

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 26 NOVEMBER 1884

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LEGISLATIVE COUNCIL.

Wednesday, 26 November, 1884.

Conditional and Homestead Selections.—Notice of Motion.—Jury Bill—third reading.—Crown Lands Bill—committee.

The PRESIDENT took the chair at 4 o'clock.

**CONDITIONAL AND HOMESTEAD
SELECTIONS.**

The POSTMASTER-GENERAL (Hon. C. S. Mein) said: Hon. gentlemen,—I have to lay upon the table a Return to an Order of this

House, made on the 19th November current, on motion of the Hon. Mr. Forrest, with regard to homestead and conditional selections applied for since 1st July, 1884. It is rather a bulky return, and will take some time to print. Is it the desire of the House that it should be printed?

HONOURABLE MEMBERS: No.

NOTICE OF MOTION.

The Hon. W. FORREST gave notice of motion for Thursday, 27th instant, to the effect that the Report, with accompanying plans, of Government Parliamentary Buildings Committee, as laid on the table on the 20th instant, be now adopted.

The Hon. W. H. WALSH said: Hon. gentlemen,—I must confess that I do not understand the way in which business is being conducted at this moment. I thought the Hon. Mr. Forrest was going to move some motion in connection with the papers that have been laid upon the table of the House by the hon. the Postmaster-General this afternoon, and now I find that hon. gentleman suggesting that another matter should be considered. I cannot understand at all the work that is going on, and I wish to get some explanation as to what the business before us really is?

The PRESIDENT: There is no business before the House.

The Hon. W. H. WALSH: We are called upon to consider a certain resolution.

The PRESIDENT: No.

JURY BILL—THIRD READING.

On the motion of the Hon. A. J. THYNNE, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly with message in the usual form.

CROWN LANDS BILL—COMMITTEE.

Upon the Order of the Day being read for the further consideration of this Bill in committee, the President left the chair, and the House went into Committee.

Question—That clause 6, as read, stand part of the Bill—put.

The Hon. W. H. WALSH said he really thought it would be much better for the representative of the Government in that Chamber to sit in his place, instead of where he was at that moment. They had been for some few minutes delayed from proceeding with the business of the Committee owing to that hon. gentleman not being in his place; and if he was not prepared to resume his seat and take up his proper position in that Chamber, he (Hon. Mr. Walsh) would move that the Chairman leave the chair and report no progress. If the Chairman would be kind enough to put that question, it would probably be the means of enabling them to proceed with business.

The Hon. W. FORREST said that when the motion for the adjournment of the debate was moved last night he hesitated whether he would speak further on the question or not, and he was glad now that he did not do so, because he would now perhaps be able to speak more calmly than he could have done last night. The Postmaster-General, in the concluding portion of his remarks last night, said:—

“Under those circumstances, he sincerely trusted that hon. gentlemen would not deliberately set themselves against the decided opinion of a large majority of the representative branch of the Legislature, especially in a matter in which they had a strong personal interest, and in view of the possibilities that might take place afterwards.”

There were improper motives imputed to hon. members in those words, together with a threat of what might be done in another place if they

did not do what was wished by that Chamber. What were the facts of the case with regard to the strong personal interest of the large number who were likely to oppose the 6th clause? Of all the members in the House, and one or two who were absent, there were only a very small minority with the slightest interest under the Act of 1869; and he could see around him gentlemen who had had that interest for periods varying from eight to fourteen years, who either previously or now had very large and expensive improvements on their runs, not one of whom ever exercised the pre-emptive right. And if any members sitting in that Chamber had not exercised the right, but intended to do so, he thought those members had sufficient sense of what was right and proper to do their duty to their country irrespective of personal interest. As he was one of those who spoke last night, and showed his feelings in the matter, he wished to say most distinctly that he held no interest under the Act of 1869, directly or indirectly, so that it did not matter one straw to him, from a personal point of view, whether the clause passed or not. He thought it was beneath the dignity and honour of that Chamber to have threats or imputations of improper motives levelled against them, and he hoped that the debate would be carried on without anything of the kind occurring again.

The Hon. A. C. GREGORY said that last evening they discussed the general principles on which clause 6 should be either omitted or amended so far as to take away its objectionable provisions. He would, therefore, move an amendment that would have the effect of carrying out the views enunciated by those hon. gentlemen who spoke against the clause. He moved that all the words after the words “Pastoral Leases Act of 1869” be omitted, with a view of inserting the words “where the lease has been acquired after the passing of this Act.” The clause would then read thus:—

“It shall not be lawful for the Governor in Council to sell any portion of a run to a pastoral tenant under the provisions of the 54th section of the Pastoral Leases Act of 1869, where the lease has been acquired after the passing of this Act.”

The effect of the amendment would be that in no new lease would there be the right of pre-emption. At the same time, the clause would not interfere with the right of any tenant to pre-empt under existing leases, which he and several other hon. members held to be part of the existing contract. It was not necessary to make a long speech in explanation, because the amendment was perfectly clear and open in its character.

The POSTMASTER-GENERAL said that when the hon. gentleman rose he thought he was probably going to debate the suggestion contained in one of the evening papers—that they would accept the situation so far as the abuses of the present law were recognised, and amend the clause by providing that pre-emptive privileges should not be exercised unless specified improvements to the value of £1,280 had been spent on the proposed pre-emption; in other words, that the amendment would embrace the character of improvements clearly contemplated by the 54th section of the Pastoral Leases Act of 1869. At the risk of repeating himself a little, seeing that there were still some hon. members, who were anxious to do justice between the State and the pastoral lessee, under a misapprehension on the subject, he would point out the real position. Under the Act of 1869 the Governor in Council was authorised to sell a selection of 2,560 acres to the pastoral lessee in order that the lessee might secure the permanent improvements which he had erected on his run. The abuse that had crept in had been that of late years; particularly during the last three or four

years, pre-emptions almost innumerable were allowed where there had not been even an approach to the erection of a permanent improvement on the selection. He believed a large number of hon. members would like to give the pastoral tenant as much privilege as possible consistent with the intention of the Legislature in 1869; and those gentlemen would have some reason in adopting the suggestion of the *Observer*, and striking out paragraphs (a) and (d) of the clause. He did not approve of that suggestion, but there would be some reason in adopting it, because then the clause would provide that in no case would either the present or any future Government be at liberty to sell or grant any pre-emption to a pastoral lessee unless he had fulfilled the condition intended to precede the exercise of the powers conferred on the Governor in Council by the 54th section of the Act of 1869. But there was no reason in the proposition of the Hon. Mr. Gregory. He believed they were agreed that in future no contract should be entered into between the Crown and the pastoral lessee enabling the lessee to have a pre-emptive right, having in view the subsequent provisions to the effect that when improvements were taken out of the possession of the tenant he should be paid for them. He supposed, however, that discussion would be idle; he was satisfied that nothing he could say, even though he adduced arguments that were absolutely incontrovertible, would alter a single opinion. Very anxious deliberations had taken place outside, and he supposed a determination had been arrived at as to the fate of the clause. Personally, he was anxious to hear the result, and he hoped the Committee would come to a division as soon as possible.

The Hon. W. FORREST said it was not his intention to have spoken on the matter again, but he could not allow the last speech of the Postmaster-General to go to the country uncontradicted. It had given him a considerable amount of trouble to read up the debates that took place when the Act of 1869 was before the Legislature. He could not get out of *Hansard* what he really wanted, for the simple reason that when the House went into committee hon. members were not reported in those days; consequently, he had to refer to the *Courier* of that date; and he could assure hon. members that so far from it being the intention of the Legislature to insist that valuable improvements should be put upon the part to be selected, it was distinctly stated that the clause was inserted for the purpose of giving better security to capitalists. That was the object of the clause; and if the Postmaster-General, or anybody else, challenged his statement he could produce the reports of the discussions on the clause, as he had many places marked. Mr. Stephens, in speaking on a proposal to reduce the amount of improvements from 10s. to 7s. 6d., said he would resist the proposition, because the lessees had sufficient privileges already, and could select their pre-emptions without any conditions or restrictions whatever, and could pick the eyes out of the country. The Government introduced the clause because they wanted money. The primary intention was to induce capitalists to come here; and the country was in such a plight that they had to hold out what they imagined were very liberal inducements, but which many members in those days did not regard as liberal. But the hon. the Postmaster-General distinctly stated that the framers of the Act of 1869 contemplated that every proposed pre-emption would be improved to the value of £1,280. He (Mr. Forrest) distinctly asserted that nothing of the kind was contemplated, and that a perusal of the debates on the 1869 Act would prove this. The assumption

that the Act of 1869 contemplated improvements to the value of £1,280 on 2,560 acres before the lessee could pre-empt the latter, was most unreasonable, as anyone who had informed himself of the state of affairs then existing would easily understand. Why, even now, with all their advancement, each run of which a station was composed was not improved to that extent, and it only required a moment's consideration to show the absurdity of the whole contention.

The POSTMASTER-GENERAL said the hon. gentleman's argument amounted to this: That the words "for the purpose of securing permanent improvements," in the 54th section of the Act of 1869, had no meaning, and that it was the intention of the Legislature that they should have none. He (the Postmaster-General) did not believe it. No man of common sense would believe that the Legislature intended that those words should have no significance attached to them. He knew something about the administration of the Act a few years after it was passed, and, speaking from his personal knowledge, he could say that whenever an application was made for a pre-emption the Minister for Lands insisted that there should be evidence of the character and value of the improvements the applicant wished to secure. He asked, "What improvements do you wish to secure? Where are they situated, and what is the value of them?"

The Hon. J. TAYLOR: No.

The POSTMASTER-GENERAL said those questions were put, and the Hon. Mr. Gregory could bear him out on that point.

The Hon. G. KING said, notwithstanding all that had been said about the 54th clause of the Act of 1869, he still maintained that it conferred no legal right of pre-emption. The 55th clause of that Act gave the Governor in Council power to resume the whole of a run. If that power were exercised what would become of the pre-emptive right? It would be gone. Could that then be a right which could be annihilated by the action of one party? He held that it could not. By the 54th clause a permissive power only was granted to the Governor in Council, and it struck him that it was altogether a fallacy to attempt to elucidate the meaning of an Act of Parliament, by quoting the speeches made by statesmen and politicians during the course of its progress through Parliament. They could not construe a statute by such evidence. They knew very well that such evidence went for nothing; that, in fact, speeches were made to carry out individual ideas. It was only when a Bill came out fully fledged as an Act of Parliament that it was the emanation of the will of Parliament, and by the words it contained it must be construed, and they were bound to abide by them. If, on one important occasion, he (Hon. G. King) had allowed himself to be guided by *Hansard*, and the speeches then made, he might have done a gross injustice. *Hansard* must go, and facts must be ascertained in a different manner. He thought that, in the Act of 1869, the clause which they were now considering was framed in a spirit of fairness and justice to the country. The waste lands of the colony were given on long leases at a very low rent because there was no tenure, but the land could be resumed at six months' notice. It was perfectly right under the circumstances, that the Governor in Council should retain that power of resumption. There was no compensation on resumption, except for improvements, and that was in a certain way. Fencing was only valued at a fourteen years' life. Then there was a permissive power given to the Governor in

Council that he might allow lessees who had made very valuable improvements on their runs, which it would not be worth while of the country to pay for, as for instance an expensive house, the right to purchase the land to secure the improvements. He was not taking a political view of the question, nor was he discussing it from a personal point of view, although he had pre-emptive rights which he could exercise if he chose; and he could not understand how anyone could arrive at any other construction of the 54th clause than the one he had given. If a gentleman came forward and said, "I want to purchase 2,560 acres," it would be the duty of the Government and Executive Council to ask, "Where are your improvements?" and, if there were none, to disallow the purchase. If, on the other hand, a person came forward and said, "I want to select 2,560 acres; I have made the improvements required by law," the Governor in Council, who was the trustee for the country, should refuse the application if he thought that the selection had been so made that by granting it he would be deteriorating the rest of the public estate. That was, no doubt, the intention of the Legislature. Everyone, however, viewed the matter from his own standpoint, and he might be mistaken in the interpretation of the Act. But be that as it may, nothing that was said by any gentleman at the time it was passed could in any way alter the construction of the Act. As regarded the 6th clause of the Bill before the Committee, it struck him that it was a fair compromise. In his opinion the legal right did not exist, and he thought adequate consideration was given to the pastoral tenants in that Bill. They were offered for a six months' tenure a fifteen years' tenure at a somewhat higher rental, on condition that they gave up a portion of their runs. That, he thought, was a very fair and equitable proposal. He could not agree with the Hon. Mr. Gregory's amendment, because he held that they should retain the words "except for the purpose of securing permanent improvements actually made on the portion so sold"; but he would be disposed to amend subsection (d) by fixing the time within which a lessee should make his application to purchase at "two years" instead of "six months." He would be very sorry indeed to see any alteration made in the Bill which would cause it to be thrown out. He had noticed that, in New South Wales, every new Bill was framed in a more democratic spirit than its predecessor; and it was quite possible, if the measure before the Committee was thrown out and they had another Parliament, that squatters might be offered very much worse terms than they were offered in that Bill. He could see the spirit of the age and would like to go with it; and therefore he would not like to see the Bill rejected. They should not put up their backs and say they would not have that, but should give due consideration to the state of things around them. If they did not come to some fair conclusion on the matter they might regret it afterwards.

The HON. J. TAYLOR said he had no idea that the hon. gentleman who had just sat down was so timid as he appeared to be until he heard his last speech. He little thought the hon. member would be afraid of anything in that matter. He (Hon. Mr. Taylor) was not afraid of another Bill being introduced that would do more injury to them than that measure, and he thought it was a shameful thing to hold out a threat to that Chamber, that if they did not pass anything sent up to them they would have something worse. That was a child's argument.

The HON. G. KING: It is a very good argument.

The HON. J. TAYLOR said he would give his opinion of the Act of 1869, as he was one of the gentlemen who assisted in framing it. The circumstances were very different to what the Postmaster-General said they were. At that time the Treasury was empty, and the object of the Government—which was headed by Mr. now Sir Charles Lilley, and which was composed of Mr. T. B. Stephens, Mr. Arthur Hodgson, and himself, and he thought another gentleman—was to get money and fill the Treasury as soon as possible. They could not actually pay their way then. The Hon. Mr. Mein had stated that he knew Mr. Stephens, but he did not think the hon. gentleman knew him as well as he (Hon. Mr. Taylor) did. He knew the gentleman before he entered Parliament, and afterwards he knew that his views regarding pre-emptive rights were very different to what was stated by the Postmaster-General. Mr. Stephens was the gentleman who proposed that all outside squatters should have the privilege of taking up 2,560 acres of land on their runs, and he said nothing whatever about improvements. The proposal was that he should have the right to pre-empt 2,560 acres, at 10s. per acre, upon every block of twenty-five square miles; and there was nothing whatever about improvements spoken of. Although it only had the desired effect in a small measure, the intention was to increase the funds in the Treasury. There was nothing said in the Cabinet about improvements, nor did he believe it was ever intended to mention improvements—the intention simply being to induce people to buy the land and pay the money as soon as possible. The amendment which the Hon. Mr. Gregory had brought forward was one which he thought of some time ago, as the best thing to suggest—that all leases already granted should not be interfered with so far as the pre-emptive right was concerned, but that all leases granted in future should not have that privilege. It was only right and fair that such should be the case. A great many of those properties were purchased by outside capitalists who no doubt looked upon the pre-emptive right as a great privilege, and one which they might avail themselves of to protect themselves hereafter. He did not, therefore, think it would be fair to deprive the present occupiers of that right. Perhaps he (the Hon. Mr. Taylor) had not any of the very valuable improvements upon his properties that the Hon. Mr. King had, but he would ask how could it possibly be thought that a man would put £1,280 worth of improvements upon a block of country of 16,000 acres? Did anyone tell him either that it was intended that the pastoral lessee might only take up one selection? It was intended that he should be able to take up that amount of land upon every block he held of twenty-five square miles. Dead men could not give evidence, but if Mr. Stephens were here now he would confirm what he (Hon. Mr. Taylor) had stated about the taking up of those pre-emptions, and that there was nothing said about improvements at all. It had crept into the Bill, and was never intended to have been used in any way, and he was only sorry it had been brought forward now. He would like to know when any Minister had examined or cross-examined any of those tenants when they applied for their pre-emptives, as to what improvements they had made. He did not believe a single man had been asked that question. He would support the amendment of the Hon. Mr. Gregory, and they would see how it went, and then they should see what they should see.

The POSTMASTER-GENERAL said the hon. gentleman had given them some interesting

personal recollections of what took place in connection with the compilation of the Act of 1869, and he had assured them positively that not a single word was said in the Cabinet or by one Minister to another with regard to improvements on the proposed pre-emptions. He had no doubt the hon. member's memory was perfectly accurate with regard to the whole surroundings of the Act of 1869, and doubtless he could assure them that that was so.

The HON. J. TAYLOR: Yes.

The POSTMASTER-GENERAL said he would like the hon. gentleman, if that was so, to tell them how the words got into the section?

The HON. J. TAYLOR: I cannot tell that.

The POSTMASTER-GENERAL said the words were in the Bill when it was introduced to the Assembly, and they were in it when introduced to that Chamber. The hon. gentleman had told them that there had been no previous discussion upon the words between himself and Mr. Stephens; and were they not justified in assuming that the introduction of those words was intended to have some significance? Perhaps the leader of the Government could not trust the hon. gentleman. It looked very much like it. It looked as if the head of the Government could hardly trust the hon. gentleman with his own Bill; because those words were in the Bill, and the hon. gentleman did not know how they got in, and made no inquiry, although he proposed the Bill in the Legislative Assembly. He said the words were introduced with a deliberate intention and no man could read them—as the Hon. Mr. King had pointed out—and come to any other conclusion but that instead of conferring a right they only allowed the Governor in Council to exercise his option in the matter.

The HON. J. TAYLOR said he took exception to the remarks of the Postmaster-General, and he could assure that hon. gentleman that no Minister was ever more trusted by the head of a Government than he was by Sir Charles Lilley. When he took his papers up they were scarcely ever looked at after being passed round once; and he questioned whether the Postmaster-General's papers were not a great deal more scrutinised. He said again that the words "permanent improvements" in the section were not intended to be acted upon.

The HON. G. KING said he would make one remark in answer to the hon. gentleman. An empty treasury was no excuse for an illegal act. If the treasury was empty and they could not raise money, they should have resigned and let others do it.

The HON. J. TAYLOR said they would not do that. They stuck to it. He would ask what the Hon. Mr. King would do if he was short of money? Would he not go and mortgage his property to raise the money? Well, it was exactly the same thing. They mortgaged the land to raise the money.

The HON. T. L. MURRAY-PRIOR said he could refer back to the days in the colony when money was very scarce. He had been for a very short time in a Ministry with Mr. Herbert, when they actually had no money whatever in the Treasury.

The HON. J. TAYLOR: What did you do?

The HON. T. L. MURRAY-PRIOR said they had nothing but the daily revenue with which to pay their way, and the only thing they could do was to pay as much as they could out of that. He really thought that, if the hon. gentleman at present representing the Government in that Chamber, and his Government were

in such a position as that, they would be quite ready to sell anything to obtain money; for not only had they no money at that time but it was a time also when the public works could not be carried on, and when men were coming down in deputations, and even threatening Government House itself, and waylaying Ministers, and committing outrages of various sorts; and if they had not been able to get a little money out of the daily revenue to pay them he did not know what might not have happened to the country.

The HON. J. C. HEUSSLER said that when the Act of 1869 was passed he was absent from the colony on a visit to the old country, and he could not therefore speak from his own experience of what took place, but he had taken some trouble to look up the matter, and he would read from *Hansard* to show what were the arguments which hon. gentlemen used to defeat that clause. In volume IX. of *Hansard* it would be seen that the Hon. Mr. Taylor, who was Secretary for Public Lands at the time, said:—

"The next clause he considered of importance was the 5th clause, which was as follows:—

"For the purpose of securing permanent improvements it shall be lawful for the Governor in Council to sell to the lessee of a run without competition at the price of ten shillings per acre any portion of such run in one block, not being more nor less than two thousand five hundred and sixty acres, and the boundaries of any such block shall as nearly as the natural features of the country and adjacent boundaries will admit be equilateral and rectangular."

That was at page 173. At page 176, it would be found that Mr. Archer said:—

"The hon. member who brought in the Bill must know very little about the subject if he thought a sheep farmer conducted his operations in one place only; and that it would be of any advantage to him in return for the dams and reservoirs and other improvements."

Hon. gentlemen, he hoped, would note that—"in return for the dams and reservoirs and other improvements"—

"at his different stations, to be allowed to purchase 2,560 acres in one block by giving 10s. an acre cash for it."

He would go on to page 186, and read for them what Mr. Haly said on the subject. They all knew Mr. Haly, who was a gentleman who had the reputation of being one of the most open-hearted, kind, and honest men they had in the colony, and it was quite impossible to believe that that gentleman would, for any purpose whatsoever, say anything he did not mean at the time. He would read what that gentleman had said:—

"He was a squatter, but he should be sorry indeed if anyone thought he would not legislate for that which was for the benefit of the whole colony. The grand thing of all—and far above indefeasible leases—was to get compensation for improvements."

Hon. gentlemen would observe—he said the grandest thing of all was to get compensation for improvements.

"Now, the Bill was deficient in that respect. The squatter could not make a washpool for his sheep, except at a cost of, at least, £1,000, besides labour; and yet, if his run was resumed the day after he had finished the work, he received no compensation. Now, what he wanted to see was, that in such a case the squatters should receive compensation for such an improvement. The 2,700 acres would be no good to him, but if he received £1,000 it would be of some benefit to him. The great thing this Bill should do was to encourage squatters in competing with other countries. If the House would do something of that kind, Queensland squatters would not submit to their wool being undersold in the English market."

Now, after the explanation—the able explanation of the hon. the Postmaster-General, and adding to that the evidence he (Hon. Mr. Heussler) had just quoted—he could not see how any hon. gentleman could still assert that at that time a different

idea was prevalent in the House. It was quite impossible; and when anyone attempted to do so he could only attribute it to interested motives. He agreed with every word that was said by the hon. the Postmaster-General last night, that there must be interested motives. The Hon. Mr. Forrest had said that there were no interested motives, and he no doubt referred simply to pounds, shillings, and pence—to his pocket; but there were thousands of other motives besides those having reference to money. There were motives of power; motives of old prejudice; and all sorts of motives, that might come into play in dealing with the matter. At page 190 of the same volume of *Hansard*, Mr. Palmer said, when speaking upon the Pastoral Leases Bill—

"Just fancy the hon. Secretary for Lands holding himself up as a model of dress and deportment. It was a complete farce, and the whole of the hon. member's lecture was delivered in the same spirit. He believed the hon. member was just about as capable of lecturing upon the Bill as upon dress, and that was not saying much."

He (Hon. Mr. Heussler) did not put much value upon that; but it showed that what the hon. gentleman then said did not command very much respect in the House. Since the Act of 1869 was passed fifteen or sixteen years had gone by; and the hon. gentleman's memory might be so far deceived that he wanted to convince himself that what he had stated was correct. He had thought over the matter so long that he had come to the conclusion that what he wished to believe was right was so. However, from what he (Hon. Mr. Heussler) had read, it was impossible that the Hon. Mr. Taylor could be correct. The hon. gentleman had alluded to some conversation that he had had with the late Mr. T. B. Stephens, but he (Hon. Mr. Heussler) was astonished to find that Mr. Stephens never said a word in the course of the debate on the Bill. Whatever he might have said to the Hon. Mr. Taylor—who was Minister for Lands at the time—privately, he certainly did not say anything officially; and therefore what was the value of the conversation of the Hon. Mr. Taylor with the late Mr. Stephens? He (Hon. Mr. Heussler) had had a great many transactions with the late Mr. Stephens at the time of the serious crisis in the colony some years ago. He recollected that he had had that gentleman's cheques that were not paid, and when he called upon him respecting them, he said "Oh! they will be paid to-morrow or next day, or some time," and they were paid. That was the way the late Mr. Stephens had of doing business, and no doubt the conversation he had had with the Hon. Mr. Taylor was of the same value as the cheques he (Hon. Mr. Heussler) had got from him—they were passed over; the thing would be done some time. He did not wish to speak further on the question. He desired, however, to repeat that capitalists would be quite content with their security of fifteen years' fixed tenure as against the present six months' lease. He was sure that they would be quite willing to take a mortgage over one-half a run instead of having a very doubtful security of six months' duration. He could speak with some authority on the subject, because he knew the feelings of bankers and something about finance; and there could be not the slightest doubt that the security offered by the Bill was much better than that which existed under the present Act. If any hon. gentleman could be convinced he really must be convinced by what the Hon. Mr. King, the Postmaster-General, and he himself had said on the subject. There could be no doubt left, because all the arguments on the other side were only sophistical, while those that had been used on the Government side were really good staunch arguments. Hon. gentle-

men opposite could simply say that so-and-so was a fact, and that they had seen it in the *Courier*, and so on.

The Hon. T. L. MURRAY-PRIOR: And impute motives.

The Hon. J. C. HEUSSLER: He had not imputed motives. He spoke of persons having a personal interest in the question, but he was careful to detach personal interest from the pocket. He hoped his hon. friend was not going to attack him as he did last night, but if he did he (Hon. Mr. Heussler) would have something more to say.

The Hon. J. TAYLOR said he could not allow the remarks of the hon. gentleman who had just spoken to pass unnoticed. He did not suppose that any other member of that House would ever dream of bringing up a dead man's dishonoured cheques except that hon. member. He felt perfectly certain that there was not another hon. member who would do such a thing; and he wondered at the hon. gentleman doing so, because he believed that at the time referred to his (Hon. Mr. Heussler's) own cheques were dishonoured.

The Hon. J. C. HEUSSLER: Hear, hear!

The Hon. J. TAYLOR: That they were not paid, and were not worth the paper they were written on; and yet he brought a dead man's dishonoured cheques in!

The Hon. J. C. HEUSSLER: I rise in order to explain. I did not bring the matter up to the detriment of my deceased friend. I—

The Hon. W. H. WALSH: That is not a question of order at all. It may be a question of the hon. gentleman's own conduct, but it is not a question of order.

The Hon. J. TAYLOR: The coolest thing he had ever heard in that House was when the Hon. Mr. Heussler coupled himself with the hon. the Postmaster-General and the Hon. Mr. King, and said, "What the Postmaster-General and the Hon. Mr. King and I have said must convince the House." Good gracious! Was there a single member of the House who took any notice of one word the Hon. Mr. Heussler said? As for arguments—was there a single hon. member who understood what the hon. gentleman said when he sat down? He said, no; and yet they were to have the time of the Committee wasted by the hon. member making remarks upon a matter that he knew nothing at all about. He (Hon. Mr. Taylor) had now before him a copy of the *Courier*, which fully explained what he said at the time the Act of 1869 was passed, and he could find nothing about permanent improvements in what he then said.

The POSTMASTER-GENERAL: It is not what you said, but what the House said.

The Hon. J. TAYLOR: Never mind the House.

The Hon. W. FORREST said the Hon. Mr. Heussler was quite correct in his statement that the late Mr. Stephens did not speak on the second reading of the Pastoral Leases Bill of 1869. He had examined *Hansard*, and ascertained that he did not do so; but that gentleman spoke in committee, and he (Hon. Mr. Forrest) found in the *Courier*—

The Hon. W. H. WALSH: What in the name of goodness is the hon. gentleman speaking on? Is it a question of privilege or a question of order, or—

The Hon. W. FORREST: I am in possession of the Chair.

The CHAIRMAN: We do not know what the Hon. Mr. Forrest is going to say.

The HON. W. H. WALSH : I trust you will stop him then.

The HON. W. FORREST : I stated some time ago that the late Mr. Stephens was reported to have said—

The HON. W. H. WALSH : I do protest against this course of conduct. There was another hon. gentleman in possession of the floor of the Chamber, and the Hon. Mr. Forrest gets up and—

The HON. W. FORREST : Mr. Roberts, I appeal to the Chair for protection.

The HON. W. H. WALSH : I trust the hon. gentleman will not—

The HON. W. FORREST said that when he spoke on a previous occasion he stated that the late Mr. Stephens was reported to have said certain things, and he was now going to quote from that gentleman's speech in verification of his statement. Speaking upon a motion, proposed by Mr. Ramsay, for reducing the price of pre-emptive selections from 10s. to 7s. 6d., Mr. Stephens was reported to have said :—

"He quite agreed with the opinions which had been expressed by two hon. members: that it would be of great advantage to the country to have a large population established on their own freeholds; and he would like to know if those hon. gentlemen were prepared to give the same advantages to others besides the lessee that they wished to give him. He was quite prepared to support the amendment if the power of purchase was given to others besides the lessee. (Laughter.) He thought the two hon. members he referred to (Messrs. Ramsey and Archer) should either withdraw the amendment or follow it to its legitimate conclusion, and alter it as he suggested. He thought the clause as it stood an extremely liberal one. The price fixed was only half of that under which pre-emptive purchases had been made hitherto, and no doubt in many cases the pre-emptive right which the present clause gave would be exercised on land equally good with purchasers. Lessees knew better than anyone else the nature of the country they held and its qualifications, and were able to pick out the best portions; and when they had the whole and sole pick he thought the amendment to reduce the price very uncalled for."

He quite agreed with some of the remarks made by the Hon. Mr. Heussler. There were motives of prejudice; but there were also motives of justice, and it was from those motives that he was going to vote against the clause as it stood in the Bill.

The HON. W. H. WALSH protested against the imputations cast by the Hon. Mr. Forrest on a long-deceased member of Parliament in days gone by, though that gentleman was an old enemy of his. It was not right that he should be quoted in a fashion that suited hon. members of that Chamber; and the late Hon. T. B. Stephens would be ashamed if he heard the remarks quoted in behalf of the amendment before the Committee. It was impossible that that gentleman could have delegated any feelings or ideas he possessed with respect to the land question to his hon. friend any more than to him (Hon. Mr. Walsh)—and they were as far asunder as light and dark. Therefore he deprecated the conduct of the hon. member opposite in quoting in his own way from his own paper certain remarks respecting the necessity for an improvement in the land laws. He had no kindly recollections for the hon. gentleman referred to; but he protested against a quotation being made from his own paper by the hon. gentleman opposite for a particular purpose.

The POSTMASTER-GENERAL said he should not be able to condemn hon. members opposite out of their own mouths, but he would do so out of the paper from which the Hon. Mr. Forrest had quoted. The Hon. Mr. Stephens had been referred to; but his remarks bore out

his (the Postmaster-General's) statement with regard to that gentleman's views in reference to alienation—that he was not prepared to give the pastoralists any benefits which he was not prepared to give to the general community. That was laid down in the passage just read by the Hon. Mr. Forrest.

The HON. J. TAYLOR : No.

The POSTMASTER-GENERAL said that was the interpretation he put on the language. The Hon. Mr. Forrest had indignantly denied that it was the intention of the Legislature to make permanent improvements an element in the consideration of pre-emptions; and the Hon. Mr. Taylor had asserted that neither he nor his colleagues, nor Parliament, intended that it should be part of the consideration. But the debate from which the Hon. Mr. Forrest had quoted showed that particular prominence was given to the fact that pre-emption was provided for in order that the pastoral tenant might secure permanent improvements. Mr. Ramsay moved a reduction in the price, but finding that the feeling of the committee was against him, he withdrew his amendment. Mr. Ramsay used the following words :—

"The object of giving the lessee the pre-emptive right in this clause was to enable him to secure permanent improvements; and the Colonial Treasurer would give outsiders the power of going on a man's run, and securing his improvements. If the opinion of the committee, however, was against his amendment, he would withdraw it."

The HON. J. TAYLOR : Who was Mr. Ramsay?

The POSTMASTER-GENERAL : Mr. Ramsay was a member of the Legislative Assembly at the time, and one of the most intelligent and upright members of that body.

The HON. J. TAYLOR : The Hon. T. B. Stephens did not think that.

The POSTMASTER-GENERAL said that was his opinion at any rate, and he did not think any hon. member would deny that it was a right opinion. The remarks he had quoted refuted the statement that the erection of permanent improvements was not an essential element to be considered by the Governor in Council in determining the question.

The HON. J. TAYLOR asked how it was that the Hon. T. B. Stephens was willing to allow a reduction from 10s. to 7s. 6d. if that was the case? It was very clear that he did not lay any stress upon permanent improvements.

The HON. J. C. HEUSSLER said they all knew what Mr. Stephens thought with regard to the price of land—that 7s. 6d. per acre was ample for any land. If he could, he would have sold it at that price in 100,000-acre blocks. Five or six years ago they were hard up, and they passed the Transcontinental Railway Bill, inviting a powerful syndicate to come and take millions of acres of land, in order to give the colony some new lifeblood; and if the last Government had not been so dilatory the transcontinental railway would have been carried out; and he did not think that would have been such a calamity. But now they said that the railway should not be made. And why not? Because they were better off. Five years ago land was worth nothing. What was it worth now? He counselled hon. gentlemen not to abuse each other, but to talk sense, for then they would be esteemed by the country. The Hon. Mr. Taylor had said that his (Hon. Mr. Heussler's) opinion in that Chamber went for nothing.

The HON. W. H. WALSH : I say so too!

The HON. J. C. HEUSSLER said he did not mind the Hon. W. H. Walsh. He could say,

however, with all modesty, that his word was as good as that of the Hon. Mr. Taylor. That hon. gentleman might have his hundreds of thousands; but he (Hon. Mr. Heussler) had quite enough for his requirements. Anyhow, there was no necessity for a man to be so purse-proud as to think all the world except himself good for nothing. There was no reason why everything should be subjected to the "almighty dollar." In the course of the debate a most esteemed friend of his had been attacked. The question had been asked—"Who is Mr. Ramsay?" He could inform the hon. member who asked the question that Mr. Ramsay was one of the most intelligent men in the colony at the time.

The Hon. W. H. WALSH said that if he were allowed, he would say the force of impudence could go no further, for a more ignorant, un-English, ill-constructed series of remarks he had never listened to in his life. The hon. gentleman ought to be ashamed of himself for addressing Englishmen—white men—as he had done. It was positively discreditable to a community of Englishmen that they should listen to the diatribes or the German tribes of the hon. gentleman. Had the hon. gentleman no sense of national shame in him? Had he no civic sense of shame in his head? Had he no sense of shame at all that he should occupy the unconstitutional position which he did in that Chamber? He (Hon. Mr. Walsh) told the hon. gentleman that he was an innovator; he was not an Englishman; he did not represent the colony; he did not represent an English-speaking nation; in fact, he did not represent anybody, and yet the hon. gentleman dared to get up and tell them how they should shape their language and their laws.

The Hon. J. C. HEUSSLER said he rose to state what he mentioned last night in that Chamber—namely, that, as a naturalised foreigner in that House, he had the same right and the same privilege as any other member.

The Hon. W. H. WALSH said that whenever a person got up to correct them in that Chamber who was not of their nationality, he was out of order, and hon. members would be abdicating their functions and their rights if they submitted to it. What, after all, was the diatribe of the hon. representative of Germany in that Chamber? It was that same hon. gentleman who had dared to express their opinion as representatives of the colony were wrong. Were they to be governed by Germany, or by such ignorant representatives of Germany as the Hon. Mr. Heussler? When a foreigner of any class or clime showed himself fit to advise hon. members, he (Hon. Mr. Walsh) would gladly accept him, and work with him as far as he could; but when a representative of a certain place, who they knew was at that moment an applicant for a Government position, dictated to Englishmen the course that they should pursue, he would tell him that he despised him, and the Government that employed him.

The Hon. J. C. HEUSSLER: I am not an applicant for a Government position.

The Hon. W. H. WALSH said it was no use the hon. gentleman denying that he was an applicant for a Government situation.

The Hon. W. GRAHAM said he rose to a point of order. The Hon. Mr. Walsh stated that the Hon. Mr. Heussler was an applicant for a certain situation, and Mr. Heussler denied it. He (Hon. Mr. Graham) thought the Hon. Mr. Walsh should accept that statement.

The CHAIRMAN said the Hon. Mr. Walsh was bound to accept the statement of the Hon. Mr. Heussler.

The Hon. W. H. WALSH said he accepted it most willingly. At the same time, he was officially informed that the foreign gentleman in that Chamber was, and is, an applicant for a Government situation; and he therefore objected to have him dictating to them as to how they should frame their laws. It was very easy to deny such a statement. For instance, he (Hon. Mr. Walsh) might deny that he was an applicant for a Government position, but might, nevertheless, have applied for a situation in such a manner that it could not be fixed upon him.

The Hon. W. PETTIGREW: What has all this to do with the Land Bill?

The Hon. W. H. WALSH said the hon. gentleman had asked a very pertinent question. It had a great deal to do with the Land Bill. When the Government had a supporter in that Chamber who was an applicant for a Government situation, it was a very important matter, and if the Hon. Mr. Pettigrew did not see the significance of it, he did. He refused to be corrected by an hon. gentleman who he had every reason to believe was at that moment an applicant for a Government situation.

The Hon. W. D. BOX said they did not seem to be making much progress with the Bill. The question involved in the clause under consideration was a very simple one. On the one side the Government contended that there was no right conferred by the 54th clause of the Act of 1869; while on the other, it was claimed that there was a pre-emptive right given by that provision. Both sides were agreed that however the claim arose it would not be settled by debate in that Chamber, but that the proper way to settle the matter was by an action at law in the Supreme Court. Nothing hon. members could say would alter the law, and he therefore thought that the amendment proposed by the Hon. Mr. Gregory should be accepted, as it would leave the question just as the law had made it. He held that the pre-emptive right should have been taken away from the squatters some years ago, because the exigencies which made it necessary when it was given to them had ceased to exist. The effect of the amendment would be that no future lessee would have the right of pre-emption. The clause as it stood implied that there was a right, and the Government desired to take that right away. He hoped the amendment would be accepted by the Committee.

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

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Question resolved in the negative.

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

Clause, as amended, put and passed.

On clause 7, as follows:—

"1. From and after the commencement of this Act so much of the several Acts specified in the second schedule to this Act as is not already repealed, and all regulations made thereunder respectively, shall be repealed, except as to any rights, claims, penalties, and liabilities already accrued or incurred and in existence.

"2. From and after the coming of the Third Part of this Act into operation in any part of the colony, so much of the Pastoral Leases Act of 1869 as is not hereinbefore repealed, and all regulations made thereunder,

shall be repealed as to such part of the colony, except as to any rights, claims, penalties, and liabilities then already accrued or incurred and in existence.

"3. Provided that for the purpose of dealing with any lands applied for, selected, or leased, under any of the said Acts before their repeal, the Governor in Council may continue to appoint commissioners and other officers, and do or cause to be done all such acts and things as may be necessary for carrying out and giving effect to any applications, contracts, or agreements, which have before such repeal been made under or arisen from the said Acts or any of them.

"And provided further that all lands which, at the time of such repeal, are subject to the provisions of the said Acts, or any of them, shall continue to be subject to the provisions thereof until the same shall have been surrendered or resumed, or the existing title thereto shall have otherwise determined. But this provision shall not be construed to authorise the sale of any land under the provisions of the fifty-fourth section of the Pastoral Leases Act of 1869, except in accordance with the provisions of the last preceding section."

The HON. W. H. WALSH said he would like to ask, with the permission of the Hon. Mr. Heussler, who represented the Germans in that Chamber, whether the Government intended to go on with the Bill? It appeared to him that, so far as the Government were concerned, the Bill was utterly destroyed, and he thought it would be just as well if the Hon. Mr. Heussler would tell them what were the opinions of the Government and of Germany upon the matter. He would ask the Hon. Mr. Mein how the Government could possibly go on with the Bill after the extraordinary discussion they had just had, and the vote of want of confidence in the land ideas of the Government that had been carried by such a large majority in that division. To him it appeared significant from that division that the Government were evidently not in accord with the views of the Legislative Council. The largest majority, probably, that was ever shown against a Government in that Chamber was shown on the last division, notwithstanding the fascinating powers of the Postmaster-General. He said, putting all jocoseness aside, it was now at any rate due to that august Chamber that they should know whether the Government intended to go on with a measure which evidently, from the expression of opinion evinced in the last division, had not a ghost of a chance of being carried. He put it to the Postmaster-General whether a dignified retirement at that stage on the part of the Government would not be better than to go on with the measure and submit to a series of disastrous defeats.

The HON. T. L. MURRAY-PRIOR said that the amendment in clause 6 rendered it necessary to make an alteration in clause 7, and he proposed to move the omission of certain words after the word "determined," in the last paragraph.

The POSTMASTER-GENERAL said the hon. gentleman should move something before that to make the clause fall in with the omission moved in the previous clause. There must be an omission made in paragraph 2. The words "so much of," after the word "colony," should come out, and the words "as is not hereinbefore repealed," would also have to be omitted from that paragraph.

The HON. A. C. GREGORY said he thought it would be better to remove the whole of the 2nd paragraph.

The POSTMASTER-GENERAL said it was necessary to make the omissions he had referred to, but it was equally necessary to retain the remainder of the clause, because when the third part of the Bill came into operation all rights would have to be conserved to lessees holding under the Act of 1869, and who would continue to go on under the operation of that Act.

The HON. A. J. THYNNE said it seemed to him that the 2nd paragraph was in the way

altogether, and would be contradictory to the effect of the amendment, which they had just passed in the last clause. The Act of 1869 was repealed, as he took it, so far as all future leases were concerned.

The POSTMASTER-GENERAL said it was so in that clause; he did not think the hon. gentleman quite saw the effect of the amendment for which he had voted.

The HON. A. J. THYNNE: There is no occasion for the hon. gentleman to make these impertinent remarks. The hon. gentleman can scarcely reply to anything I say without making impertinent remarks.

The POSTMASTER-GENERAL: I say the hon. gentleman is not in order. I am in possession of the Chair, and I not going to submit to be lectured by the hon. gentleman, or by anyone else.

The HON. A. J. THYNNE: The hon. gentleman should not be impertinent.

The POSTMASTER-GENERAL: I said the hon. gentleman does not know the meaning of the amendment for which he has voted.

The HON. A. J. THYNNE: I wish to make a personal explanation. The hon. gentleman has repeatedly, in replying to me, made use of impertinent expressions.

The POSTMASTER-GENERAL said the hon. gentleman was quite out of order, as he was in possession of the Chair, and if he was not in order the Chairman could call him to order; but he was not going to be lectured by the Hon. Mr. Thynne. He repeated that the hon. gentleman—and he did not use the expression in an offensive manner at all—that the hon. gentleman evidently did not understand the effect of the amendment for which he had voted. The hon. gentleman stated in his remarks that the effect of the amendment would be to repeal the Act of 1869, so far as future leases were concerned.

The HON. A. J. THYNNE: Hear, hear!

The POSTMASTER-GENERAL: Well, it was not so. It simply provided that in future leases under the Act of 1869 should not carry with them the power on the part of the Governor in Council to grant a pre-emptive right over any portion of the run. That was what had been done by the amendment made in the previous clause; and it was consequently necessary to strike out those provisions which were framed on the assumption that they would repeal the 54th clause of the Act of 1869. It was, nevertheless, necessary that they should repeal a portion of the Act of 1869 so far as any district was concerned which came under the operation of that Bill, because it would be quite inconsistent with the provisions of that Bill to grant fresh leases under the Act of 1869 in such districts. It was not contemplated that those leases should issue at all in the case of lands which came under the operation of the Bill at present before them; but there were other cases in which the runs would remain under the operation of the Act of 1869, and it was not intended that they should interfere in any way with the rights of lessees under that Act. The lessees under that Act, in districts which were not declared under the operation of the present Bill, should remain under that Act as long as they thought proper, and their rights were not in any way interfered with, until they of themselves came under the present Bill. They wished, however, to provide that no new leases under the provisions of the Act of 1869 should be issued in any district in which the present Bill would apply.

The HON. T. L. MURRAY-PRIOR moved the omission of the words "so much of" after the word "colony," in the 2nd line of the 2nd subsection of the clause.

The HON. W. H. WALSH said, before his hon. friend carried that motion, he hoped he would explain to the Council the object in moving it. They were simply called upon now, at the instigation apparently of a secret conclave, to omit certain words without any explanation being given as to why those words should be omitted. No doubt the Hon. Mr. Murray-Prior, and the hon. gentleman who sat alongside him—the Hon. Mr. Gregory—thoroughly understood each other, and perhaps two or three hon. gentlemen who sat behind them understood what was being done, but the rest of the Council were left in darkness upon the matter; and he doubted whether even the Hon. Mr. Thynne, who was supposed to represent the Opposition in that Chamber on the Land question, understood it. The Hon. Mr. Murray-Prior had simply risen and moved the omission of certain words. Well, they were not dumb-driven cattle yet, and they wanted to know why those words should be omitted.

Amendment agreed to.

The clause was, on motion of the HON. T. L. MURRAY-PRIOR, further amended by the omission of "as is not hereinbefore repealed" after "1869," and of the words, "But this provision shall not be construed to authorise the sale of any land under the provisions of the fifty-fourth section of the Pastoral Leases Act of 1869, except in accordance with the provisions of the last preceding section" at the end of the clause.

Clause, as amended, put and passed.

Clauses 8, 9, and 10 passed as printed.

On clause 11, as follows:—

"The Land Board."

"There shall be constituted for the purposes of this Act a board, to be called the land board, consisting of two fit and proper persons, appointed from time to time by the Governor in Council by commission under his hand and the Great Seal of the Colony. The board shall have and exercise the powers and duties hereinafter prescribed.

"This section takes effect from the passing of this Act."

The HON. A. C. GREGORY said he did not rise to propose to do anything with that clause in particular, but he thought that a convenient time to make some remarks upon that part of the Bill generally, and also to shadow forth what he proposed to do at a latter stage; because, although they were in strictness bound to consider only the clause before them, still he thought it would be highly inconvenient if he did not acquaint the Committee with important amendments that were intended to be moved in connection therewith. He certainly could not agree with the system set forth of determining important questions by the land board; and the difficulties of getting two fit and proper persons to fill the autocratic position in which it was proposed to place the land board, and of rendering the scheme thoroughly effective, seemed to be almost insuperable. Suppose, for instance, it were proposed that the members of that Council should act as arbitrators of how much rent the pastoral lessees were to pay, how boundaries were to be settled, and what the Government should do in regard to certain matters under the Bill which were to be referred to the board, they should be viewed as being fit to be relegated to a place half-way between that and Ipswich. And yet the land board as proposed by the Bill was practically, as nearly as possible, in the same position. It was to consist of persons selected by the Executive Council, who were in fact the representatives of the legislative body. The Executive were appointed by a certain system under the Constitution, and they from time to time recommended to

the Governor the appointment of members of that House. Consequently the members of that House had been appointed under exactly the same conditions as the members of the land board would be, and under such conditions that House ought to be equally fit to be arbitrators in the matters to be put within the power of the land board. He could not himself think that that would be a benefit to the State, and therefore he did not think that the land board, as it stood could be of benefit to the State. His own view was that in all cases those who had what might be termed the final power, such as would be given to the land board, should be responsible to Parliament. It was a great principle of their Constitution that Ministers for the time being must have the voice of the majority of the representatives; so long as they had that they were able to govern; but when there was a change of public opinion, of course there was a change of Ministry. But it was proposed that they should have a board placed beyond that; and, although it might be convenient to put such an important thing as the management of the Crown lands of the colony beyond the immediate control of public convulsion or feeling for the moment, still it would place those who were to administer the public estate beyond the control of any people. The only way to make the land board a suitable body would be to make some provision for appeals; and he therefore proposed to move a substantial amendment when they got to clause 20—an amendment which would have the effect of remitting questions that might have been decided by the board—not back to the board, but to arbitration. In other respects he did not see any objection to clause 11 as printed, because it was simply a preliminary matter; and if there was to be a land board at all such a clause was necessary. He felt inclined at one time to move an amendment providing that no person who had been during the preceding twelve months a member of either the Legislative Assembly or the Legislative Council should be eligible as a member of the board, but considering the impossibility of freedom from political bias, and the difficulty of getting suitable men, he thought it far better that the Executive Government of the day should be left free to select wherever they chose. He did not say that with the slightest hope of being selected, and he might say that even if the position were offered to him he should not accept the offer. He was not trying to make difficulties with regard to the passing of the Bill, but was simply anxious to make it workable in the direction of his own convictions.

Clause put and passed.

On clause 12, as follows:—

"Each of the members of the board shall, during his continuance in office, receive a clear annual salary of one thousand pounds, which shall be a charge upon and paid out of the consolidated revenue. They shall not be capable of being members of the Executive Council or of either House of Parliament, and shall not be allowed to act as directors or auditors or in any other capacity take part in the management of any bank, joint-stock company, trade or business, or to acquire any interest in any holding under this Act."

The HON. A. J. THYNNE pointed out that the word "holding" did not include what might be a temporary license under Part IV.

The POSTMASTER-GENERAL said that, perhaps, a strict interpretation of the clause would be to the effect that the greater included the less, and that therefore the word "holding" was sufficient; but to make the clause more complete, he moved the insertion of the words "or license" after the word "holding."

The Hon. W. GRAHAM asked the meaning of the term "clear annual salary"? Would the

members of the board be allowed travelling expenses in the event of their having to go from place to place?

The POSTMASTER-GENERAL said the salary would be £1,000 a year, and if the members of the board had to go journeys the payment of their expenses would necessarily fall on the State.

The HON. W. GRAHAM: Are they to be paid at the same rate as the judges?

The POSTMASTER-GENERAL said he could not tell what the rate would be, but they would not be entitled to make a profit out of travelling expenses. There was a rule with regard to the expenses of district court judges, but there was none with regard to those of Supreme Court judges. The expenses of the latter might occasionally be of an exceptional character; but they were gentlemen occupying honourable positions, and their accounts could not be investigated with that minuteness which could be applied to those of ordinary lesser individuals.

The HON. W. GRAHAM said it appeared that the expenses of those judges of the Supreme Court could not be looked into, and it had been said by a very high dignitary that he hoped the time would never come when it would be necessary to look into their expenses. He wanted to have the allowances of the members of the land board defined, because, as the matter stood at present, they would hold about the highest and most responsible position in the colony, and he should like to know—

The HON. W. H. WALSH: Who they are.

The HON. W. GRAHAM said he should like to know that; but what he wanted to know was whether any arrangement had been made with regard to their expenses, and whether it was to be considered, as in the case of Supreme Court judges, an improper thing to inquire into those expenses.

The POSTMASTER-GENERAL said that there was no law providing that the expenses of the judges should not be inquired into, but it had been the practice to assume that they would not make a charge which had not been legitimately incurred. He could give no assurance beyond promising that the Government of the day would see that the members of the board did not make any improper charges for travelling expenses. It would be improper to fix a scale which would be binding under all circumstances. If they fixed two guineas a day, that might be insufficient in some places, owing to the expense of provisions, accommodation, or locomotion.

The HON. A. H. WILSON said the salary of £1,000 a year for such responsible work was so paltry that the less said about travelling expenses the better.

The HON. W. H. WALSH said that if the amount was small, if it was only £1,000, that was no reason why the question of travelling expenses should not be considered by the Committee. It was their bounden duty to consider whether the board would perform their duties for the payments which the Committee were called upon to confirm. The Postmaster-General was leading the Committee entirely astray. He was leading them from the real question at issue to the paltry question whether £1,000 a year should be paid to the men employed under the Bill. He trusted that the Hon. Mr. Taylor, who was supposed to be custodian of the public purse in that Chamber, would apply himself to the matter.

The HON. W. FORREST said he was sorry to see that the salary was fixed at such a low

amount, and thought it should be at least £1,500 or £2,000. With regard to travelling expenses, that was entirely a matter for the Executive.

The HON. W. GRAHAM said he imagined that the Government, in appointing two members of the board, intended to get thoroughly honest men—men entirely above suspicion.

The HON. W. FORREST: Where are they?

The HON. W. GRAHAM said he believed they were to be found, and that it was the intention of the Government to appoint such men. He took exception, however, to the latter part of the clause, which hedged the members of the board in so closely. It provided that they should not be allowed to act as "directors or auditors, or in any other capacity take part in the management of any bank, joint-stock company, trade or business, or to acquire any interest in any holding under this Act." The first part of the clause contradicted the latter part. The first part showed that the Government believed they could get two honest men to do the work of the board, while the second part seemed to indicate that it was necessary to fence them round with stringent provisions. He agreed with the Hon. Mr. Forrest that the salary was not too great for men who were competent to discharge the responsible duties attached to the office, and he would be quite willing to vote that it should be increased by £500. He was aware that they could not increase the salary in that House, but at the same time it was competent for hon. members to express their opinions on the subject.

The HON. J. TAYLOR said it appeared to him that the argument of the hon. gentleman was that honesty and honour were to be bought by pounds, shillings, and pence. He (Hon. Mr. Taylor) maintained that they could get as good men at £1,000 a year as they could at £2,000. He thought it would be an easy matter to find two men who would be very glad to accept the position at £1,000 a year, and perhaps they would be as honourable as any member of that Committee. He would like to see the amount of travelling expenses which the board would be allowed fixed in the Bill. He believed that, at the present time, there were plenty of officers in the employ of the Government who received a stated salary, and also a stated allowance for travelling expenses, and he did not see why some provision of that kind should not be inserted in the Bill. As the matter now stood it was uncertain how much the board would be paid, and they might run up an amount which would exceed their fixed salary. An honourable member asked—Supposing the board lived at a cost of £200 a year, what were they to do with the other £800, because they were forbidden to invest?

The POSTMASTER-GENERAL: They are not forbidden to invest.

The HON. J. TAYLOR said he thought they were. The clause provided that they were not to act "as directors, auditors, or in any other capacity take part in the management of any bank, joint-stock company, trade, or business." The only fault he found with the clause was that it did not specify what the travelling expenses should be, so that the board might know exactly what would be the amount of their salary.

The HON. W. FORREST said it was obvious that his friend (Hon. Mr. Taylor) had never read "Vanity Fair," or, having read it, that he did not think the same as "Becky Sharpe." "Becky" assessed the amount for which a woman could be virtuous, at £10,000 a year. The Hon. Mr. Taylor said a man could be virtuous for £1,000 a year.

The HON. J. TAYLOR: I do.

The HON. W. FORREST said he was inclined to agree with "Becky."

The HON. F. H. HART said he did not think it was a question so much of honesty as of securing men competent to discharge the responsible duties with which the board would be entrusted. The Government had a great many honest men in their service, but he quite agreed that £1,000 a year was a very paltry sum to offer two men to undertake the responsible position that the board would occupy under that Bill. It required men possessed of good ability and experience to do the work satisfactorily, and putting aside the question of honesty altogether, he thought men who would be competent to perform the duties required of them could turn their energies in another direction where they could make double or treble £1,000 a year, and it might therefore be difficult to get suitable men. That was the difficulty he saw in connection with the matter.

The HON. W. GRAHAM said he wished to say a few words in contradiction of one statement made by the Hon. Mr. Taylor. He (Hon. Mr. Graham) did not say that it would be impossible to get honest men at £1,000 a year, but that it would be difficult to get thoroughly competent men at that salary. The Hon. Mr. Taylor stated that there would be no trouble in getting any number of men for £1,000 a year to do the work of the board. He (Hon. Mr. Graham) contended that it would take an exceptional man—a man of ability and experience—to efficiently perform the duties imposed on the board by the Bill; and a man who was competent for such a position would be a fool to accept it even at £1,000 a year, as he could do far better in other ways. Of course he knew they could get any number of men to accept the position at the salary stated in the clause. There were some men who would not hesitate to accept it at £500 or £250. The question they had to consider was a very serious one, because on the way it was decided depended the administration of the Bill. The proposal to entrust the administration of the land laws to a board was a new departure in their legislation. Hitherto they knew what they were doing, because they had a responsible Minister to look to; but now it was proposed to transfer his work to an irresponsible board. He hoped before the Bill was passed that they would know who the gentlemen were who were to constitute the board. They knew one gentleman to whom the position had been offered; he referred to Mr. Rankin. That gentleman was no doubt a very able man, and had written some good reports, but he (Hon. Mr. Graham) had not the slightest hesitation in saying that, on account of his strong prejudices and his theories, Mr. Rankin would have been a very unfit man to be one of the members of the board. Fortunately for the colony he refused the offer, and at present hon. members did not know who was to be appointed. He (Hon. Mr. Graham) believed it had been promised that they should be informed before the Bill was passed, and he hoped they would know soon, as a very great deal depended upon the men who would form the board.

The POSTMASTER-GENERAL said he sympathised very much with what had fallen from the last speaker. It was very important that a proper selection should be made of gentlemen to fill the position of members of the board. His sympathies were entirely with those hon. members who thought the proposed salary was too small, and, personally, he would have liked to see a larger amount of salary attached to the office; not that he doubted the ability of the Government to get thoroughly capable men who

were willing to accept the position, for he had no fear on that point. It must not be forgotten that a salary of £1,000 a year was the highest they gave to any Civil servant except professional men, such as the Chief Engineer for Railways, and the Engineer for Harbours and Rivers. It was also as high a salary as they paid to most of their judicial officers. He was quite satisfied that if the Government were restricted in their choice to the Civil Service—though he hoped they would not be—they would be able to get thoroughly suitable men, as far as honesty and ability were concerned. He must candidly say that the Government had not made up their minds, and that he did not know who it was in contemplation to appoint. There were, he knew, quite as good men in the Civil Service as out of it, but he would admit that there might possibly be some difficulty in getting men outside of the Civil Service, who would be very eligible to accept the position at £1,000 a year, as they would be restricted in their financial engagements; and under those circumstances they might feel that the remuneration was not large enough. With regard to Mr. Rankin, he believed some informal offer was made to him by the Minister for Lands, who was acquainted with him. He (the Postmaster-General) did not profess to be able to speak as to the qualifications of Mr. Rankin, but, seeing that he had refused the position, he did not see why his name should be introduced into that discussion. He (the Postmaster-General) felt confident that he was expressing the sentiments of his colleagues, as well as of himself, when he stated that it was the desire of every member of the Government to secure the services of upright, impartial, and capable men.

The HON. J. TAYLOR said he had no doubt that the hon. gentleman knew perfectly well who were to be appointed.

The POSTMASTER-GENERAL: I do not.

The HON. J. TAYLOR said the Postmaster-General had just stated that no Government official received more than £1,000 a year, except professional men, and he (Hon. Mr. Taylor) did not see why members of the board, whose duties were not more arduous or responsible than those performed by Ministers, should be paid a larger sum. Ministers only received £1,000 a year, and they got their travelling expenses. The board would also be allowed their travelling expenses; and he thought the arrangement was a very fair one indeed. There was one question he would ask, which he had put before when the Postmaster-General was absent from the Chamber, and that was whether the members of the board were to travel or not?

The POSTMASTER-GENERAL said that was provided for in section 15, which said that the board "shall from time to time hold public sittings in Brisbane or elsewhere, to be called land board courts." All he could say was they were not restricted to Brisbane. In the majority of cases it would doubtless be found more convenient for the board to hold sittings in Brisbane. Where there was a difference between parties, and it was found more convenient to determine the matter on the spot or in the vicinity of the residences of the parties, the land board would go there; but in ordinary cases, as they would no doubt require to have access to public documents, it would be much more convenient for them to transact their business in Brisbane. He would repeat, however, that they were not confined to Brisbane.

The HON. W. GRAHAM said the Postmaster-General had rather deprecated his alluding to Mr. Rankin; but it was a matter known to the public. It had come out in another place and

was openly known, and he did not therefore see why he should not allude to it in that Chamber. As to there being men in the Civil Service at present capable of carrying out the duties of a member of that board, he himself knew one or two men—whose names he was not going to mention, nor was he going to say anything of them that would enable anybody to identify the men he meant—but he knew of one or two men in the Civil Service, who he considered would be more eligible than anyone outside of the colony, as they were men who had an extensive knowledge of the colony. He did not think it would be too much to ask that the salary to be given should be increased to £1,500, nor would that be too much for the men he had in his eye, though he did not know whether the Government were thinking about those men or not. He thought it just possible that the very best men might be blocked, and prevented from accepting the position of a member of the board, by the extreme stringency of the last part of the clause.

The Hon. W. F. LAMBERT said he did not agree with the Hon. Mr. Taylor that the salary offered for a member of the board was sufficient. The hon. gentleman had alluded to members of the Government receiving only £1,000 a year, but he had evidently forgotten to take into consideration the fact that the members of the Government, while receiving £1,000 a year, were not called upon, as the members of the board would be, to abandon their ordinary callings or professions. The members of the board were expected to give up everything else when they accepted a position on the board. He would ask the Postmaster-General whether, in the event of a gentleman holding shares in a mining claim being appointed to the position of a member of the board, he would be compelled to give them up and take them into the market and sell them at once? There were a good many other things that might turn up, and that a gentleman might be debarred from entering into, if he accepted such a position. There were really very few persons fitted to hold such a position, as it required that the occupant should have a general knowledge and long experience of the colony. It was not any new arrival, or a man who had lived most of his life in town, who could be appointed to that position. He was confident that a man should have some bush knowledge—and that could not be gained in a day or two, or in a month—before he could properly fill such a position. He would like to see a good salary, say of £1,500, set apart for the position, in another place, as they in that Chamber had no power to deal with it.

The Hon. F. H. HART said they had, of course, no power to alter the amount of the salary, but he took it that any expression of opinion given on the subject in that Chamber would be received by the Postmaster-General and his colleagues, and have due weight. He wished to point out that in making an appointment of members of the board they would have to get the best men they could, and they would also want permanent men. He quite agreed with what the Hon. Mr. Graham had said—that there were good men in the Civil Service at the present time capable of undertaking the duties of a member of that board, and who would be at the same time glad to undertake those duties; but if they undertook the duties, and carried them out successfully and earned a reputation for themselves in working that board, before eighteen months were up they would find them snapped up and taken away from the country. It was for that reason he said they should hold out an inducement to men to become permanent members of the board. He could say of his own knowledge that there were very

good men already in the colony quite capable of accepting a position on that board; but they could not expect them to remain permanently on the board when such small compensation was offered; and he asked whether it was not a matter for the Government to consider, that the members of the board should be offered a really good salary as an inducement to good men to accept the position, and to accept it permanently.

The Hon. A. C. GREGORY said that, from his own experience of matters of that sort, he thought the clause might be allowed to pass as it stood, though the salary was by no means high, and he would rather see it increased than decreased. It was scarcely the function of that House to settle the amount of salaries; and though he was not going to say it was not within their rights to do so, it was scarcely expedient, and he did not see any reason why they should depart from the customary rule in that particular case. If the Government determined to appoint as a member of the land board any gentleman who was already a member of the Civil Service, he would suggest that that gentleman should not be deprived of the retiring allowance to which he was already entitled under the Civil Service Act. There could be a provision made to apply to that by the Executive without the necessity of altering the Bill. He thought it very necessary that the Government should be left perfectly free to select whom they thought best for the position, because, unless the first members of the board could act thoroughly in accord with the Government of the day, they would certainly make a terrible muddle of the matter; and it was better that an indifferent scheme should be carried out well than that a good scheme should be carried out indifferently. It was, for that reason, much better to leave the Government, as far as possible, unfettered in the matter, and simply make them responsible to the Legislature for the way in which they might exercise their discretion. So far as the appointment, selection, and salary were concerned, the clause might stand as it was, with the exception of the verbal amendment suggested, he believed, by the Hon. Mr. Thynne, and which was the only thing he saw any need to alter.

The Hon. J. TAYLOR said he still maintained that there were plenty of gentlemen to be found, able and willing to maintain the position of members of the land board at £1,000 a year. He had no hesitation in saying that, whatever Government might be in power, if those men carried out their duties well their salaries would be raised. He pointed out that the position was a permanent one, because clause 13 said:—

"The members of the board shall hold office during good behaviour, and shall not be removed therefrom unless an address praying for such removal shall be presented to the Governor by the Legislative Council and Legislative Assembly respectively in the same session of Parliament."

It was useless to say that £1,000 a year was a paltry sum to pay as a salary for such a position. £1,000 a year was a rattling good salary when they took into account the travelling expenses allowed, and they could find very many men capable of accepting the position, who would be proud to accept it at that amount of salary.

The Hon. A. J. THYNNE said he had a further amendment to propose. He proposed to add the following words to the clause:—

Or to hold or acquire any share or interest in any partnership or company which has any interest in any such holding or license.

That was intended to extend the disability of a member of the board, and prevent his holding shares in any company that might have an

interest in any holding under the Act. A member of the board, in the absence of an amendment such as he proposed, might hold a large number of shares in a company, and still would not be debarred from continuing to hold those shares under the clause as it at present stood.

The HON. W. H. WALSH said this was a Government Bill, and here was an amendment moved by a member of the Opposition. What he wished to point out was that the Government were allowing amendments to be made in their own Bill.

Question put.

The HON. W. H. WALSH said this was an amendment moved in a Government Bill by, he fancied, a member of the Opposition, and he wanted to know whether the Government would accede to it or not. There had been no demonstration on the part of the Government. He wanted to fix upon something. If the Postmaster-General was not going to avowedly agree with the amendment, he should oppose it.

The POSTMASTER-GENERAL said the amendment was his own, but he had certainly got the suggestion from the other side. Its object was really to cover the intention of the framers of the clause—to settle the real meaning of the clause beyond any doubt whatever.

Amendment agreed to.

The HON. A. J. THYNNE moved, as a further amendment, that the following words be added at the end of the clause—"or to hold or acquire any share or interest in any partnership or company which has any interest in any such holding or license."

The HON. SIR A. H. PALMER said the effect of the amendment would be to prevent those gentlemen from holding shares in a bank. There was not a bank in the colony that was not interested in pastoral property. They might as well say at once that a man should not wear a black hat. They were making the Bill ridiculous with all those restrictions.

The HON. W. H. WALSH said the peculiarity of the Bill—a Government Bill—at that stage appeared to be that the Government were employing a member of the Opposition to move amendments in their own measure. That was the peculiarity. He really could not understand the position they occupied at that moment. They found the Hon. Mr. Thynne, certainly one of the most rising members, he fancied they had in the House, and the avowed opponent of the Postmaster-General, actually doing the Postmaster-General's duty, as far as he could see, and moving amendments which the Government acquiesced in or probably formulated. What was the meaning of it? Was it a Government Bill, or were they being trifled with? That was the real question. Now they were treading on the toes of the banks. Of course that could not be allowed! Here they had the Hon. Mr. Thynne—he wished to goodness he would discard that treacherous adviser of his (Hon. W. Forrest)—here they had the Hon. Mr. Thynne moving amendments which seemed to him to take away some vital parts of the Bill, and it was tacitly acquiesced in by the Postmaster-General. And then they had the most extraordinary spectacle of the hon. the Postmaster-General, while the matter was under discussion, going over to the other side of the House and privately conversing with the hon. member who now led the Opposition.

The HON. W. GRAHAM said he could not vote for the amendment of the Hon. Mr. Thynne. It went a great deal too far. He considered the amendment that had been agreed to made the clause quite strong enough, if

not too strong; and if the amendment now proposed were carried, so far as he could see, the only people who would be competent to sit on the board would be two utterly impetuous individuals who were not connected in any way with banks—two retired clergymen probably, or two broken-down squatters. Men who themselves might not be interested in holdings under the clause might be called upon to act as executors and trustees in all sorts of ways; and he repeated that the amendment went altogether too far.

The HON. A. J. THYNNE thought the hon. Mr. Graham did not understand the full scope of the amendment. The hon. gentleman said in one sentence that only people who were utterly impetuous could be qualified to hold seats on the board; but he must bear in mind that present holders of freehold property would not be debarred from doing so, and any such person who wished to take the position could sell out his shares—which it might be a very wise thing to do—and invest the proceeds in freehold property, which would become so scarce, if the Bill were carried out in its integrity, that it was bound to increase in value, much more than it had done hitherto. They had power under the clause to prevent a member of the board from holding or acquiring an interest in any holding or license; and in order to make the clause complete, they should provide that he should have no interest, directly or indirectly, in such matters. If a man had a large interest in a limited pastoral company he ought not to be allowed to have a seat on the board.

The HON. W. GRAHAM: What if he has shares in a bank that has made advances on the property?

The HON. A. J. THYNNE: Then he would be interested in the business. He did not care very much whether the amendment was passed or not, but merely wished to point out that to carry the disqualification provided by the clause to its logical conclusion a member of the board should not be allowed to have any interest, directly or indirectly, in any holding under the Act. If the opinions of hon. gentlemen were against the amendment he should not press it.

The HON. J. TAYLOR: Withdraw it.

The POSTMASTER-GENERAL said he thought, when the Hon. Mr. Thynne suggested the amendment to him, that there was a great deal in it, and he thought so still; but at the same time he was bound to admit that there was considerable force in the objection raised by Sir Arthur Palmer and the Hon. W. Graham. It would, no doubt, prevent any person interested in any bank which might happen to be interested as mortgagee of any holding under the Act from being qualified to hold a seat on the board. It was, therefore, better to leave the disqualification as it stood. He did not think any difficulty was likely to arise under it, because if a man committed any breach of the clause he would be amenable to punishment.

The HON. A. J. THYNNE, by consent of the Committee, withdrew his amendment.

The HON. W. H. WALSH said it occurred to him as a most extraordinary thing that upon a vital matter of that kind, which was of great interest to the people of the colony, only two or three gentlemen felt it their duty to address themselves to the question. Surely the town of Ipswich was interested in the matter! Surely the city of Brisbane was! The hon. Postmaster-General had just informed him that he came from Brisbane. That was new information to them; nobody suspected it before; but it seemed most extraordinary

that, in a matter of that kind, affecting the business institutions of the colony, nobody, excepting his hon. friend, Mr. Thynne, the Hon. Mr. Taylor, and the Postmaster-General, had felt it their duty, or seemed to have any knowledge to impart to the Chamber. Where were the representatives of Brisbane? It was perfectly astounding that only two or three members—men probably most ignorant on the subject—those, or were permitted to address the Chamber. He protested against such a matter—a matter of such grave importance—being rapidly passed through the Chamber without such consideration as should be given to it by eminent men like his hon. friend from Ipswich, and other members of the Chamber. They had no business whatever, upon the mere dictum of a Postmaster-General, or men like himself, who knew nothing about the subject, to pass a measure of such grave importance, affecting the whole of the industries and welfare of the colony. He disliked it; he objected to it; and he called the attention of hon. gentlemen who represented the public interests to the fact that they had a duty to perform as well as those like himself who were—mere obstructionists.

The Hon. W. D. BOX said he was sorry the Hon. Mr. Walsh did not think hon. members took sufficient interest in the Bill. Although he had been taught many years ago that silence was golden, and speech was silver, yet he had watched every part of the Bill with the greatest interest and anxiety. With regard to the remuneration proposed by the clause, he did not think it was sufficient. It might be sufficient, if there were something added to it in the way of a pension; and he considered that, in dealing with an important position of that kind, it would be very much better to follow the wording of the Supreme Court Act, and give those who were appointed members of the board a pension after they had fulfilled their duties for a number of years. To his mind, there could not be a more important office than that of a member of the board, for which that officer was to get £1,000 a year and travelling expenses; and, as he had stated, he thought they ought to add to the clause, or provide by a subsequent clause that every member of the board, after serving fifteen years, or upon being disabled by permanent infirmity from the performance of the duties of his office, should be able to demand a pension equal to half the actual salary he had been receiving.

HONOURABLE MEMBERS: You cannot do it.

The Hon. W. D. BOX: It could be done, because they could fill in the necessary words and leave the amount blank to be dealt with by the other House as they thought fit. As had already been stated, he did not believe that they would get competent men to undertake the duties for £1,000 a year, if, when they had done their work, they were to be simply bowed out. If they wanted to get really good men to fill the position, and who were to have all the powers of the Supreme Court, they ought certainly to have a pension as well as the salary; and if the amount of money were not stated, the question might be very fairly considered by that House.

The Hon. W. FORREST said that reference had been made to the inability of that Chamber to interfere with questions of money; but there was not a word in the Constitution Act to prevent their interfering, though it was not their custom to do so.

The Hon. J. TAYLOR said that one of the judges had been pensioned with £1,250 a year; and where was he now? He did not spend it in the colony, but lived on that money else

where. And they ought to be very cautious in future in regard to pensions. Why should they pension a man after fourteen years' service? Numbers of squatters had spent their whole lives in obtaining a competency; and he did not see why men should be pensioned after fourteen years' service during the most pleasurable part of their lives. The Hon. Mr. Box was very free with the people's money.

The Hon. W. H. WALSH said he quite agreed with the remarks of the Hon. Mr. Taylor to the effect that they had no right to dispend the funds of the colony. They had no business to enable the Government to appoint officers who, after a short period of service, would be entitled to a retiring allowance of £1,000 a year, and it would be a scandal to the colony if they were to do so. What services could those men possibly perform to justify them in getting such a retiring allowance? As the Hon. Mr. Taylor said, a few years very shortly passed over. And there were judges in receipt of retiring allowances which were a discredit to the colony. There were one or two judges who never did any great service to the colony, but who, owing to their peculiar position, were in receipt of retiring allowances which could not be checked; and he quite agreed with the Hon. Mr. Taylor in protesting against anything of the kind. It was distressing to think that, while they were trying to provide for the fair occupation of the Crown lands of the colony, they appeared to be taking more interest in the bestowal of two or three offices on certain individuals. He would now apply himself immediately to the representative of the Government in that Chamber. It was two months since the other branch of the Legislature was promised that before the Bill was finally considered the Government would state who were to be the recipients of office under the Bill, and he now begged the Postmaster-General to give that information. Two months ago it was promised that the public should be told who were to be the officers appointed under the Bill. That had not been done, and before they allowed the Bill to pass another stage they had a right to demand that information. It was a most important matter to the country to know. The Commons had either abrogated or forsaken their duty, as far as he could see, towards the persons they represented in the country; but that was no reason why they should do it. He charged the Government distinctly with having accelerated the passage of the Bill by their promise that they would, before the Bill was passed, name the executive officers, the grand officers who were to be appointed members of the board. On behalf of the country, which had been deceived, he asked who were the officers who were going to carry out the provisions of the Bill? If they were inferior men, whom they knew to be unfit to perform their duty, he was quite sure they would reject the Bill immediately. The Government had promised the country that they would say who should carry out that extraordinary and important measure; and he called upon the hon. gentleman who represented the Government to announce to the country and to that Committee who were those officers before they went one jot further with the Bill.

HONOURABLE MEMBERS: Question!

The Hon. W. H. WALSH repeated that the Government had made a promise that they would supply the information before the Bill passed. Was he doing anything wrong in asking who were to be the administrators of the Act? Was it not on their belief in the integrity of the administrators that the passage of

the measure depended? He trusted that the Chairman would not hurriedly put a question of so much importance.

The POSTMASTER-GENERAL said he would just mention to the Committee that if they did not make more rapid progress in the future than they had done since dinner it would be ten years before they got to the end of the Bill. They had been wasting an enormous quantity of time on a matter in which no principle was involved. He thought hon. members might rest satisfied that there was ample time for the Government to fulfil their promise between now and the passage of the Bill into law. He hoped more valuable time would not be wasted, but that some energy would be left in hon. gentlemen to discuss matters of some principle.

Clause, as amended, put and passed.

Clause 13—"How member of the board removed from office or suspended"—passed as printed.

On clause 14, as follows:—

"In the case of the illness, suspension, or absence of any member of the board, the Governor, with the advice aforesaid, may appoint some other person to act as the deputy of such member during such illness, suspension, or absence, and every such person shall, during the time for which he shall act as such deputy, have all the powers and perform all the duties of such member of the board."

The HON. A. C. GREGORY said it was his intention to propose an amendment, and he thought the best form it could take would be the insertion of the words "or for other sufficient reason" after the word "board," in the 2nd line of the clause. The object he had in view was to meet a certain class of cases incidentally shadowed forth when clause 12 was under discussion. It might occur that though a member of the board might not be directly interested in the matters ordinarily coming before the board, yet sometimes he might, through close connection with other persons who were interested, desire to be permitted to withdraw from taking any part in the action of the board. He might accidentally, either as trustee or as a near relative, become interested; and it was usual, when an individual who was a member of a board became interested, for him to withdraw; but as in that case there were only two members, he could not withdraw, and therefore he proposed to give the Governor in Council the right to appoint some other person for the time being. Since he commenced to speak it had been suggested to him with regard to the form of words used in the amendment, that it would be better simply to insert the word "inability" after the word "suspension" in the 1st line, and he would therefore move that. The clause would then read that, "In case of the illness, suspension, or inability, or absence, of any member of the board, the Governor in Council may appoint some other person to act as the deputy of such member," etc.

Amendment put and passed.

The HON. W. H. WALSH said he could not understand it all.

The CHAIRMAN said there was no question before the Committee.

The HON. W. H. WALSH said he dared say that in the opinion of the Chairman there was no question before the Committee. When he (Hon. Mr. Walsh) saw three eminent members of that Chamber putting their heads together—especially gentlemen who held the most diverse opinions—and holding a private solemn conclave, his suspicions were aroused, and he asked the

excellent representative of what was right on the other side whether he had been consulted on the matter at all? It struck him very forcibly that the Postmaster-General was intentionally leaving that hon. gentleman out of consideration. He did not hesitate to say that whenever he saw three prominent members putting their heads together and whispering, he had grave suspicions. He knew nothing about the clause, but he was quite satisfied that there was something wrong in it, because the Postmaster-General and the Hon. Mr. Gregory seemed to have agreed on the subject. That it contained something dangerous to the liberty of the subject, he had not the least doubt. He knew nothing about the clause, but he would divide the Committee on it. He objected to three persons agreeing to an alteration in the Bill and expecting the Committee to abide by it. The Government had introduced the Bill into that Chamber after a searching examination in another place, and they ought to stand by it, and not go there to employ the Hon. Mr. Gregory to amend it.

The POSTMASTER-GENERAL said he had to propose an amendment in the 2nd line of the clause. The words "with the advice aforesaid" had got in accidentally. He moved that they be omitted, and the words "in Council" substituted.

Amendment put and passed.

On the motion of the HON. A. C. GREGORY, a consequential amendment was made in the 4th line by inserting the word "inability" after "suspension."

The HON. W. H. WALSH said he would like to know whether the Hon. Mr. Gregory or the Postmaster-General was in charge of the Bill.

The HON. W. GRAHAM said there was no question before the Committee.

The HON. W. H. WALSH said the question was whether a certain clause should be passed, and he rose to speak to that when he was interrupted, as he expected he would be, by the Hon. Mr. Graham. Nevertheless, he contended that he was in possession of the Chair. What he wanted to know was whether the Hon. Mr. Gregory or the Postmaster-General was in charge of the Bill, because he noticed that the Hon. Mr. Gregory was proposing a clause. That was a most extraordinary thing for a private member to do in an important Bill like that before the Committee. A most important amendment had been proposed and passed without the Government expressing any opinion about it. That was what he wished to say when the Hon. Mr. Graham imprudently interrupted him. He objected to an important Bill being passed through that Chamber under the auspices of the Hon. Mr. Gregory, as the representative of the Government. There could be nothing more offensive to the people than the idea that the hon. gentleman, with all his knowledge and ability, should act as mentor or adviser to the Government in passing the Land Bill through that Chamber, and he implored the Postmaster-General to extricate them from the dilemma they were now in.

The HON. A. C. GREGORY moved that the words "and be subject to the same disabilities as" be inserted after the words "duties of," in the last line of the clause, so as to make it read, "Every such person shall, during the time for which he shall act as such deputy, have all the powers and perform all the duties of, and be subject to the same disabilities as such members of the board." The object of the amendment was to put the deputy in exactly the same position as a member of the board.

The Hon. W. H. WALSH said that surely such a great alteration as that was intended to produce, should meet with some expression of opinion on the part of the Government! Were the Government going to give their sanction to that sort of thing? If they were, he was not. He objected to a Government measure being mutilated and destroyed in its principle and integrity by amendments made by the Hon. Mr. Gregory. If the Government sanctioned those amendments they should introduce them, and not submit to having their Bill amended in every clause by the Hon. Mr. Gregory. Here they had a Bill to revolutionise the whole of the affairs of the country, and every clause they came to so far had been materially amended by suggestions or motions on the part of the Hon. Mr. Gregory. He would divide the Committee on every amendment suggested or introduced, if it were only to show the Government that they had introduced that Bill, and should not allow so many amendments to be carried.

The POSTMASTER-GENERAL said that, if it would satisfy the hon. gentleman, he would inform him that he had no objection to the amendment proposed.

The Hon. W. H. WALSH: Why did you not propose it?

The POSTMASTER-GENERAL said he had not proposed it, because the Hon. Mr. Gregory proposed it. It would not hurt the Bill one way or another if it were passed, and might, perhaps, clear up some doubts on the subject.

The Hon. W. H. WALSH: Then I shall vote for the Government on every subject. I shall support them on every amendment moved.

The POSTMASTER-GENERAL: I am glad to hear it, and I hope the hon. gentleman will give me a silent vote for the remainder of the evening.

Question—That the words proposed to be inserted be so inserted—put and passed.

The Hon. W. H. WALSH: Divide!

The CHAIRMAN: Does the hon. gentleman call for a division?

The Hon. W. H. WALSH: Yes; certainly. I will divide every motion suggested.

The Committee divided:—

CONTENTS, 20.

The Hons. Sir A. H. Palmer, C. S. Mein, W. Forrest, J. Taylor, T. L. Murray-Prior, J. Swan, W. Pettigrew, J. C. Heussler, W. Graham, F. H. Hart, W. G. Power, G. King, A. H. Wilson, J. C. Smyth, W. Apin, J. C. Foote, A. C. Gregory, A. J. Thynne, W. F. Lambert, and W. D. Box.

NON-CONTENTS, 1.

The Hon. W. H. Walsh.

Question resolved in the affirmative.

Clause, as amended, put and passed.

Clause 15—"Board to hold courts."

Question—That the clause as read stand part of the Bill—put.

The Hon. W. H. WALSH said they had just arrived at a very extraordinary conclusion. They had the spectacle of the Government voting against their own measure, and he wished to ask the Postmaster-General what he intended to do next. He had a right to demand, and every hon. member in that House had a right to demand, what course the Government meant to pursue next. He had endeavoured to support the Government himself in the passage of their Bill, and when they came to a division upon a vital clause in the Bill—one of the most important Bills, perhaps the most important Bill

that had ever been introduced to that Chamber—he found himself voting for the Government without a single supporter from the Government side of the House. The Government absolutely commanded the dissolution of their supporters. They had introduced a most important measure, and had come on to the discussion of perhaps the most vital clause in that measure, and the Government voted against it themselves, and left him as the only supporter of the measure. Surely he had a right to demand what the intentions of the Government were. If the Postmaster-General would not give him the information he desired it was a matter which should be explained, if not to that Chamber at all events to the country. It was to him at that moment thoroughly inexplicable.

Question put.

The Hon. W. H. WALSH said there was no particular reason for hurry, and he maintained the Government representative in that Chamber should give him some explanation of the extraordinary proceedings that had taken place that evening. He had introduced a most important Bill and had voted against it himself. He had voted against a vital clause of the Bill, and he had given no explanation, and he (Hon. Mr. Walsh) maintained that he had a right to demand an explanation from the hon. gentleman. Hon. members who would submit to that kind of treatment certainly deserved it; and all he could say was that he would not be a partner in the obloquy of the position they occupied. He did not know what arrangement had been made between the Postmaster-General and the Hon. Mr. Gregory, the Hon. Mr. Taylor, the Hon. Mr. Murray-Prior, or the Hon. Mr. anything else. But he said that the avowed antagonist of the Bill—the Hon. Mr. Gregory—had introduced amendments, and the Postmaster-General not only submitted tacitly to those amendments being made, but actually supported them. He (Hon. Mr. Walsh), as a supporter of the Government and one who wished to see a good Land Bill passed, would not allow such a state of things to go on, and he would divide the Committee upon every amendment that was introduced.

The POSTMASTER-GENERAL said that, as the hon. member had evidently made up his mind—despite the desire of every other member of the Committee to proceed to the transaction of the business of the country—to prevent any business being done, he begged to move that the Chairman leave the chair, report progress, and ask leave to sit again.

Question put and passed.

The House resumed; and, on the motion of the POSTMASTER-GENERAL, the Committee obtained leave to sit again to-morrow.

The House adjourned at 9 o'clock.