrants, let the Ministry have the power to send them to Bundaberg or Mackay. That, he contended, ought to be left in the hands of the Executive of the day.

The HON. W. APLIN said that he agreed with a great deal that had fallen from the Hon. Mr. Walsh. The North had not had anything like its fair share of immigrants. For many years it had had something like a tenth of the immigrants, instead of getting its proper share. The steamers, which were bringing a large supply of immigrants, landed something like thirty or forty at Townsville, sixty at Rockhampton, and about 200 at Brisbane. He asked whether that was a fair division? He could not go so far as the Hon. Mr. Walsh, in asking to send one ship to Brisbane and three to the Northern ports. He thought that would be overdoing it, but he considered that the proportion should be two to one. The Hon. Mr. Hart had said that immigration to the North had been overdone, but that must have been a very long time since. It appeared that by Act of Parliament the North had been entitled to one-half the immigrants coming to the colony, but he thought it had received only about one-fifth.

The HON. SIR ARTHUR PALMER said that when the last Immigration Act was passed the North was considered anything north of Brisbane. Maryborough was considered a Northern port, and also Rockhampton. Townsville was hardly known in those days. He had listened to what the Hon. Mr. Walsh had said, and there was no doubt there was a vast deal of truth in it at the time the hon. gentleman spoke of; and he very well remembered the battle they had to get it defined in the Act that half the immigrants should go to the Northern ports. But those days had passed by; the North was only a baby then and its cry was hardly to be heard. It was very different now, as it had grown into a young giant, and its voice must be heard. It had many representatives in Parliament to see that its wants were attended to. It was impossible for any Ministry, no matter how well they might intend to act, to stick to any hard-and-fast laws. Rockhampton was very much altered within the last few years. Within the last four years the corporation were actually obliged to engage immigrants to do work that they did not want done, at some 4s. a day, to find them employment. He remembered also a ship going into Maryborough with immigrants, and the immigrants had absolutely to be brought south to get employment. When the Ministry first came into power, four years ago, there was no employment for labour anywhere, and they were obliged to check immigration for a short time. Now there was an enormous demand for labour, but they did not know how long it would last, and to lay down any hard-and-fast line as to the number of ships to be sent to any portion of the colony would only lead to the same result as before—that the Government would be obliged to break the law in order to send labour where it was most required. It would be much better if the hon. member withdrew his amendment.

The HON. J. C. HEUSSLER said, that with the many facilities they had now of telegraphing to the colonies, the directions should come from the Ministry. Instead of the £250,000 which he found by the Financial Statement was to be devoted for purposes of immigration, he would not object to a still larger amount. Immigrants brought into the colony would bring infinitely

more revenue than would pay the interest on the money expended on their introduction. Each 50,000 immigrants would give them a greater borrowing power, and the more immigrants they brought the better their financial affairs would be. As they had the telegraph, they could easily regulate the shipment of immigrants from England, and it would be a pity to fetter the Government.

The HON. A. J. THYNNE thought the clause would tend rather to restrict the number of immigrants who went to the Northern ports than increase it. The Northern ports of the colony could only get three ships for every one that came to Moreton Bay. The requirements of Moreton Bay were very few, and in ten years' time a greater change might take place than had taken place during the past ten years; and instead of the amendment benefiting the North it might only do it harm.

The HON. W. H. WALSH said he was sorry his suggestion had not met with more favour. He could plainly see that even yet Southern proclivities had too much influence in the destinies of the colony. He had applied himself assiduously to the task of considering what would be the fairest mode of apportioning the immigrants, and he had arrived at the conclusion that it should be three ships to the North for every one that came to Brisbane. With regard to the statement of the Postmaster-General that the Government had broken the law, he would rather see immigrants loitering about the streets unable to get employment than acknowledge that the Government had dared to break an Act of Parliament because it might be expedient so to do. It might be that the Government in so transgressing an Act of Parliament were acting apparently for the best interests of the people, but he maintained that nothing would justify the Government in openly transgressing the law and then coming down to the House and boasting of it. He would be no party to immorality of that kind. The Postmaster-General had truly said that the colony was in a very different state to what it was in 1872; and when the hon. gentleman quoted the new ports and centres of population that had sprung up since then he did not seem to see that his argument actually supported his (Mr. Walsh's) amendment. If there were only two or three harbours or centres of population in the North worth considering in 1872, and yet the Ministry thought it absolutely necessary that an Act of Parliament should prescribe the fair proportion of immigrants that should go there, how much more necessary was it now, when the Northern centres of population had quadrupled or increased even beyond that, that they should make a similar provision? If the Bill became law it would go as the death-knell of the North, because no doubt they would soon—too soon, perhaps, as far as the administration of the Immigration Act was concerned—have a Southern Ministry in power, and then the North would be deprived of its fair share of immigrants. The Postmaster-General was wrong when he said that he (Mr. Walsh) was actuated by animosity towards Brisbane. Nothing of the kind: it was his desire to prevent Northern animosity towards Brisbane by showing that the Brisbane people got no more than their rights in regard to immigration. He was a Brisbane man, and had always been an advocate of its true interests in checking it when demanding more than its fair share in the government or the expenditure of the colony. As to the remarks of the Postmaster-General with regard to some of the Northern ports having been flooded with immigrants, he might have said the same thing with regard to Brisbane. He (Mr. Walsh) had actually known

he Immigration Barracks so overcrowded that one ship had to be kept in quarantine until room was made for the immigrants. But such was the demand for labour now in all parts of the colony that there was no possibility of over-supplying it, because it was almost insatiable. He should press the amendment, so that at least he might have a record of those who were opposed to such a just alteration.

The POSTMASTER-GENERAL said he was glad that the hon. gentleman intended to press the amendment so that they would have a record of it. The hon. gentleman had stated that one of his reasons for moving it was that, although the present Government might possibly be honest in their dealings with the North, the probability was that when the next Government came in they would not give a fair share of immigration to that part of the colony. The thing to his (Mr. Morehead's) mind was so palpably absurd that, if it were not that he wished to put on record that such opposition existed in the Upper House, he would rather that the hon. gentleman would not press it. He repeated that the arbitrary mode of disposing of their immigrants when they came here had been proved to be a failure, and if it was perpetuated it would be a still greater failure. The Hon. Mr. Walsh spoke very eloquently and freely, but he (Mr. Morehead) did not hold with the hon. gentleman in any way. He knew that a state of affairs existed which necessitated the Government stretching or even breaking the law. When there was more necessity for immigrants in the northern parts of the colony than in the South, the Government never hesitated to break the law; but now they wanted to bring in an Act that would enable themselves and future Governments to distribute immigrants over the colony. The hon. member argued that three-fourths of the immigrants should go to the North and one-quarter to Brisbane; but if they distributed three-fourths in the North how were they to subdivide the number? How were they going to say what was the proportion to go to one place and what proportion to another? He did not think that that point strengthened the hon. gentleman's position. He held that the power should rest in the Ministry of the day to say where the immigrants should go. The hon. gentleman abandoned one position when he found it untenable and landed himself in a position in which he found he was at last slaughtered—he retreated to the citadel and then either blew himself up or was blown up. He hoped the hon. member would abandon his amendment, because he was bound to be blown up. He had not the slightest doubt that if there was a division they would find the hon. gentleman on the one side and the rest of the Chamber on the other.

Question—That the words proposed to be omitted stand part of the question—put, and the Committee divided:—

CONTENTS, 10.

The Hons. Sir Arthur Palmer, B. D. Morehead, G. King, W. Graham, J. C. Heussler, F. H. Hart, P. Macpherson, W. Aplin, A. J. Thynne, and W. F. Lambert.

NON-CONTENT, 1.

The Hon. W. H. Walsh.

Question resolved in the affirmative.

The Hon. W. H. WALSH moved as an amendment that after the word "direct," at the end of the clause, the words "provided that two at least go to the Northern ports in proportion of one to Brisbane" be inserted.

Question—That the words proposed to be added be so added—put and negatived.

Clause 19, as read, put and passed.

On the motion of the POSTMASTER-GENERAL, the CHAIRMAN left the chair, reported progress, and obtained leave to sit again on Tuesday next.

CORRECTED TITLES TO LAND BILL.

The PRESIDENT announced a message from the Legislative Assembly, stating that that Chamber had disagreed to the amendment of the Council as being unnecessary.

On the motion of the POSTMASTER-GENERAL, the message was ordered to be taken into consideration on Tuesday next.

APPROPRIATION BILL No. 2—1882-3.

The PRESIDENT announced a message from the Legislative Assembly, forwarding this Bill for the concurrence of the Legislative Council.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, and the second reading was made an Order of the Day for Tuesday next.

SALE TO LOCAL AUTHORITIES LAND BILL.

The PRESIDENT announced a further message from the Legislative Assembly, stating that that Chamber disagreed to certain amendments made by the Council in the Bill, and agreed to other amendments.

On the motion of the POSTMASTER-GENERAL, the consideration of the message was made an Order of the Day for Tuesday next.

The House adjourned at sixteen minutes past 9 o'clock.