

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 20 NOVEMBER 1890

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LEGISLATIVE ASSEMBLY.

Thursday, 20 November, 1890.

Petition—Licensing Act Amendment Bill.—Motion for Adjournment—Provincial Legislatures Resolutions.—Message from the Administrator of the Government—assent to Bills.—Licensing Act of 1885 Amendment Bill—second reading.—Sale and Use of Poisons Bill—resumption of committee—committee.—Messages from the Legislative Council—Bills returned unamended—Local Government Endowments Bill—Stamp Duties Act of 1866 Amendment Bill.—Provincial Legislatures.—Adjournment.

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

PETITION.**LICENSING ACT AMENDMENT BILL.**

Mr. **BUCKLAND** presented a petition from the chairman of a public meeting of citizens of Brisbane, held on the 18th November, praying that the House would not pass any measure that would lay on the inhabitants of any district

special taxation when the ratepayers of such district decided in accordance with law to close licensed public-houses. He moved that the petition be read.

Question put and passed; and petition read by the Clerk.

On the motion of Mr. BUCKLAND, the petition was received.

MOTION FOR ADJOURNMENT.

PROVINCIAL LEGISLATURES RESOLUTIONS.

The HON. J. M. MACROSSAN said: Mr. Speaker,—I see the Chief Secretary in his place, and I wish to say a few words on something he said last night. I shall not detain the House long, because this is private members' day, but I think it necessary to say something, and I shall conclude with a motion. The hon. gentleman, when he moved the adjournment last night, said, in connection with the resolutions standing in his name on the business paper:—

"I have received no communication whatever from the leaders of the separation party on the other side of the House. I do not know whether, if I address the House on the subject to-morrow evening, I shall be addressing bitter enemies, or gentlemen who are disposed to reason the matter out in a friendly spirit."

Any person unacquainted with the facts of the case reading that, would think that the leaders of the separation party on this side had met that gentleman in a very unfriendly spirit, a hostile spirit, and had had no communication with him whatever; and I shall, therefore, briefly relate the facts of the case. On the 23rd October, when the motion for separation was decided by division, the hon. gentleman had moved an amendment. A meeting of the separation party was called as soon afterwards as possible, and it was agreed that Mr. Archer and myself should interview the hon. gentleman and get him to formulate the scheme which he vaguely foreshadowed in the amendment. That was done. Mr. Archer and myself met him, and had a conversation with him, and got him to consent to formulate the scheme. We had a conversation that lasted over an hour, and afterwards the hon. gentleman was good enough to give me a draft copy of the scheme, and he and I consulted over that draft copy. I pointed out several things in the draft which would prevent it being accepted by the Central or the Northern members; in fact, I pointed out that even the anti-separationists would have refused to adopt it as it stood. The scheme was tabled by the hon. gentleman last Tuesday, and when he tabled it, I asked him across the floor of the House when he would be prepared to discuss that scheme. He said, "Not before Tuesday next, but I will arrange the day with you." What reason then had I to communicate with him on the subject from that day to this? Any communication between him and the leaders of the separation party should have come from him, seeing that he distinctly told me that he would arrange with me as to when the question should be discussed. As to being uncertain whether he would be addressing friends or bitter enemies, I think the expression is unworthy of a man occupying his position. He knows he has no bitter enemies in this House. He has political opponents, but they are very different from bitter enemies. I am certain that during the fifteen or sixteen years he and I have been opposed to each other, there has been no bitterness between us except of a political character.

The PREMIER (Hon. Sir S. W. Griffith): Surely you never thought I used the words in that sense.

The HON. J. M. MACROSSAN: They could not be interpreted in any other sense. I make allowance for the hon. gentleman being heated—I happened to be in your room, Mr. Speaker, at

the time, and heard the noise—but I think the words he used were unbecoming of him in the position he occupies, and the position which he aspires to occupy in the future. I beg to move the adjournment of the House.

The PREMIER said: Mr. Speaker,—I am sorry indeed if anything I said last night—though I admit I was warm, and justifiably warm—should have jarred on the hon. gentleman's feelings. I should not have thought he would have supposed for a moment that in using the expression "bitter enemies" I referred to anything like personal animosity. As he says, we have been too long in this House together to entertain feelings of that kind; and I merely alluded to enmity on the question to which I was referring. I had previously said that there would be no use in bringing forward the matter if it was to be received in a distinctly hostile spirit. The only intimation I had received on the subject was when the hon. member for Rockhampton insisted last week on his right to move a distinctly adverse motion. That was the only communication I received from the leaders of the separation party. I hope we are not going to fall out on a point of etiquette. I certainly will not. I am only anxious, and have been all through, to preserve and cultivate a feeling of goodwill in this matter, which is a matter far above party politics or personal feelings. That is the view I take, and I am willing to go on with the question this evening if it can be arranged.

The HON. J. M. MACROSSAN: We are quite ready to discuss it in a friendly way.

Mr. ARCHER said: Mr. Speaker,—I merely wish to state that I thought it my duty to bring forward my resolution when I did, seeing that it was on the paper long before the resolutions of which the Premier has given notice. I can assure the hon. gentleman that if he thinks I am not prepared to meet him in a friendly spirit he is mistaken.

The PREMIER said: Mr. Speaker,—If I may be permitted to add a word, I would say that after the friendly assurances just received from the other side of the House, I propose, unless it is inconvenient to anyone from want of notice, to go on with the discussion of the proposals this evening after dinner.

The HON. J. M. MACROSSAN: Hear, hear! With the permission of the House, Mr. Speaker, I will withdraw the motion.

Motion, by leave, withdrawn.

MESSAGE FROM THE ADMINISTRATOR OF THE GOVERNMENT.

ASSENT TO BILLS.

The SPEAKER announced that he had received a message from His Excellency the Administrator of the Government, assenting, in the name of Her Majesty, to the Pastoral Leases Extension Bill, the Audit Act Amendment Bill, the Ivory Estate Enabling Bill, and the Tramways Act of 1882 Amendment Bill.

LICENSING ACT OF 1885 AMENDMENT BILL.

SECOND READING.

Mr. O'SULLIVAN said: Mr. Speaker,—In rising to move the second reading of this Bill, I shall preface what I have to say with a few remarks on the two petitions which have been presented to this House against the Bill. Those two petitions are signed by one man and two women, and it appears to me that the petitioners do not at all understand the question involved in the Bill. It simply proposes to do what has always been done in this House—namely, respect

vested interests. That is the whole sum and substance of the Bill. I do not wish, nor do I intend, to interfere with the local option provisions of the Licensing Act; although I think that when those provisions were passed at the end of a session they were passed in a great hurry, and without giving the slightest attention to the vested interests of publicans, or respecting them as other vested interests have been respected in this colony. If a railway goes through a piece of my land, the Railway Department pays me for that land, and if we do an injury to our neighbours surely we have a right to pay them for it. The injury done to the sugar industry was paid for in the shape of new mills and thousands of pounds, and many similar instances could be cited. I state again that I do not intend to meddle with the local option provisions of the Licensing Act, not in the slightest degree, and I do not wish to have any debate on those provisions. But, at the same time, I cannot allow the House to be under the impression that I like the way the local option clauses are carried out. The intention of the local option clauses was that the decision arrived at should be the decision of the people; but, Sir, any decisions that have been given yet in this colony have not been the decisions of the people. They have always been the decisions of a clique. Let me give an instance. We had a local option vote a few weeks ago in Ipswich, in which two wards were concerned. Those two wards contained, I suppose, at the very least, half the population of the town—at any rate, about 4,000. How was the voting power of these 4,000 people represented? By an electoral roll of 250?

Mr. MACFARLANE: You cannot represent children.

Mr. O'SULLIVAN: I say those 4,000 people were represented by an electoral roll of 250. I suppose no hon. member of this House will say that that is fair representation. I think this might have been cured by making the ordinary electoral roll the standard. At least, many people are under the impression that the voting under these local option clauses would answer the purpose better, and give fairer representation, if the usual electoral roll were made the basis, and not the municipal roll, which can be manipulated at all times by the parties who have the management of municipal affairs. For instance, what sort of an electoral roll is it that gives a woman six votes and her son three? Is that fair representation?

Mr. MORRY: It is impossible.

Mr. O'SULLIVAN: There is another way of manipulating elections of this kind. The officials in power always belong to one clique; the rate-collector will know whether you or I are for local option or not. If I am for local option, it is: "I want your rates;" if I am against local option: "I will call for your rates next week"—after the election is over. That is the way things are done in front of our very eyes, and we are perfectly powerless. All that this Bill of mine asks, is simply that those who have invested their money—their all, perhaps the earnings and savings of years in property, years before the present Act came into force—shall have their rights respected, and not swept away in a day. Why, Sir, our Ipswich is a desert. Houses that were closed as public-houses two years ago are there with not a soul in them. One of them was kept by a widow who had to support herself and her children; it is now turned into a boarding-house, and the loss of rent is 75 per cent. at the very least. Certainly, those places that are central have some chance of being started in some other business; but those on the outskirts of the town have no chance at

all. They were specially built under an Act of Parliament for public-houses, and you cannot turn them into any other kind of house; it is impossible. With regard to what good the change has done in Ipswich we may infer from one circumstance. There is an unfortunate man who got into gaol for killing his father when in delirium, or something of that sort. His two brothers are at this moment prohibited in the papers from being supplied with drink; there is not a publican in Ipswich who would give one of them a glass for £50, and yet at any hour in any day of the week they can get as drunk as pipers whenever they like. The whole fact of the matter is this, that whenever we close one public-house we establish twenty shebeen houses, and the number of police that would keep in order those public-houses will require to be trebled to keep down those shebeen houses in the colony. There was a statement made against this contention of mine, that the license is granted only for twelve months, and that nobody could claim anything if it was not extended past that time.

HONOURABLE MEMBERS: Hear, hear!

Mr. O'SULLIVAN: Very well, Sir; but that applies to almost every other business in the State. The squatters of this colony—in fact, of all Australia—had licenses granted for twelve months; but will it be contended for a single moment that those squatters, or anybody else who got licenses, thought that they were to lose them at the end of that period? If there was any such feeling running through speculators, would any man in his senses invest £50,000 in building a house in Brisbane if he thought the license was only for one year?

AN HONOURABLE MEMBER: They have done it.

Mr. O'SULLIVAN: Certainly, they have done it on the perfect understanding that the license would be renewed from year to year so long as the house is properly conducted. Therefore that is not a yearly license. No man would rent a public-house for five or ten years unless he knew perfectly well that there was not the slightest fear that his license would be interfered with, or his vested interests disturbed in any way, except for misconduct. When the squatters of New South Wales got their licenses from Governor Bourke to establish themselves as squatters all over Australia on yearly licenses, did any one of them suppose that at the end of the year he would have to give up his license? Has there ever been an instance in Australia where a publican was called upon at the end of the year to give up his license if his public-house was properly conducted? The statement that it is a yearly license is true, but the deduction from it is utterly erroneous. It is just the same as a leasehold in every sense of the word. In bringing forward this Bill I have no other object than to protect the vested interests of those who invested their money in this class of property before those clauses passed. Surely if compensation for loss of home and property, and taking the bread out of children's mouths, is recognised in everything else, it should be recognised here. I cannot sympathise with anybody who built public-houses after those two clauses were passed, because they did so with their eyes open. But many of us made our investments twenty or thirty years before this Bill, which was passed at the end of a session, made a clean sweep of everything without giving the slightest consideration to people's property. Is not that a mode of robbery? Was such a thing ever heard of, except in the case of the publicans? I will not go into the argument as to whether people can be made sober by Act of Parliament. That is no part of my business. My business is to secure the vested interests of those who innocently built and invested their money in

this class of property years ago. Other members may, if they think fit, open out on the merits and demerits of local option; I shall not. In the view in which I have put the case, it will be plainly seen that the two petitions that were sent in are extremely wide of the question. They do not touch the point I have in view. At the same time, I cannot sit down without expressing my admiration of the public spirit of the lady who sent the petition. No doubt she was under the impression that there was something horrible going to be done, and she acted accordingly. I wish many other ladies would act as she does; and if ever ladies are allowed to take seats as members of this House my vote shall be given to this particular lady if she chooses to come forward, and she deserves to be placed at the head of the poll. I beg to move the second reading of the Bill.

The SPEAKER said: I have to call the attention of the hon. member to an informality in the Bill which escaped my attention until a few moments ago. The 2nd section of the Bill provides for compensation for refusal of license, and the 3rd section states that—

“Such compensation shall be paid in the first instance out of the general funds of the local authority, which shall forthwith proceed to recover the amount thereof by levying a special or separate rate upon the ratable properties within the area wherein such poll was taken.”

By the 18th section of the Constitution Act it is provided that—

“It shall not be lawful for the Legislative Assembly to originate or pass any vote, resolution, or Bill, for the appropriation of any part of the said consolidated revenue fund or of any other tax or impost to any purpose which shall not first have been recommended by a message of the Governor to the said Legislative Assembly during the session in which such vote, resolutions, or Bill shall be passed.”

As the Bill has not been introduced by a message from the Governor, and as it proposes to levy a special rate on ratable properties for the purpose of compensation to publicans whose licenses have been refused, I have no option but to rule that the Bill has not been introduced in accordance with the 18th section of the Constitution Act; and under the circumstances I am not justified in putting the second reading to the House.

Mr. O'SULLIVAN said: Mr. Speaker,—It does not refer to general taxation, but to the general funds of the local authority. It is not a general but a special tax.

The SPEAKER: The language of the 18th section of the Constitution Act is perfectly plain. After referring to the consolidated revenue fund it says, “any other tax or impost.” I have to express my regret to the hon. member that I did not notice the informality earlier. Had I observed it before he rose to move the second reading of the Bill, I should have cautioned him at the time.

Mr. O'SULLIVAN said: Mr. Speaker,—I have no wish to disagree with your ruling, but if it is the wish of the House to discuss the Bill any further, and if it will enable them to do so, I will move that your ruling be disagreed with.

The SPEAKER: The hon. member can move that my ruling be disagreed with, but on that motion the Bill cannot be discussed.

Mr. O'SULLIVAN: There is then no use moving it.

SALE AND USE OF POISONS BILL.

RESUMPTION OF COMMITTEE.

On the Order of the Day being read,

Mr. FOXTON said: Mr. Speaker,—I move that you do now leave the chair.

Question put and passed.

COMMITTEE.

On clause 3, as follows:—

“The several articles mentioned in the first schedule to this Act shall be deemed poisons within the meaning of this Act; and the Governor in Council may, by proclamation duly published in the *Government Gazette*, from time to time declare that any other article specified in such proclamation shall be deemed a poison within the meaning of this Act.”

On the motion of Mr. FOXTON, the clause was amended by the omission of the word “Government,” in the 4th line.

Clause, as amended, put and passed.

On clause 4, as follows:—

“Every person who shall sell any poison specified in the first part of the first schedule to this Act shall, before the delivery thereof to the purchaser, inquire his name, place of abode, and occupation, and the purpose for which such poison is required or stated to be required, and shall thereupon make a faithful entry of such sale, specifying the poison and the quantity thereof, and all such particulars so given by the purchaser, together with the day of the month and year of such sale, in a book to be kept by the vendor for that purpose, in the form set forth in the second schedule hereto; and every such entry shall be signed by the person making the same and also by the purchaser, unless he shall declare himself unable to write (in which case the person making the entry shall add thereto the words ‘Purchaser cannot write’), and whenever a witness to the sale is required by this Act, such entry shall be signed by such witness, together with his place of abode. When sales and purchases of poisons are made by correspondence, the letter ordering the same shall be preserved by the vendor, and a memorandum of the date of the said letter, by whom it was written, and the quantity and particulars of the poison therein ordered, shall be entered in the said book, and if the poison be transmitted by post, the letter or packet containing the same shall be registered; and no person shall sell poison so ordered to any person with whose signature he is not acquainted, unless such signature shall have been witnessed by a justice of the peace, or clergyman, or be authenticated by some person known to the vendor.”

Mr. FOXTON said that in connection with that clause, which was one of the most important in the Bill, it had been suggested to him that it might be made more clear. The clause provided that every person selling any poison specified in the first part of the 1st schedule to the Act should before delivery comply with certain precautionary forms mentioned in the clause. It was thought by some that the latter part of the clause would include all poisons, and would apply the provisions of the clause to all poisons, and that that was not a good thing to do. It was suggested that the latter part of the clause should be amended by the insertion of the words “mentioned in the first part of the first schedule” after the word “poisons,” in the 16th line of the clause, so as to read:—

“When sales and purchases of poisons mentioned in the first part of the first schedule are made by correspondence, the letter ordering the same shall be preserved by the vendor, and a memorandum of the date of the said letter, by whom it was written, and the quantity and particulars of the poison therein ordered, shall be entered in the said book, and if the poison be transmitted by post, the letter or packet containing the same shall be registered; and no person shall sell poison so ordered to any person with whose signature he is not acquainted, unless such signature shall have been witnessed by a justice of the peace, or clergyman, or be authenticated by some person known to the vendor.”

He suggested the point for the consideration of the Committee, but it must be borne in mind that there were some very deadly poisons included in the second part of the schedule. They had doubtless been placed there, as any considerable restriction upon their sale might possibly hamper the prosecution of certain industries in which some of them were very largely used.

Mr. SAYERS said he hoped the clause would not be made to apply to the whole of the poisons mentioned in the 1st schedule. Cyanide of potassium, for instance, was included, and it was used by the hundredweight in quartz crushing. Large quantities of it were used hourly at every crushing mill in the colony; and if all those restrictions were put upon the sale of it, it would hamper the quartz-crushing industry considerably.

Mr. BARLOW said he noticed that in connection with the sale of poisons by post the word "sell" was used, and he would like to ask some of the legal members, if that would be sufficient, as he found in another clause that the delivery of any poison was to be considered *prima facie* evidence of the poison having been sold. Where poison was put into the post office there was merely constructive delivery, and he suggested that the words "send" or "forward" were better words to use in that connection.

Mr. SMITH said the Bill provided that "when sales and purchases of poisons were made by correspondence, the letter ordering the same shall be preserved by the vendor," but such letters might be destroyed after a certain time, and under the Bill, as the letter would not be forthcoming, the dealer in poisons would be liable to a penalty of £20. No doubt a great deal of the purchase and sale of poisons was done by correspondence, and it might be as well to place a limit upon the time which those letters might require to be kept.

Mr. SAYERS said that clause 9 provided as follows:—

"Any person who shall produce a certificate from a legally qualified medical practitioner and a police or stipendiary magistrate that he is a fit and proper person to be allowed to sell poisons shall receive from the Pharmacy Board a certificate as a dealer in poisons. And such person shall thereupon be at liberty, subject to the payment by such person of an annual fee of twenty shillings, payable in advance to the Pharmacy Board, to sell poisons in places distant not less than five miles from any premises occupied and kept as an open shop by a pharmaceutical chemist."

On the goldfields it was quite a common practice for one machine owner to sell a case or a jar of cyanide of potassium to another, but under the Bill he would be debarred from doing so. It would not pay to have to go to a local chemist to buy it, and they would not be able to get any large quantity. As a rule, the machine-owners bought cyanide of potassium wholesale from Brisbane, or else imported it from England, but anyone who sold a jar to another machine-owner would now be liable to a fine of £20. The Bill would prove unworkable if that were imposed. There were chemists within a mile or half a mile of nearly all the machines on Charters Towers, and under clause 9 the machine-owners would not even be able to take out a license to sell such a poison. They would not buy it from the local chemists, as they would not have sufficient in stock, and the price would be too high. The Bill would simply harass and hamper the mining industry.

Mr. FOXTON said the Bill would not hamper the mining industry at all, as the machine-owners did not purchase cyanide of potassium for the purpose of retailing it.

Mr. SAYERS: But they do retail it sometimes.

Mr. FOXTON said if they did retail it, then they should take out licenses as retailers of poisons, because it was not their business; and if they chose to go in for that business it was only legitimate that they should be asked to comply with the conditions of the Bill the same as anyone else. There was nothing in the Bill to prevent one machine-owner from lending a jar of cyanide of potassium to another machine-owner.

Mr. SAYERS: He might sell it.

Mr. FOXTON said that he would then be infringing the law, and he could not see why he should not comply with the same conditions as anyone else. He could lend a jar and get it returned. There was one clause in the Bill which he was responsible for, which was not in any other Act, but he considered it necessary that the delivery should be *prima facie* evidence of the sale, but that was merely *prima facie* evidence and might be rebutted by evidence showing that there was no sale. That was taken from the Licensing Act, but in that Act it was not conclusive evidence, otherwise a man who invited a friend to dinner and gave him a glass of wine might be considered to have sold the liquor. Of course that was absurd, and exactly the same rule should apply to the lending of a jar of cyanide of potassium by one machine-owner to another. The hon. member need not be afraid that any machine-owners would be compelled to buy from a local chemist. He could get the poison wholesale from any poison dealer or wholesale chemist. As a rule he presumed they purchased now from wholesale dealers, and he could not see why they should not comply with the ordinary forms. He would be very sorry to import into the Bill anything that would interfere with the mining industry, and he really could not see there was anything in the Bill which would interfere with it. He was confirmed in that belief, because he had read through a great deal of the literature on the subject, and he had not come across any complaint in Victoria—where the law was exactly the same as it would be here if the Bill became law in its present form—from machine-owners that they had any difficulty in supplying themselves with cyanide of potassium. The law was certainly not a dead letter in Victoria, as there had been over 600 prosecutions under the Act. He was sure the industry of quartz crushing could be carried on without being in any way interfered with by the Bill.

Mr. ALAND said, on referring to clause 9, he thought that no one in Brisbane but a pharmaceutical chemist could sell poisons mentioned in the 1st schedule.

Mr. FOXTON: Not within five miles of a pharmaceutical chemist.

Mr. ALAND said that a dealer must be five miles outside Brisbane in order to get a license to sell poisons.

Mr. FOXTON: The distance may be reduced when we come to that clause.

Mr. ALAND said he knew that merchants in Brisbane sold as much of some of the poisons mentioned as the wholesale chemists, and they would be debarred under the Bill from carrying on that trade. There was the opium trade, for instance. He did not believe in it; but while they encouraged the sale of opium by placing a duty upon it, merchants would import opium largely—more largely than the chemists and druggists. The article referred to by the hon. member for Charters Towers was sold by wholesale merchants, and not by the chemists at all; but under the Bill those merchants would not have the power of selling it.

Mr. FOXTON said if the hon. member looked at clause 14 he would see that the Bill did not apply to sales by wholesale to retail men.

Mr. DALRYMPLE said clause 14 provided that the Bill should not extend to the sale of any poison by wholesale to retail dealers in the ordinary course of wholesale dealing, if an order in writing were given for the supply of the poison, so that there was nothing in the objection of the hon. member for Charters Towers at all. No difficulty had been found in carrying out the operations of similar measures elsewhere, and any machine-owner lending or selling,

in the course of business, a case of cyanide of potassium to another machine-owner would certainly not come under the operation of the Bill; whereas it was quite evident that if he sold it in small quantities the public would be exposed to precisely the same danger as if anyone else sold it in small quantities. He thought one reason why public attention should be called to the danger in dealing with poisons had been supplied by the hon. member for Charters Towers, who had said that he was not aware, nor were the machine-owners aware, of the extreme deadliness of cyanide of potassium.

Mr. SAYERS: I never said that.

Mr. DALRYMPLE said it was said by some hon. member, at any rate. If one machine-owner wanted to borrow or lend cyanide of potassium from or to another, there was nothing in the Bill to stand in his way.

Mr. SAYERS said he did not use the remark to which the hon. member had referred. He knew very well that every case of cyanide of potassium was labelled "poison," in large letters. He took it that the Bill was for the purpose of preventing people from getting poison; and to show the absurdity of the thing, it was only necessary to state that every man who crushed stone had to use cyanide of potassium. How could a mill-owner go round night and day to see that nobody put a bit into his pocket. Putting it into the schedule would not prevent people from getting hold of it if they chose, and he did not think that the clause provided any safeguard. It would simply hamper mill-owners who happened to be short of cyanide of potassium at any time. It was well known that judges could not be got to say what was in the law, let alone magistrates, and many would interpret the law perhaps differently from what was intended by the Committee.

Mr. CALLAN said he always understood that when they were considering a Bill in Committee they dealt with it clause by clause; but, seeing that one hon. member had spoken on the 9th clause, and another on the 14th, he might as well discuss the 6th clause. That clause provided that it should not be lawful for anybody but a householder to buy any poison for the avowed purpose of destroying rats or other vermin. He was not a householder in the sense that the house in which he lived did not belong to him.

Mr. FOXTON rose to a point of order. He was anxious to get the Bill through, and he asked the hon. gentleman not to discuss the 6th clause at present. The hon. gentleman was confusing householder with freeholder.

Mr. CALLAN said he was not a man who took up the time of the Committee at any length, and if the hon. gentleman had any objection to a clause not before the Committee being discussed, he should have objected when the hon. member for Mackay and the hon. member for Toowoomba referred to other clauses. When he got up to speak he intended to speak, and he was not going to be put down by the hon. member.

Mr. FOXTON said he objected also to the clauses referred to by those hon. members being discussed at the present time.

The CHAIRMAN said it was not usual to discuss clauses that were not before the Committee, but he had not interfered because his attention had not been called to the fact that hon. members were discussing other clauses.

Mr. SAYERS said he wanted the Chairman's ruling as to whether the hon. member for Fitzroy was in order or not in discussing anything in the Bill except the words in the 4th clause.

Mr. SALKELD said that certain objections had been taken to the 4th clause, and the Committee had been informed that those objections were met by other provisions in the Bill. Therefore he did not think it was out of order to refer to those other clauses, in so far as they bore on the clause before the Committee.

After a pause,

Mr. FOXTON said that if it would facilitate business he would be happy to withdraw the point of order. He would rather have any discussion than none at all.

The PREMIER said the Chairman would surely keep hon. members to the question. It was impossible to discuss half a dozen subjects at once. If there was to be any progress made, they must confine themselves to the subject under discussion.

The CHAIRMAN said he would refer hon. members to the 76th Standing Order, which said:—

"A member may speak to any question before the House, or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon a question of order arising out of the debate, but not otherwise."

He thought an hon. member was out of order in referring to a clause which was not before the Committee.

Mr. GRIMES said he was not in any way antagonistic to the Bill; in fact, he was favourably inclined to the measure. In referring to the remarks of the hon. member for Charters Towers, the introducer of the Bill said that the clauses were sufficiently elastic to allow one mill-owner to lend poison to another mill-owner; but if that was so the object of the Bill would be defeated altogether, because there was no reason why a small quantity should not be lent. They knew what lending meant. Anything lent was very seldom returned, and if the provision was elastic enough to allow of large quantities of poison to be lent, they might depend upon it that small quantities would be distributed in the same way.

Mr. HAMILTON said there was no provision in the clause against lending, and he did not see what objection could be taken to it. Mill-owners did not buy large quantities of cyanide of potassium for the purpose of lending it.

Mr. GOLDRING said he thought the following provision in the clause was not required, namely:—

"No person shall sell poison so ordered to any person with whose signature he is not acquainted, unless such signature shall have been witnessed by a justice of the peace, or clergyman, or be authenticated by some person known to the vendor."

It frequently happened that poisons were required by men living a considerable distance away from any settlement, and they would not be able to obtain the signature of a magistrate or a clergyman, and the probability was that the vendor would not know the signature of any other man in the vicinity. It would be a considerable benefit to a certain portion of the community if the words he had quoted were omitted, and if the hon. member in charge of the measure could not see his way to withdraw them, he (Mr. Goldring) would certainly move their omission. People in the far outlying districts used poisons probably as frequently as people in the thickly-populated parts of the colony, and it was very seldom they saw a clergyman in those parts, and justices of the peace were nearly as scarce. There were many persons also who could not write their own names, and it would be impossible for their signatures to be authenticated.

Mr. FOXTON said he thought that on further consideration the hon. member would see that those words were necessary. There need be no

difficulty about the matter. If the signature of a justice of the peace could not be obtained, surely the signature of some one known to the chemist could be obtained in the town where he resided. All that was required was the signature of any person whose signature was known to the vendor. There must be some witness. That was essential. The same provision was in force in all the other colonies, and had been found to work well in South Australia, where they had a very extensive territory, and in Western Australia, as well as in New South Wales, Victoria, and New Zealand.

Mr. DALRYMPLE said it was quite evident that it was useless to place restrictions on personal applications for poison, and at the same time allow persons who were not in the slightest degree known to the vendor to obtain poisons without any restrictions whatever. If that were done, the whole object of the Bill would be defeated.

Mr. GOLDRING said if the provision were practicable he would have no objection to it, but there were some instances where persons whose signatures were not known would have to send in from outside districts for poison, and they would not be able to get their signatures authenticated by a justice of the peace or a clergyman. It would be a great hardship to those people if they were prohibited from procuring the poisons they required, simply because their signatures were not attested. However, as the hon. member had assured the Committee that the same provision had worked well in New South Wales and Victoria, which were similarly situated to this colony, having large outside districts, he would accept that assurance.

Mr. HAMILTON said there was a good deal of force in the objection raised by the hon. member for Flinders. A person might be living forty or fifty miles from a station or township, and if he particularly required some medicine or poison, and sent a man on horseback for it, he would not be able to obtain it unless he had the signature of a justice of the peace or a clergyman to the order. But really he did not think the provision was any protection, because a man residing at a considerable distance from a township could, if he wished to get poison surreptitiously, sign "John Jones, J.P.," as a witness to his signature, and the chemist would not know whether the attestation was authentic or not.

Mr. FOXTON said the answer to that objection was obvious. If a man sent a messenger on horseback for poison, all the messenger had to do was to get the publican with whom he was staying or some friend in the township to witness his signature.

Mr. SALKELD said he would like to know what was the definition of "a clergyman." Would it apply to a captain of the Salvation Army and to ministers of various denominations who did not call themselves clergymen? The term ought to be defined.

The PREMIER: Put in "ministers of religion."

Mr. SALKELD said if that was done that would meet the difficulty.

Mr. FOXTON moved that the words "or forward" be inserted after "sell," in the latter part of the clause.

Amendment agreed to.

Mr. FOXTON moved that the word "clergyman" be omitted, with the view of inserting "minister of religion."

Amendment agreed to.

Mr. BARLOW said he would suggest that the justice of the peace should certify that the person applying for the poison was, or appeared to be, of the age of eighteen years.

Mr. FOXTON said he was afraid that such a provision would very much hamper the working of the Bill, and perhaps prevent people from getting medicine when it was very necessary.

Clause, as amended, put and passed.

Clause 5—"Restrictions as to sale of certain poisons"—passed as printed.

On clause 6, as follows:—

"It shall not be lawful to buy or sell any poison for the avowed purpose of destroying rats or other vermin infesting houses and premises, unless the purchaser be a householder."

Mr. MACFARLANE said it might not always be convenient for a householder to apply personally for the articles referred to. He might send his child, and it would be well that the clause should read: "Unless the purchaser is known to the seller." The child of a householder might be known to the seller, and that would answer all the purposes required without putting the householder to the trouble of applying himself.

Mr. FOXTON said the alteration suggested would make the clause worse, because then a householder would be able to send a child. At present he could not do so; he could only apply personally, or sign an order. If a householder could send a child for poisons they might as well not have the Bill at all. The clause gave greater protection as it stood.

Mr. BARLOW said under the clause if a man wanted poison to destroy a mad dog he could send for it, but if he mentioned rats or vermin he must apply for it himself.

Mr. FOXTON said he thought a mad dog would be vermin.

Clause put and passed.

Mr. POWERS said he had a new clause to propose, to follow clause 6. It was—

Any person who supplies or permits to be supplied any opium to any aboriginal native of Australia, or half-caste of that race, or to any aboriginal native of the Pacific Islands, shall for the first offence be liable to a penalty not exceeding ten pounds nor less than two pounds; and for the second and every subsequent offence to a penalty not exceeding twenty pounds nor less than five pounds; and in every case to the payment of the costs of the conviction.

He intended to propose that after "opium," in the 2nd line, the words "or any preparation of opium or poppies" be inserted. Those were the words in the schedule of the Bill, and he thought that by inserting them they would be able to deal with Chinese who might sell stuff that would not be called "opium," but which might be some preparation of opium or poppies. He believed there would be no objection to the clause, as the matter had been brought forward on several occasions, and there was a general feeling among members that something should be done in the matter. He also understood that the hon. member in charge of the Bill did not intend to oppose the clause.

Mr. DALRYMPLE said he thought the Bill was better without the amendment, the effect of which would be to shut out from the benefits of opium in any form any sick aboriginal. For instance, it was necessary occasionally to give aboriginals when they were ill opium in the form of laudanum or chlorodyne; but under the new clause a person could not treat an aboriginal in that way without being subject to a serious penalty. Opium in different forms was one of the medicines in the greatest use; and if it was not to be given to aboriginals, the form in which it should not be given should be described.

Mr. GANNON said he was very glad to see the amendment proposed. He had seen the fearful effects of opium upon the aboriginals of the colony. He happened to be in the Leichhardt district some time ago, and he never saw such deplorable results in his life as were shown by the state of the blacks from the use of that drug. They would sell themselves body and soul for opium, and it was causing a large number of deaths. Although those unfortunate people were prohibited from getting liquor, they might get opium, the effects of which were twenty times as bad. He sincerely trusted the Committee would pass the clause.

Mr. SAYERS said he should support the clause for the same reason as the hon. member for Toombul. The hon. member for Mackay objected to the clause on the ground that preparations of opium were often required to be administered in cases of illness. That difficulty could be overcome by excepting opium supplied by responsible persons for medical purposes.

Mr. DALYRMPLE said he approved of the clause as originally introduced by the hon. member for Burrum, but not as subsequently amended. If the hon. member would exclude preparations of opium there would be no objection to it, because some stringent legislation was required to prevent the sale of opium to aboriginals.

Mr. ADAMS said that on sugar plantations laudanum had frequently to be given to Pacific Islanders in cases of illness. Under the clause as proposed, persons administering it in any shape would be liable to a heavy penalty. He would advise the hon. member to make an exception for preparations of opium used for medical purposes.

Mr. SAYERS said no man should be allowed to administer any form of opium to Pacific Islanders or aboriginals, unless he was a medical practitioner or duly qualified chemist.

Mr. FOXTON said that after the discussion that had taken place he was inclined to think that the clause as originally framed was better than as amended, though he was of a contrary opinion when the hon. member for Burrum spoke to him about it before. At the same time means would be found to evade the clause by giving the blacks laudanum to drink instead of opium to smoke. Perhaps it would be as well, until it was found that evasions had taken place, to make the clause apply to opium only.

The PREMIER said a similar clause was inserted in a Bill which passed the Assembly in 1886, but did not pass the Upper House. The great difficulty was, how were they going to enforce it, and if it could not be enforced such a clause was a mere idle threat. Since that time the subject had received considerable attention from the Governments of Victoria and South Australia, and the Queensland Government had been in communication with them upon it. He had a Bill already framed dealing with it, but he was not sufficiently satisfied with some of its provisions to feel justified in asking the House to pass it during the present session. The difficulty was not in the principle, but in its enforcement. How were they going to prevent the supply of opium to blacks? It was all very well to say that opium should not be supplied to blacks; but opium was carried in a very small compass, and could easily be supplied by Chinamen and others. The scheme of the Bill as framed by the Government was to impose on persons who employed blacks the duty of seeing that they did not get opium, and holding them responsible if they did, unless they could show that they had taken all reasonable precautions to prevent it. It would be next to impossible to catch a person

in the act of selling opium. Who was to be the witness? The blackfellow would not be a competent witness, and if he were he would not tell. There were only two parties to the transaction, only one of whom could give evidence. Thus the clause was a mere idle threat, which could not be carried out. The thing to be done was to find the blackfellow under the influence of opium, to follow it up, and to find out where he got it from, making the man from whom he got it prove his innocence. That was the only way to deal with the question so far as he could see. He did not know what conclusion the other Governments had come to, but for the reasons he had briefly stated, a clause of that kind would have no effect at all. The clause in its original form was, as he had said, a mere idle threat; and if the words "any preparation of opium" were omitted, it became a still more idle threat.

Mr. POWERS said the clause might very well be inserted until they got the promised Bill of the Government. In his own district there was a Chinese opium dealer who was known to sell opium largely to the blacks, and a clause of that sort would put a stop to it to a great extent. To make the employer responsible was all very well in the case of Pacific Islanders; but it would hardly apply to the case of aboriginals, who had no fixed employer. He hoped the clause would be allowed to pass.

Mr. CALLAN said he hoped the clause would not be allowed to pass. Opium had often to be supplied to blacks in cases of illness by stationholders, and it would be wrong to render them liable to a heavy penalty for doing an act of common humanity.

The COLONIAL SECRETARY (Hon. H. Tozer) said the clause might involve considerable hardship to some unfortunate blacks living in the neighbourhood of towns, and who were often relieved of great pain by persons having a knowledge of the value of preparations of opium. He could speak from personal experience on the subject, as in the neighbourhood of his residence at Gympie the blacks often came in and located themselves in the paddock, and he had repeatedly given them morphia to relieve pain. Once or twice he had given a black gin who was suffering very severely from hydatids a small morphia pill, and the blacks soon found the value of that, and, as a consequence, he had been able on several occasions to give some of those unfortunate individuals a little relief, probably just before their death in one or two instances. Would the hon. member prevent him from doing that?

Mr. POWERS: No; and you would not be fined if you did so.

The COLONIAL SECRETARY said that under the clause he might be fined for supplying any preparation of opium to blacks, and he would not be likely to run the risk. A provision might be inserted to the effect that persons knowing the value of the drug might administer it for the purpose of alleviating pain. He knew one black gin who, for a period of thirty days, came to him, and the only rest she had had, probably for years, was derived from the administration of a small morphia pill.

Mr. CASEY said he trusted the clause would pass as at first brought up. Anyone who had seen, as bushmen had seen, the last stages of degradation to which the blacks of the country had been brought by the use of opium, would be only too glad to put into the hands of the police any instrument whatever that would enable them to check in, however small a degree, the abuse of that drug. It was all very

well to say that if the clause was passed it could not be carried into effect; but a similar law was carried into effect in a modified form in respect to grog. A similar instrument in the hands of the police checked, to a great extent, the sale of grog to aborigines, and why should they not check the abuse of that poison in the same way? He had the opinion of one of the best officers of police in the country to the effect that such a provision would be most efficacious in enabling the police to check the abuse of opium in the bush townships. As for the humanitarian argument that it would prevent preparations of opium being given to aborigines for the relief of pain, he thought that for one aborigine who was likely to die for the want of opium, hundreds would die from the abuse of opium given them by mean whites who got them to work for them, not for the low pay they worked for, but in order that they might be able to gratify the lowest passions that could possibly be conceived. Probably the very lowest of mean whites, was the man who engaged the unfortunate aborigine to work for him for opium, which was the utter destruction of their bodies. He sincerely hoped the clause would be allowed to pass in the interest of the remnant of aborigines they had in the country.

Mr. SALKELD said there was no doubt that there was greater need for such a provision in the outlying districts than in the settled districts. He was entirely in sympathy with the object of the clause, as he thought that anything that could be done to prevent the supply of opium to the blacks should be done. With respect to the objection raised by the Colonial Secretary, and the cases the hon. gentleman had cited, he saw no reason why they could not insert a provision exempting persons who could prove that they had administered the drug for purely medicinal purposes. To provide that it should only be administered by a medical man would simply mean that, in most cases, it could not be given at all, as there were many white settlers who could not get medical attendance. The objection raised by the Premier, that the clause, if passed, would be inoperative, might possibly be also applied to the law prohibiting the sale of intoxicating liquors to blacks; but he believed that though that law was often set aside it acted as a deterrent, and prevented the sale of liquor to the blacks to a very great extent. He would support the clause, and more willingly if some such amendment as he suggested was adopted to meet the objection raised by the Colonial Secretary.

Mr. POWERS said that to permit the drug to be given to the blacks as medicine would mean that that would be the general excuse urged for giving it, as it was the general excuse for administering grog. Grog was referred to as "medical comforts" in the Estimates submitted to Parliament, and if the legislature called it by that name anyone else might do the same. No prosecution would be instituted under the clause in the circumstances mentioned by the Colonial Secretary, and even if a prosecution was instituted against a person administering the drug in that way, and a fine imposed, any Government in power at the time would remit the fine on being made acquainted with the circumstances.

Mr. FOXTON said that seeing that the matter was under the consideration of the Governments of the various colonies, and that probably comprehensive legislation would result, the clause could only be considered a tentative measure, and it did not go nearly as far as the Bill introduced by the Hon. B. B. Moreton in 1886. The principal objection urged against the clause was that it would prevent

preparations of opium being given to the blacks as medicine, and he understood that the evil effects suffered by the blacks from the use of the drug arose from their smoking the opium. He thought the objections to the clause would be got rid of if it was proposed as originally printed and circulated. That would prevent the abuse of the drug to some extent in the meantime until a comprehensive measure was introduced, he hoped, next session. He thought the hon. member would be wise to propose the clause as at first circulated.

Mr. GRIMES said they were all anxious to prevent the blacks obtaining that drug in its worst forms; but they should be careful that they did not prevent good being done the blacks by persons supplying the drug to them in a modified form as medicine. The hon. member for Burrum said that no prosecutions would take place in such cases, but people would not run the risk. Opium in various forms was one of their principal medicines, and castor oil and laudanum and laudanum and rhubarb were excellent medicines for many complaints. He had frequently given them to aborigines and others; but if the clause was passed, people would not care to run any risk by supplying any preparations of opium as medicine. He thoroughly approved of the object of clause, and he hoped some way would be found out of the difficulty arising from the supply of the drug as medicine.

Mr. FOXTON said as he understood the hon. member for Burrum fell in with his suggestion, he moved the omission in the clause of the words "or any preparation of opium or of poppies."

Mr. POWERS said there appeared to be some misunderstanding. He was anxious to see the Bill through, and rather than not have it go through he would let the clause go as it was printed.

Mr. SAYERS said if the amendment were withdrawn, the clause would be simply useless. He did not see that they should play with legislation, and the clause should not be passed merely because the hon. member wished to go to a division. The Premier had said that if those words were omitted it would be absurd, and they were not there to pass absurd measures. He protested against the Committee being made a laughing-stock of, and he hoped the hon. member for Burrum would stick to his amendment.

Mr. CASEY said he trusted the hon. member for Burrum would stick to his clause in its entirety. The clause was absolutely useless without those words, whilst it would be of some small use with them. A similar enactment existed in regard to grog, by which the blacks were prevented from obtaining undue quantities of grog, and there should be a similar provision with regard to opium. But if the preparations of opium were omitted the clause would remain a dead letter, because the blacks would be supplied with preparations of opium. The humanitarian argument that some blackfellow might have a pain which could be alleviated by some preparation of opium, but which could not be given if the clause were passed, was nonsense. No one worthy of the name of man would refuse to give chlorodyne or any preparation of that kind to a blackfellow, and no magistrate would convict a man for such an act. Without the clause as it stood, many blacks would sink lower into the deepest degradation to which any human being could fall, and that was a degradation brought about by the use of opium and its preparations.

Mr. FOXTON said he begged, with the permission of the Committee, to withdraw his amendment. Anything to get the Bill through.

The MINISTER FOR LANDS AND AGRICULTURE (Hon. A. S. Cowley) said he objected to the withdrawal of the amendment, as the clause was quite right as it was printed. He had had a good deal of experience with kanakas, and he found that one of the most useful medicines in connection with their ailments was chlorodyne, but under the clause as it stood anyone would be prevented from giving any such remedy to alleviate pain unless it was prescribed by some medical man. He hoped the hon. gentleman would not withdraw his amendment.

Mr. ADAMS said he also objected to the withdrawal of the amendment. In his experience he had seen laudanum and chlorodyne, and such preparations of opium, used with the most beneficial effects. They must bear in mind that in many places where a number of those remedies were applied, there was no medical man within many miles, and if a medical man were sent for it frequently happened that he was not in, and if a person gave any preparation of opium he would under the clause be liable to a penalty. Very often such remedies were the means of saving life, and it was absolutely necessary that people should be allowed to administer laudanum. A chemist always knew whom he supplied with the drug, and he would be responsible if anything happened. The difference between opium and its prepared forms was such that no black would smoke any such preparation as laudanum. Under the circumstances it would be unwise to withdraw the amendment.

Mr. MURPHY said he hoped the hon. member for Burrum would stick to his point in that matter, because all bush members knew of the fearful injury being inflicted on the blacks by the use of opium and its preparations. They not only smoked opium, but they also used its preparations.

The COLONIAL SECRETARY: What preparations of opium do they ever use?

Mr. MURPHY said plenty of them were used. They hardly ever got the pure opium, but always an adulterated form of it which was sold by the Chinese, and as the hon. member for Warrego had said, many mean whites employed the blacks and paid them with opium. Those hon. members who were arguing from the kanaka point of view, had not used very strong arguments, as no one would be afraid to give a dose of medicine to a kanaka simply because it was a preparation of opium. No one would prosecute for such a thing, and no magistrate would convict in such a case.

The COLONIAL SECRETARY said he had looked carefully through the voluminous reports from the police officers of the colony, and the only thing that was supplied to the blacks was the opium of commerce for the purpose of being smoked. That was the opium they wanted to stop. The clause, as it was printed, would tend to stop that, and they should not do another evil by passing the clause as it was proposed to be amended. There were hundreds of blacks employed in the pearl and bêche-de-mer fisheries, and anyone taking on board his vessel any preparation of opium or laudanum would be liable to a fine if he supplied it to an aboriginal or a kanaka. He would not know what was the exact intention of the legislature in passing such a clause; but he knew that the giving of opium or any of its preparations to a black was illegal, and he would not administer it. The hon. member for Burrum would go far enough by providing that the ordinary form of opium should not be sold to any black. He would not oppose the clause as printed, as it might have some good

effects; but he would support the amendment, because he could not see the use of damaging a good clause by adding injurious words.

Mr. POWERS said he believed the clause would be evaded if the words were not in. The Premier had said that he believed the clause would be useless without the words; the Colonial Secretary had said that the clause would be useful without those words; and seeing that opinions were divided it would be as well to go to a division.

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

AYES, 24.

Messrs. Aland, Rees R. Jones, Macrossan, Casey, Powers, Goldring, Agnew, Salkeld, Battersby, Macfarlane, Little Gannon, Hoolan, Lissner, Isambert, Murphy, Pattison, Sayers, Annear, Callan, Crombie, Nelson, North, and Luya.

NOES, 19.

Sir S. W. Griffith, Messrs. Foxton, Cowley, Hamilton, Unmack, Dalrymple, Tozer, Archer, Plunkett, Buckland, Grimes, Morgan, Adams, Morry, Smith, Wimbie, Perkins, O'Sullivan, and Barlow.

Question resolved in the affirmative.

The PREMIER said that in order to make the clause not altogether absurd, he would move the insertion, after the word "Islands," of the words "except for medicinal purposes, proof of which shall be on the defendant."

Amendment agreed to; and new clause, as amended, put and passed.

Clauses 7 and 8—"Arsenic and strychnine must be coloured," and "Unqualified persons not to sell poisons"—passed as printed.

On clause 9, as follows:—

"Any person who shall produce a certificate from a legally qualified medical practitioner and a police or stipendiary magistrate that he is a fit and proper person to be allowed to sell poisons shall receive from the Pharmacy Board a certificate as a dealer in poisons. And such person shall thereupon be at liberty, subject to the payment by such person of an annual fee of twenty shillings, payable in advance to the Pharmacy Board, to sell poisons in places distant not less than five miles from any premises occupied and kept as an open shop by a pharmaceutical chemist."

Mr. POWERS said he would like to know whether it was proposed that everyone who got a license to sell poisons should pay an annual fee of £1 to the Pharmacy Board?

Mr. FOXTON: Yes.

Mr. POWERS: Why should a person not get a license because he did not happen to live five miles from any shop kept by a pharmaceutical chemist?

Mr. REES R. JONES said a Bill had been ruled out of order that afternoon because it imposed a tax on the people, and it was not introduced by a message from His Excellency the Governor. That clause imposed a tax on a certain class of the community, and he would therefore like to know whether the Bill ought not to have been introduced by a message from the Governor?

The PREMIER said the Bill that was ruled out of order that afternoon was ruled out of order because it proposed to appropriate the proceeds of a tax.

Mr. REES R. JONES said that clause also proposed to appropriate the proceeds of a tax levied by the Pharmacy Board, and to appropriate it to the Pharmacy Board.

Mr. SAYERS said there was no doubt that that clause would levy a tax on certain individuals, and that tax was to be paid to the Pharmacy Board. In the face of that fact he did not think they could go on with the Bill without referring the point to Mr. Speaker.

Mr. FOXTON said it seemed to him that the license fee was not a tax, because nobody need pay it unless he chose. He would point out that the administration of the Bill was practically thrown on the Pharmacy Board. That work would involve a considerable amount of expense, and he was very much afraid that if the board was not provided with funds by those who would derive advantage from the licenses to deal in poisons, the Bill would be to a very large extent a dead letter, unless the Government were prepared to provide the board with the necessary funds for administering the Bill. Personally he would rather see the provision requiring the payment of an annual license fee omitted than delay the passing of the Bill.

Mr. BARLOW said he should oppose the last words of the clause very strongly. It would be better to omit the whole clause.

Mr. FOXTON said that was impossible. They must provide for dealers in poisons, and they might as well let the whole Bill go as omit the whole of the clause.

Mr. SAYERS moved the omission of the words "subject to the payment by such person of an annual fee of twenty shillings, payable in advance to the Pharmacy Board."

Mr. DALRYMPLE said the question resolved itself into this—whether the people who applied for those licenses should pay for obtaining the necessary licenses, or whether the public should pay. On the whole he thought it was better that the persons who got the licenses should pay the cost of obtaining them. If the Bill was a desirable one, and was passed, and the expense was thrown on the Pharmacy Board, it was evident that the board would apply to Parliament for the necessary funds to administer the Bill, and Parliament would grant money from the general revenue for that purpose. He did not quite agree with the hon. member for Carnarvon that a payment ceased to be a tax if it was paid voluntarily. If that was so, he did not know what would become of the excise duty, which no one need pay unless he chose to do so.

Mr. BARLOW said he did not see why a monopoly should be established by the Pharmacy Board. They were not going to examine dealers in poisons, but simply to issue licenses to them, and that could be done by the Colonial Secretary. That was his objection to the clause.

Mr. REES R. JONES said he would like to have the Chairman's ruling as to whether the clause did not impose a tax.

The PREMIER said it was clearly not a tax any more than a license fee was a tax. A man need not apply for a license unless he liked. A tax, in the sense in which the word was used, was a payment which a man must pay whether he liked it or not. The payment required under the clause was no more a tax than the price charged for a glass of wine or soda water, which a person need not take unless he liked.

Mr. REES R. JONES said a man need not, of course, drink a glass of whisky unless he liked; but if he did drink a glass of whisky, then he paid the tax, because every portion of it was taxed.

Amendment agreed to; and clause, as amended, put and passed.

Clauses 10 to 12, inclusive, passed as printed.

On clause 13, as follows:—

"All offences under this Act shall be adjudicated on, and (except as hereinbefore otherwise provided) all penalties imposed by this Act shall be recovered in a summary manner by and before two justices of the peace, and all penalties when recovered shall be paid to the Pharmacy Board to be applied towards the expenses of carrying this Act into effect."

Mr. SAYERS said they were simply rushing those clauses through. Clause 9 had gone through, and several members were opposed to the latter part of it, which restricted the granting of licenses as dealers in poisons to persons carrying on business in places distant not less than five miles from any chemist's shop. He would like to see the Bill recommitted for the purpose of reconsidering clause 9. The hon. member in charge of the Bill had as much as promised that he would reduce the distance.

Mr. BARLOW said he quite agreed with the hon. member for Charters Towers. He did not want to talk the Bill out, but at the same time he strongly objected to the provision in the latter part of clause 9. If, however, the hon. member for Carnarvon would give a pledge to recommit the Bill and test the feeling of the Committee on that clause, no obstruction would be offered.

Mr. FOXTON said it appeared to him quite immaterial what course he took, as some hon. members seemed determined that the Bill should not pass.

HONOURABLE MEMBERS: No, no!

Mr. FOXTON said he should be very glad to recommit the Bill, but he thought it might very well be left to be amended in the direction referred to in another place. When it was previously before the Council the distance in clause 9 was reduced to two miles, and probably that House would do the same again. He now moved that the words "except as hereinbefore otherwise provided," in clause 13, be omitted. They had no bearing on the subject.

Amendment agreed to; and clause, as amended, put and passed.

On clause 14—"Certain sales excepted from the Act"—

Mr. FOXTON said he proposed to negative the clause as printed, in order to substitute a new one.

Clause put and negated.

Mr. FOXTON moved that the following new clause be inserted as clause 14:—

This Act shall not extend to the sale of any poison when made up or compounded in any medicine according to the prescription of a legally-qualified medical practitioner, or according to the prescription of a veterinary surgeon for animals under his charge, and supplied by such practitioner or veterinary surgeon, or by a pharmaceutical chemist and duly entered in a book; or when in the form of homeopathic medicines, unless of a greater strength than the third decimal potency; or when contained in any patent or proprietary medicine, unless such poison be one of those mentioned in the first part of the first schedule to this Act; or when sold by wholesale to retail dealers in the ordinary course of wholesale dealing.

Provided that in all such sales the bottle or other vessel, wrapper or cover, box or case immediately containing the poison be labelled as required by this Act.

He might explain that he had omitted the words "if an order in writing, signed by the purchaser, shall be given for the supply of the same," after "dealing," at the end of the 1st paragraph as printed, because it had been pointed out to him by wholesale chemists that they would give rise to difficulties in the transaction of their business, as they frequently received orders by telephone or messenger for things required in a hurry, and if they had to go through that formula considerable delay might arise. There was not very much to be gained by retaining the words, because it was certain that transactions between wholesale and retail dealers would be entered in a book, so that a record would be kept.

Mr. STEVENS said he should like to clearly understand, before the clause passed, whether it would be allowable under the Bill to sell patent

medicines in such places as outside stations beyond the five-mile limit, because if not it would cause a great deal of hardship and distress in the outside districts. For instance, chlorodyne contained opium, and, as he understood the Bill, a station-holder would be prevented from selling chlorodyne or any medicine of that kind, although it might possibly save the lives of a number of persons. Then again, in the case of eye affections, the remedy for sandy blight could not be made without using some of the poisons specified in the schedule. He hoped some hon. members would assist him in getting the clause altered in regard to those matters.

Mr. FOXTON said chlorodyne was a medicine very largely used, and it came in the category mentioned by the hon. member, and to meet the objection he would suggest that opium and all preparations of opium or poppies should be put in the second schedule. He thought that would meet the hon. gentleman's objection. It was so in the Victorian Act.

Mr. STEVENS: Will that allow it to be sold on out-stations?

Mr. FOXTON said the sellers must have licenses as dealers.

Mr. STEVENS: Must they be duly qualified?

Mr. FOXTON: No.

On the motion of Mr. FOXTON, the CHAIRMAN left the chair, reported progress, and obtained leave to sit again on Thursday next.

At 7 o'clock,

The SPEAKER said: In compliance with the Sessional Order, the House will now proceed with Government business.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

BILLS RETURNED UNAMENDED.

The SPEAKER reported to the House that he had received messages from the Legislative Council returning the following Bills without amendment:—The Local Works Loans Act Amendment Bill; the Union Trustee and Agency Company Bill; the Mount Morgan Gold-Mining Company Railway Bill; and the Health Act Amendment Bill.

LOCAL GOVERNMENT ENDOWMENTS BILL.

The SPEAKER reported to the House that he had received a message from the Legislative Council, returning this Bill with amendments.

On the motion of the PREMIER, the message was ordered to be taken into consideration to-morrow.

STAMP DUTIES ACT OF 1886 AMENDMENT BILL.

The SPEAKER reported to the House that he had received a message from the Legislative Council, returning this Bill with amendments.

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

PROVINCIAL LEGISLATURES.

On the Order of the Day being read for the resumption of adjourned debate on the question, "That it would be to the advantage of the colony to establish in the Southern, Central, and Northern districts separate legislative and executive authorities with full powers of legislation and government so far as regards matters of local concern; but that matters of general concern, including the administration of the public debt, should remain under the control of one legislature and one executive, having jurisdiction over the whole of the present colony of Queensland until the establishment of an Australian federation, when their functions should pass to the legislative and executive authorities of the federation"—

The PREMIER said: Mr. Speaker,—When the hon. member for Townsville moved a motion affirming the desirability of territorial separation for the Northern portion of Queensland, I moved an amendment substituting the words that now form the substantive resolution before the House. On that occasion I indicated very briefly—because it was desired that the discussion upon that resolution should terminate in one evening—the reasons I had for doing so. As the result of the division on the resolution, the words proposed by the hon. member for Townsville were omitted from the motion and these words were substituted. It was then late, and it was not considered desirable by the House to proceed to a division on the motion that had then become the motion before the House, on that evening, and so a motion for the adjournment of the debate was carried. Subsequently when the motion was next called on I moved that it should be adjourned with a view to its being placed amongst the Government business. The hon. member for Townsville, and the hon. member for Rockhampton, Mr. Archer, afterwards saw me, and asked me to formulate more definitely the nature of the proposals the Government wished to make. I pointed out the difficulty of doing so in the short time at the disposal of the Government, but I fully recognised the extreme importance of the matter, and the desirability of formulating the Government proposals, as far as possible, in order that the real nature of those proposals might be considered by the people of all parts of the colony. In the interval that has elapsed since then, now about a fortnight I think, the Government have done their best to put in form proposals for giving effect to the resolution that now stands upon the paper. It is, Sir, of course, impossible that any proposals formulated in so short a space of time can be perfect, or can be the best that can be made, and the resolution which I am about to move as a second resolution to be added to the one now before the House, is prefaced with introductory words indicating that the House is not asked to affirm that these are the best proposals in detail, but merely that the general scheme is one that commends itself to the House. So far as possible it is desired that this resolution may be considered as if it was the second reading of a Bill, on which hon. members are not asked by assenting to the second reading to affirm all the details of the Bill, but generally to affirm that they consider the general principles are good and worthy of further and more detailed consideration. The words used here are: "That the following proposals be adopted as a basis for giving effect to the foregoing resolution, subject, nevertheless, to such modifications as may, upon further consideration, appear expedient." That, I think, will enable hon. members of the House to consider the matter upon its broad merits, without committing themselves to affirm matters of detail. Of course there are some matters in a proposal of this kind that must be considered as matters of principle, and they will naturally distinguish themselves from others in the minds of hon. members. I propose now, not to discuss in detail the greater part of these proposals; but to indicate as briefly as I can, while trying to do justice to the subject, the general nature of the proposals and their result as affecting Queensland if carried.

The HON. J. M. MACROSSAN: Indicating what are matters of principle?

The PREMIER: I shall of course indicate what I consider to be matters of principle. More than that, I think, cannot be done, Mr. Speaker. I may also say at once that it is impossible to discuss this matter

exhaustively during the present session, as it ought to be discussed. Really, the work I am proposing to the House for consideration—for preliminary consideration—this evening is very much the same as the proposals that will have to be considered by the convention of delegates from all the Australian colonies, which will meet early next year. I do not desire, in submitting these proposals to this House, to be supposed to be in any way anticipating the proceedings of that convention.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: I think that should be understood, and no one who considers the matter seriously will accuse us in Queensland of endeavouring to anticipate or steal a march upon the members of the Australian Convention. I am sure I should be the last person to do anything of that kind. But it happens that the circumstances of Queensland have brought this matter prominently under our notice at the present time, so that we are bound to deal with it; but we deal with it, I am sure, with a full desire to give effect to such modifications of these or any other proposals as may be adopted by the Australian Convention, and may commend themselves to the people of Queensland. I think it necessary to make that statement, because it has been suggested by some persons, not very influential persons certainly, that this might be considered an attempt to interfere in an improper manner with the work of the Convention. I shall be as brief as I can in my remarks on the present occasion, because we cannot consider the matter thoroughly and adequately in the time we have at our disposal. To pass a measure, and settle absolutely and affirmatively all the details of a proposal like this, would be the work of several weeks, to say the least. But I think it is possible in a brief debate to ascertain whether these proposals, when thoroughly understood, will commend themselves to the people of the colony, or, at any rate, to indicate with sufficient fulness what is the nature and effect of them, so that the people of the colony may be able to consider them accurately and carefully and form their deliberate opinion upon them. This is a matter, as I have said before, that cannot be carried through by a bare majority of this House. It is a matter in which we must consider the opinions of the people of the different parts of the colony as if they were separate, individual entities, and it is from that point of view that I desire to consider the question. The question of the territorial separation of the colony has now been agitating a large part of it, the Northern part, for many years. Some of the people of that part believe that the object they have in view is within measurable distance of attainment. I am not one who think so, and that difference of opinion is a perfectly fair difference of opinion. This is a matter, I would desire again to say, upon which party divisions in this House should have no influence whatever. It is a matter far and away above party considerations. It is a matter upon which differences of opinion may exist to a very large extent within the different parties. But that, I say, is an opinion existing in the North. In considering a matter of large consequence like this, I think we ought, whatever part of the colony we may represent, to endeavour to put ourselves in the place of those who represent the other parts. I have endeavoured to put myself as far as I can in the place of the people of the Northern part of the colony, and to look at the matter as they would look at it. I have endeavoured, also, to put myself in the position of the people in the Central district of the colony, and I suppose I may be considered—I shall, no doubt, be considered, whether I claim the position or not—to represent especially the opinions of the Southern

part of the colony. I believe that I am able, to some extent, to project my mind into the position of the minds of people in other places. A man's ability to do that, varies of course according to his temperament and many other circumstances; but I certainly approach the subject without any prejudice—without any material prejudice. There is no harm, I think, in referring to a controversial matter for a moment, because it does not affect the question before the House, so far as its merits are concerned. I am aware, and it is no use disguising the fact, that many people in the Northern part of the colony have been accustomed to regard me as an enemy; as being actuated by a desire to retard their progress, and do them some harm. I do not think any sensible people think that. So far as material interests go, I have as large a material interest in the North as I have in the South, and as large as most members who represent the North in this House. I do not happen to have any in the Central district, but in the Northern part of the colony I have, as I said, as large a material interest as most members who represent the North in this House. But that is beside the question. Many people in the North say that the colony is very large, so large that very few, if any, members of this House are adequately acquainted with the conditions of all parts of it; nevertheless, they are all called upon to legislate for the affairs of all parts of it, and the inhabitants of one part cannot obtain any redress of grievances, or any legislation that they consider to be desirable, unless it also commends itself to the majority of the members of this House, most of whom are unacquainted with their circumstances and requirements. I recognise that argument, and I recognise the force of it. I recognise that it is, to a very great extent, true. I spoke of the North. The same argument applies, in a much less degree—still it applies in a degree—to the Central district of the colony. I recognise, therefore, that under these circumstances the best conditions do not exist for the good government of this great country. That being so, it is the duty of this Parliament, representing as it does at the present time the whole territory, to endeavour to see what better conditions can be applied for the best government of this territory. As I said just now, some of the Northern people think that their object of territorial separation is within measurable distance of attainment, but they also should put themselves in the place of others, and see how the matter has to be regarded by other persons. In the first place, the Parliament of Queensland has been entrusted by the Imperial authorities, as we call them at the present time, with the control of the whole of the territory of Queensland. We have been entrusted, among other things, with the power of borrowing money and pledging the credit of the colony, and it has for a long time past been the policy of the Imperial Government and the British Parliament not to interfere in any way with the internal affairs of the colonies. I am quite sure that they are not likely to depart from that policy. The tendency to interfere in the management of the internal affairs of the colonies has been rapidly diminishing for the last thirty years, and I am sure that they would hesitate for a long time before doing anything with respect to Queensland that the Parliament of Queensland, which is the only authorised exponent of the views of the people, had not requested them to do. The Imperial Parliament has for a long time done nothing in a possession which has been entrusted with what is called responsible government with autonomous powers, except at the request of the legislature of that possession. That point must not be lost sight

of, and I am sure members for the Northern and Central districts will not object to my calling their attention to the fact. This colony has incurred very large responsibilities. We now owe something over £28,000,000, and I am quite certain that the Imperial Parliament would hesitate a very long time to accept, and the Imperial Government would hesitate a very long time to make, any proposals, that would have the effect of diminishing the security of persons who have lent money on the credit of the united colony of Queensland. It is of no use pooh-poohing that difficulty. The difficulty has never yet arisen in the history of any British colony. I called attention to that difficulty in a report which I wrote on the separation question in January, 1887. I may as well quote what I wrote, as it expresses in fewer words than I can in a speech, the opinions that I hold on the subject. The report will be found in the first volume of "Votes and Proceedings" for 1887, page 417. I said there—

"The colony of Queensland is now indebted, in respect of loans raised on the security of the general revenue and assets of the colony, to the extent of nearly twenty-one millions of pounds, of which (as will appear by reference to the note on page 23 of Appendix B more than £3,550,000 has been raised for the benefit of the Northern districts; while further outlay from loan to the extent of £1,375,000 has been already authorised for those districts, and is now in course of expenditure. In the event of a division of the colony, the public creditors would undoubtedly be entitled to look to both colonies created on the division; and it would not be practicable to divide the debt, and to apportion certain specified debentures, or a specified part of the stock, as an obligation of one colony, and the remainder as an obligation of the other. It would probably be proposed that an adjustment of the debt should be made between the old and new colonies, and that the latter should become liable to the former for an annual contribution equal to the interest payable in respect of its share of the debt. If a division was effected at the present time, this amount would not be less than £156,000, representing a principal sum of over £4,000,000, repayable at various periods.

"But, apart from the fact that such an adjustment would not provide for the repayment of the principal when it falls due—a matter not easy to deal with—it is obvious that the credit of the respective colonies might materially differ, and that the obligation of the new colony to pay principal or interest might not be accepted by the legislature of Queensland as, or be in fact an equivalent for its own powers of taxation and government. Moreover, in events that may easily be conceived, difficulties might arise with respect to the payment of this contribution, and the finances of both colonies might be thrown into confusion, to the serious injury, not only of the colonists, but of the holders of their securities.

"The credit of Queensland and the value of its Government securities would, it is clear, be no longer dependent solely on its own Government, but would be to a considerable extent affected by the action of a Government and legislature over which it would have no control.

"Further, the value of the securities of both colonies would probably be immediately and seriously affected by the division.

"These considerations are so grave that I am confident that Her Majesty's Imperial Government will, in the absence of the most convincing and overwhelming reasons, hesitate before they invite the Imperial Parliament to exercise its powers in a manner unprecedented in the circumstances. The question of creating Victoria and Queensland into independent colonies was not complicated by the existence of a large public debt for part of which the new colonies would be responsible. Such an exercise of the powers of the Imperial Parliament would involve an interference with the functions of the Parliament of Queensland, and a disturbance of the colonial finances, of which the self-governing colonies have hitherto, fortunately, had no experience.

"I think, indeed, that if a step involving such important consequences is to be taken, it would be the duty of the Imperial Parliament, when exerting its paramount authority in such a manner, to make provision by its own law for indemnifying the colony whose Parliament would be over-riden from the injurious effects which might otherwise follow."

The amounts have varied since then. The total amount borrowed at the present time is over £28,000,000. The share of the Northern part is over £5,000,000; the share of the Central part is over £4,000,000; but the exact figures are immaterial. It is right that the people of all parts should recognise these facts. They will have to be faced, and they will be considered by the Imperial Government before they submit a scheme to the Imperial Parliament, and they will have to be considered by the Imperial Parliament before they take such a step as they are wanted to take. I am certain—though it is only a matter of opinion based on what I have read and what one knows of the Government of the United Kingdom—that they will say, "We have entrusted you with full powers of government; make your own arrangements; you understand your own affairs best; you are sensible people; you come to some terms; come to some reasonable arrangement, and we will give effect to it." So soon as this Parliament asks the Government of Great Britain to submit to the House of Commons and to the House of Lords a scheme dealing with this question, so soon will they do it. They will no doubt, if errors escape our notice looking at it from one point and occur to them looking at it from another point of view, ask us to rectify them, and we shall be willing to rectify any error of that kind. I am satisfied that if we address ourselves to the matter, and arrive at a satisfactory solution of the difficulty, they will give effect at once to our desire. I am quite satisfied, on the other hand, that until we have done that, they will not move in the matter. I know some gentlemen in the Northern and Central parts of the colony think there is nothing in all this; but those who are most experienced may be those whose opinions are of most weight in such a matter, and those who have had experience of constitutional government will see that the arguments to which I have just been referring are not to be brushed aside by saying, "We shall get what we want." They must be fairly dealt with and met; and, so far as I am aware, up to the present time no attempt has been made to deal with those difficulties. I call attention to them now for the purpose of asking the Northern and Central people to put themselves in the position of others as far as they can, to look on the subject from two points of view—to look upon the shield from the other side. I have endeavoured to look upon the shield from the other side. I pointed out just now, in language almost as forcible as the hon. member for Townsville would use, the difficulties and disadvantages existing under the present condition of affairs. But I say, recognising on the one hand the difficulties that exist, the almost impossibility of having the best government under the existing system, and on the other hand the difficulty, if not impossibility, of getting the solution they desire, I ask them—I ask this House and this country—to consider whether it is not possible for us here to devise a scheme that will get over the difficulties on both sides—to arrive at some middle course which will avoid both difficulties, which will give substantially all that is desired by those who desire separate autonomous government in those parts for the good of those parts, and at the same time avoid the difficulties of complete separation? I pay no regard whatever to the desires of those—I am sorry to say I believe there are a few—who wish for this division, not for the good of the country, but for other objects. I have no sympathy whatever, Mr. Speaker, with the professional agitators—with the people whose object it is to keep up the agitation for separation; my sympathy is with those who desire that some form of separation shall be established for the good of the different parts

of the territory, and those alone are the people I consider in any arguments I bring to bear on this question. Another aspect of the question to which I may refer, is the federation of Australia, and I may refer to that because I am now speaking to the resolution on the paper, and not to the amendment. That resolution affirms the desirableness of making provisional arrangements till the establishment of an Australian federation. I believe that an Australian federation is coming soon, though some people are not so sanguine on that point; and I may digress here to say that I believe arrangements will be completed soon for holding the Federal Convention, and I am satisfied that it will assemble with a desire on the part of the delegates from all the colonies to come to a satisfactory conclusion. And when federation is accomplished, I believe everyone will agree that Queensland must be divided—that it is too large for one State under a Federal Government. Therefore I say, why should we not, instead of considering the matter from our purely local and self-regarding points of view—why should we not look upon it, as we ought, from a higher point of view—namely, that of a future Federated Australia? Let us in any arrangements we make at the present time beware of interfering with or impeding any action that may soon have to be taken for the establishment of a Federal Government of Australia. I look forward, as I have often said before, as an object worthy of any man's ambition, to taking part in that Federal Government and Federal Parliament, and I hope most hon. members of this House will live to see the meeting of that Federal Parliament. I believe it is so near as that. Let us not do anything to impede that result. Recognising the desirableness of the better government of Queensland, and recognising the difficulties in the way of giving effect to the desires expressed by a number of people in different parts of the colony, let us put our heads together and devise some means of meeting all these difficulties. All difficulties are made to be overcome, and they can be overcome. I believe the difficulty about the debt cannot be overcome in the way desired. I do not wonder that gentlemen, who have been addressing themselves so many years to a particular object, should be reluctant to turn aside from it. But they have not yet got accustomed to the idea of a Federal Government—to the idea of an almost complete local autonomy, while, at the same time, regarding themselves as component parts of a great Australian State. They have not got accustomed to regard the matter in that way yet, but I believe that we have patriotic men in the different parts of the colony—and I believe that a large majority of our people are patriotic, and not mere political agitators—who will regard that matter in the manner I have pointed out. So much, Sir, for what I may term prefatory matter. Now, how is effect to be given to the object in view? We start with some admitted propositions. The arguments I have used lead me to the conclusion, and I am sure have led others to the conclusion, that it is desirable that although we should have more Governments than one for the management of local affairs, at the same time the credit of the colony should be conserved, and there should therefore be some authority to be responsible for the united debt which will prevent the credit of the colony from being interfered with. There are many matters which can be more conveniently managed by one Government than by several; on the other hand, there are many matters which can be more conveniently managed by several Governments than by one. Then what is the best way to give effect to these conclusions? Here we have history to guide us. A great many attempts have been made at different

periods of the world's history to bring together individual States and to divide States. There are not so many of the latter class, but there are a great many instances of the federation of States which were originally separated. In this instance we have a problem that is in some respects unique, but in its essential elements, it is not distinguishable from those that have been solved elsewhere. But the fact that some elements of this problem are unique is no reason why we should not solve it. I admit, then, that the people of the North should manage their own affairs, so far as they can manage them better than they can be managed by the people of the whole of Queensland, or the whole of Australia. Again—though this, I admit, does not commend itself so completely to a large number of people—I admit that the people of the Central district should have an opportunity of managing their own affairs, so far as they can be better managed by themselves than by the Parliament of the whole of Queensland, or of the whole of Australia. The same arguments also apply to the Southern part of Queensland, whose conditions are also diverse. Here let me say that there is a notion engrained—I will not say engrained—a notion prevailing in the minds of a great number of people in all parts of the colony that in some way the South is to be a sort of centre which is to govern all the rest. But the proposal I submit to the House will place the South on precisely the same footing as the Central and Northern divisions. All the advantages to be obtained from the system and all the disadvantages—I do not believe there are many—will be common to the three provinces. Let it be clearly understood that by the scheme I propose, the South will be on precisely the same footing as the Central and Northern provinces, will have the same powers, will meet in the Houses of the federation of Australia, and as a previous step, in the Houses of united Queensland, on precisely the same footing. Having indicated the reasons which induced the Government to come to these conclusions, what is the best way to give effect to them? Here I must condescend to details. I use "condescend" in the Scotch sense. If, Sir, there is to be a scheme of this kind, there must be legislatures for the provinces—and here let me say a word with regard to the term "province." Some term must be used. I do not like the term "colony," and I must admit that for a long time I had a very great dislike to "province."

The Hon. J. M. MACROSSAN: "Colony" would not apply.

The PREMIER: I do not think it would. "Colony" is a term that was used in connection with the plantations—places where settlers went out to carry on plantations for people who lived in England, and sent the proceeds of their earnings home to Great Britain. That was not the Greek idea of a colony. But I am not going into ancient history. I disliked "province" for a long time, although that is the word always used in South Australia, but upon consideration I do not see that there is any objection to it. On the contrary it is a term honoured by many historical associations. I believe that when the colonies are federated, the term "the United Provinces of Australia" will be the best term to use and will be used with no less respect than "the United States of America." We could not conveniently call them the United States of Australia—U.S.A.—on account of the inconvenience from the similarity of the names. But there is not a very great deal in a name after all, and I think "province" is the best word to use. I say if this scheme is to be adopted there must be a legislature to do the general work of the United Provinces. Ther

must also be separate legislatures for the different provinces. It is clear that if the provinces are to meet on terms of equality, as I have suggested, the two Houses of the legislature of the United Provinces cannot be constituted as they are at the present time, but there must be one House at least in which the provinces will meet on an equal, or on very nearly an equal, footing. I do not know that it is absolutely essential that the number of members for each province should be precisely the same. It is a singular fact how many varieties of Constitutions can be found, but I think that in one branch of the legislature each province should be almost, if not quite, equally represented, so that it would be entirely out of the power of any one province to outvote the other two. That must be so in one House, and I have indicated means by which that may be accomplished. There may be counter proposals; but these commend themselves to the Government as being the best to submit for discussion. I do not, therefore, submit any hard and fast line for the appointment of the legislature of the United Provinces, except that there should be two Houses, one of which, I believe, should be elected on the basis of population—I do not pause to define population; that is a matter of detail that may be discussed—and that the basis of the other should be such as to give the provinces complete or almost complete equality. Of course there must also be legislatures for the separate provinces, and there at once arises the question as to whether there should be two Houses or one. Upon that opinions may differ; I myself believe in two Houses as a general principle. Some people do not. It may happen that some provinces would prefer one House, and the others two. For instance, the province of Quebec, which has a population of over 1,000,000, has only one House, and so has the State of Manitoba. Then comes the question as to how they should be appointed—one should certainly be elective; whether the other is to be nominated or elective by different constituencies is a matter upon which there may be many diverse opinions. This is not the time to settle that. That would have to be determined by an Act giving effect to these proposals, in which the wishes of the people of the different parts of the colony would have to be consulted. I believe the Southern part of Queensland would prefer two Houses. The Central part, I have reason to believe, would prefer one, but that is a matter as to which I have no special knowledge. I am disposed to think, although it is only a conjecture, that the Northern part would prefer two. But those are matters of detail. The Constitution of the legislature should be left to the people of those provinces to determine for themselves. Then there must be a representative of the Sovereign authority. I have suggested in these proposals that there should be a Governor appointed by the Central Government, while the Governor of the United Provinces should be appointed as at present from Great Britain. There is much to be said in favour of, and much against, that proposal, and many people would prefer elective Governors for the provinces. An elective Governor would certainly have more power; he would be a Governor in reality and not in name only. There is much to be said in favour of that, and also against it. Either plan may be adopted without interfering with the general scheme I am now submitting to the House. I believe, however, that at the present time the provinces will get better Governors—better qualified to help them in their efforts at governing their own affairs by an appointment from the Central Government than by an appointment from England, or by election either by the whole people or by the legislatures. The Central Government would pick out the very best men available, and it would

be a worthy object of ambition for the best men. Men would be appointed who would understand the Constitution of the provinces they were called upon to preside over, and who could render real assistance to them in their difficulties. I know the real assistance a good Governor can give to a Government. I have had many opportunities of observing it during my experience, and have also observed in the neighbouring colonies how a wise Governor can give a very great deal of assistance to the legislature and the Government. But that, again, is a matter of detail. I believe my hon. friend, the member for Townsville, does not agree with appointment by the Central Government. Opinions may differ—I have indicated four different ways of appointing a Governor—but the preponderance of opinion, I believe, in this House, and in each part of the colony, would be rather in favour of that suggested here. I have indicated that we should adopt the system of responsible government; that is to say, that if a Government does not command the confidence of the people, it may be replaced by another without having to wait for a definite term of years, and perhaps doing in the meantime a great amount of harm. It has been suggested that these proposals ought to indicate the mode of election, the basis of election, and to embody all possible electoral reforms; to that I have only to say that it does not appear to me that this is the time or the place for doing it. Then arises the great question of how to distribute the powers which are to be exercised by the Governments and the Parliaments between the Central Government and the Provincial Governments. Again I will digress for a moment. The use of the term "provinces" has induced some people to think that what is proposed here is simply the Provincial Government of New Zealand, but there is as much difference between that system and the one now proposed as there is between responsible government and the government of a Crown colony. We have not a sufficient number of words in the English language to distinguish the different kinds of provinces so as to prevent the occurrence of error in the minds of persons who are not familiar with the subject. I will now rather briefly run through the various proposals as to the distribution of the respective powers and functions of the legislatures of the Central Government, and of the separate Governments. It is proposed, first, to assign to the legislature of the United Provinces "the constitution, privileges, and proceedings of either House of the legislature of the United Provinces, but always subject to the provisions of the Act constituting the Union, and to the consent of the legislatures of the provinces." That consent would be required of course only for changes of constitution. Provision is then made for the constitution of new provinces, and the alteration of the boundaries of provinces. The constitution of new provinces is certainly a matter which must be left to some authority. I do not think Queensland will always be limited to three provinces. I believe there will be more; I do not know how many. Certainly there will be a province, the ports of which will be in the Gulf, and which will probably take in the western, as well as the eastern, side of the Gulf. That is a matter which must be left to the Central Parliament. In time, no doubt New Guinea may be admitted as a province of the Union, on conditions to be determined when that time arrives; and I might indicate other places from which we might possibly expect additions if an Australian federation is not brought about. But that perhaps falls more properly under the next head, "The admission of new provinces to the Union and the terms of such admission." Then

we provide for the alteration of the respective powers and functions of the legislatures of the United Provinces and the separate provinces, but always subject to the consent of the legislatures of the provinces. That is a matter which those who have studied the constitutional history of federations will see is one of great importance. It has been omitted in the Canadian Constitution, in the American Constitution, and in others, as far as I am aware. That power ought to reside somewhere. When I said it was omitted in the American Constitution, that is scarcely accurate. There are provisions for it, though they are not altogether satisfactory. We next come to "external affairs, and the relation of the United Provinces to the United Kingdom and to the other Australasian colonies or provinces." I think I need say nothing about that. The next is "the public debt and property of the United Provinces." In the observations I made in the commencement of my speech, I indicated why that should be under one authority, so that the public credit of the United Provinces of Queensland may be maintained. The next head is "Obligations in respect of contracts or engagements entered into by the colony of Queensland, or by the Government of the United Provinces." There are obligations now existing of the colony of Queensland which it would be difficult to distribute in the event of a division. Then we come to "the raising of money by any mode or system of taxation, other than Customs duties." That is certainly an unusual exception to find in a scheme of this sort; but I will refer to the question of Customs duties later on. It is obviously necessary that if the Central Government is charged with the duty of providing for the public debt and maintaining the public credit, it should have the means of raising money. But for reasons which I will indicate later, it is not proposed to give the Central Government power to raise money by Customs. That, I admit, must be a temporary measure. In the long run there must be one set of Customs duties for all Australia. In the meantime, and dealing with the problem immediately before us, we believe it would be better that for the present the Customs tariff of the different parts of the colony should be under the local Governments. The circumstances just now are so diverse in the different parts that, subject to certain limitations, it is thought—and I think most hon. members, after giving the matter full consideration, will agree—that there will be many advantages to be derived, at any rate for the present, by giving them the power to make their own Customs tariff. Then, Sir, follows the "borrowing of money on the public credit of the United Provinces," and "the fixing of and providing for the salaries and allowances of civil and other officers of the Government of the United Provinces." They follow, as a matter of course. The next item is "The postal service and telegraphs." Well, there is a good deal to be said on both sides on that question; yet I believe every federated Government or Central Government has always had charge of the postal service and telegraphs. Although it may be said: What will the Central Government know of the requirements of this place or that; whether a telegraph line should be established here or a post office there; or who should be appointed as a postmaster? Yet, on the other hand, there is the inconvenience to be considered of having three telegraph systems and three post offices, with three sets of postage stamps, and all the other incidental difficulties that must arise in a territory like Queensland. It will be seen, I think, upon consideration that it is better in this matter that we should follow the universal precedent set us in other parts of the world. I may say

at once that I do not contemplate that the Central Government will care to exercise the patronage of appointing postmasters, which is said to be the great patronage of the President of the United States. I contemplate that the working out of the scheme could be left to the local Governments, and the Central Government would concern itself with the business of the whole colony, and not of parts of it. Then comes the question of "the census and statistics," and it might be said: Why not let the several provinces settle all those affairs for themselves? but when it is remembered that on these records will rest the constitution and the representation in the Central Parliament, it is clearly better that this matter should be under one authority rather than under several. The question of "defence and naval and military service" is, of course, a matter for the Central Government, as are the questions of navigation, shipping and ocean lighthouses, quarantine, fisheries, bridges or ferries between a province and another colony or province or between two provinces, currency and coinage, weights and measures, bills of exchange and promissory notes, insolvency, patents of inventions, designs and trade marks, and copyright. Those are all matters that I need do no more than mention. They are all matters of general concern upon which one Parliament is more likely to legislate well than separate Parliaments would be. Then comes another very important item: "Affairs of any people of any race who are not included under the laws applicable to the general community, or with respect to whom it is necessary to make special laws." The reason why that should be under the central control is clearly because it affects the relations of the people, whether of Queensland or Australia, with the outside world.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: With respect to that matter, therefore, it is desirable that the power should rest with the Central Government. With respect to the naturalisation of aliens, and the status of foreign corporations, the same arguments obviously hold good. The question of marriage and divorce and the solemnisation of marriage is a question which should certainly be under the control of the Central Government. We have seen the inconveniences arising in America from diverse laws on the subject in different States, and the effects they have brought about have become a scandal to the civilised world. Then there is the question of the criminal law, and on that point there may be a difference of opinion; but, on the whole, I believe it would be better to have one code for the whole of the provinces. That is, however, a matter of somewhat minor importance. Then there is the question of the control of railway tariffs. Now it is not proposed that the control of the railway management, appointment of officers, or any of these things should be taken out of the hands of the local authorities by the central authority, but it is quite clear that so long as we have in Queensland three trunk lines of railway, which in the hands of hostile persons might be run on competing tariffs to the great disadvantage of each of the provinces, and possibly to the injury of their credit, it is better that there should be some sort of general control over the tariffs.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: That has been found to be one of the great defects in America, although they have lately passed a law on the subject, the validity of which I believe is still in doubt. The difficulties that have arisen from the railways being under the control of the several States have been found to be

very great. Then comes the question of "The regulation of immigration of persons not of the European race." That, again, is a matter affecting the relations of the United Provinces with other parts of the world outside their boundaries, and it is a matter with respect to which I anticipate that, after the assurances that have been given, no objection will be made to its being dealt with by the Central Government. Then there is the question of the constitution of a Supreme Court of Appeal from the Supreme Courts of the provinces, and I think it will be generally admitted that that is desirable. Indeed I believe it is universally agreed that there should be a Supreme Court of Appeal in Australia from all the Australian courts. The next item is also a matter that I think will be generally admitted to be desirable, and that is "The enforcement within the United Provinces of process of courts of law of any province or of any other country." Then there is the question of the appropriation of the moneys raised by the Government of the United Provinces—that is, the moneys raised, not the moneys received. The Central Government, it is suggested, will have the control of the appropriation of the moneys raised by them; and as to the other moneys received, I will refer to that point later. Then it is proposed that there shall be assigned to the Central Government "Such other subjects assigned to the legislatures of the provinces as the legislatures of any province may by law declare to be within the competency of the legislature of the United Provinces in respect of such province." It may easily happen, and I believe it would happen often, that the legislatures of the provinces would request the general legislature to frame one law dealing with many subjects that might be dealt with by one law to the common advantage of the whole of the provinces. I do not suppose there will be any objection to that power being given. Then there is "generally the consideration of all matters affecting the United Provinces collectively." It may be said that that phrase is too vague, and if so it may be modified, but upon principle there can be no doubt that such matters should be under the control of the Central Legislature. Then, as to the matters assigned to the legislatures of the separate provinces, there is, first of all, the question of the Constitution, privileges, and proceedings of the provincial legislatures, but always subject to the provisions of the Act constituting the Union. That, as I pointed out before, is a very important matter, giving the people of the provinces the power to revise their own Constitution. They may have one House or two. They may have an elected Governor or a nominated Governor. They may have a Governor nominated from England or from here, or they may have a Governor elected by the legislature. They can vary their own Constitution, define their own franchise, and their bases of representation, and they can settle all matters of that kind for themselves. Then comes the question of the tariffs and taxation "by Customs, or any other mode or system of taxation within the province, in order to the raising of revenue for provincial purposes, but so that Customs duties shall not be imposed upon goods which are the natural products of any province, nor collected upon goods passing from one province to another province by land, but the amount payable by one province to another province in respect of such last-mentioned goods shall be from time to time determined by commissioners appointed for that purpose." Now, with respect to taxation by Customs, I indicated just now that it is very unusual to give a province the power of raising money by Customs taxation; but we are dealing with the circumstances of the colony of Queensland. At the present time one part

of the colony leans strongly to a protectionist policy, and another leans to what is called a free-trade policy, though that is only an epithet, and it does not mean freetrade by any means. Then, another part again may take a different view. Certainly there would be very great difficulty in arriving at any fiscal system that would satisfy all at the same time. I do not think it is desired that the people of Queensland, who have hitherto been friends, should set to work to tax one another.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: We do not want to do that, but if people getting goods from beyond the sea desire to admit some goods free which they cannot produce themselves they should have an opportunity of doing so. On the other hand, if in another part of the colony it is desired to keep out goods which the people there can produce for themselves, and thus give a wider field for the operations of their own people, why should they not do so? I do not know of another instance in which this power has been given to a province, except that it was carried out at one time in Germany before Zollverein; but I do not see why the system should not be adopted in the case of Queensland, and I believe that the circumstances of Queensland are such as to enable such a system to work satisfactorily. So far as the taxation of goods carried by land is concerned, I do not think that it will be impossible to settle what is a fair contribution from one province to another. The difficulty is, I think, by no means insuperable, and I may mention that a system of the kind was carried on satisfactorily for many years between Victoria and New South Wales, and was terminated, I think, more from a personal difficulty between individuals, than any State difficulty. This, Sir, has been one of the great difficulties, one of the reasons that have caused ill-feeling between the North and South—namely, the inability of the people of the North to make their own tariff. Therefore I believe that a proposal of this sort is a desirable one. There are no doubt difficulties in the way, but I believe they are much less than the difficulties of any other system, and that the difficulties are not to be weighed in the balance as compared with the illwill that may exist, and continue to exist under the present system. The next power assigned to the legislatures of the separate provinces is that of "borrowing money on the sole credit of the province." That is a very large power; but if we intend to give the provinces power to deal with their own local affairs, we must give them the means of getting money whether by borrowing or by taxation. In dealing with this matter the Government have endeavoured to look upon it from the local points of view as well as from the point of view of all parts of the colony. They have endeavoured to consider what they would want for themselves if they were in the position of one of these legislatures—what they would want to work out their own salvation and prosperity. The next item is the establishment and tenure of provincial offices and the appointment and payment of provincial officers. That follows as a matter of course. Then there is the matter of property and civil rights in the colony. That really involves almost the whole functions of government. It may be said that that is too large a power, and that it would be desirable to limit it to some extent. In framing these proposals, where any doubt of that kind has arisen, the Government have preferred to err on the side of proposing too large powers than too small ones, and hon. members will find throughout that this scheme has been framed on that basis. I believe myself that the provinces, after full consideration, will willingly prefer to remit some matters which

would fall under that head—the head of property and civil rights—to the Central Government. Then the legislatures of the provinces are each to have “the management and sale of the public lands within the province, and of all mines and minerals therein.” That is a necessary incident to any sort of autonomy, and I certainly believe it will commend itself to all people in the Northern and Central districts. The registration of titles to land appears to follow. The question of Education, which is the next item, may be debatable. I believe it is better that it should be decentralised, and that education should be managed by each province. The management of prisons, hospitals, local works, and undertakings, follow for the same reason; also the construction and management of railways. I had occasion in this House before, during the present session, to call attention to the want of real responsibility on the part of members in dealing with a proposal for the construction of a railway in any part of the colony where a railway is proposed to be constructed. At least one-half, and more than one-half, of the members know nothing whatever of the railway proposed, and they have no real sense of responsibility in connection with it. They do not know what revenue the railway will bring in, or what will be the effect if it is constructed. They do not realise that they will have to pay for it afterwards. I believe that if the legislatures of the different provinces are responsible for this work, it will be done better and more economically. The next items are “Municipal institutions,” and “licenses for trade and other purposes, in order to the raising of a revenue for provincial, local, and municipal purposes.” Then follows the administration of justice in the provinces. It may be said that that also should be left to the Central Government; I think that it should not. I believe that a system of provinces that are not allowed to constitute their own courts may be rightly said to be wanting in some essential elements of autonomous government. Then there is the imposition of punishment for breaches of local laws. If the previous proposals are adopted, that will follow as a matter of course. Following that is “the appropriation of provincial revenue to any purpose whatsoever.” That is a very large power. It will enable the people in one province, if they believe in it, to carry on a system of immigration, and the people of another province to refuse to carry on any such system. They may, in fact, apply their money to any purpose they please. So far as the expenditure of money is concerned, they have absolute power. They have absolute power to raise money, and to spend it. They have absolute power to manage their own lands, and they have absolute power to regulate the rights of property. Those four things really include almost all that can be said to be included in autonomy of any sort, unless a man chooses to go and live on a desert island by himself, and have no communication with any other people. Then comes item 17, which is the corollary of a corresponding provision in the allocation of the powers of the Central Government. It assigns to the separate legislatures “such other matters, being primarily within the jurisdiction of the legislature of the United Provinces, as are referred by it to the provincial legislatures,” so that if a province thinks the Central Parliament is in a better position to legislate upon any matter, the legislature of the province may remit to the Central Parliament, while on the other hand, the Central Parliament can relegate a matter to a provincial Parliament, if they think they are in a position to deal more satisfactorily with the subject. Then follows—“generally all matters affecting the internal affairs of the provinces which are not assigned to the

legislature of the United Provinces.” That is a general sweeping clause. That is the suggested distribution of the powers of the central and provincial legislatures as contained in these proposals. We do not submit it as a perfect distribution, but as one which, if not the best, is a very good one, as a starting point. Then follow two other proposals, the first of which is—“That the functions of the Executive Governments of the United Provinces and the separate provinces respectively should correspond with the functions assigned to their respective legislatures.” That follows of necessity. Then follows a subject, which is a very important one, as bearing upon the credit of the United Provinces. It deals with the debt now existing. The debt which exists at the present time consists to a very large extent, in fact, for much the greater part, of moneys borrowed for the construction of railways. If the Central Government is to be charged with the duty of defraying the interest upon the public debt, they must be provided with a fund for meeting those obligations. The only fund for meeting the obligations is the earnings of the works that have been constructed by means of money on which they have to pay interest, and, ultimately, to repay the principal. It is proposed, therefore, that they should receive the earnings of the railways which are a charge upon the credit of the United Provinces. So long as the cost of any particular railway is charged upon the credit of the United Provinces, the earnings of that railway will be collected by the Government of the United Provinces to go towards the fund for paying the interest on the cost of that railway. But that will be insufficient. In addition to that, therefore, it is proposed that the Customs revenue should, in like manner, be placed to a common fund. Probably those two sums would be sufficient to pay the interest on the debt. The amount of Customs will, to a great extent, depend upon the will of the legislature of the separate provinces. If any province goes in for a freetrade policy there will be no Customs revenue, and if that happens some other arrangement must be devised. In the meantime these two funds can be collected without any additional expense whatever, because it is not proposed that the Central Government should appoint officers to undertake the duty of the management of railways or to appoint Customs officers; but they will be represented by an officer in each province called a receiver-general, or by some other name, who will receive those moneys as they are collected from time to time. Then there would be a fund to enable the Central Government to meet the obligations and keep up the credit of the United Provinces. That is the proposal in paragraph VII., which goes on to say that “the surplus”—and I am sure there will be a surplus—“shall be paid over to the several provinces in such proportions and subject to such conditions as may be prescribed by the Act constituting the Union.” That is a matter to be worked out in detail. The Decentralisation Bill, which has been so often brought in, indicates the basis which, with such modifications as may be considered necessary, will have to be adopted whatever is to be done in future in this colony. It is a matter of detail; but it must be settled in advance. The Central Government in collecting these moneys must have its duties in respect of them distinctly defined. It very likely would be provided that a sufficient sum should be retained, the proportion being stated, to defray the expense of the Central Government, which, I trust, would not be large. On the other hand, the Central Government, if it is to retain control of the public debt—and it must do that in order to preserve the credit of

Queensland collectively—must have a revenue. If that revenue is not received in this way, what other source can there be? The only other available source is by making a call or levy on the separate Governments. It is quite clear that that could not be enforced, except by an army, which is out of the question. What we are suggesting is not a scheme of raising revenue by means of an invasion, but a scheme which can be worked out in a friendly and neighbourly manner for the future. I do not wish to suggest that any province would repudiate its obligations, but it might be in a difficulty, and might say, "You must wait." I do not suggest anything to the discredit of any province. I may say that opinions may differ as to the province most likely to be unable to pay its contribution. It might be the Northern or the Southern—nobody knows which. Opinions are evenly divided on those points; but the matter ought to be settled in advance. The alternative of allowing the Central Government to make a levy on the separate Governments has been tried in many parts of the world. It has been tried under the American federation, in the provinces of Holland, in Switzerland, and in many other places; and it has invariably failed, and invariably led to the breaking-up of the federation constituted on such a basis. I am not going into details, but I will ask any hon. member who has any doubt on the point to read the history of the places to which I have referred. There are no more powerful arguments to be found on this subject, which was hotly taken up on the establishment of the United States, than in the articles which appeared in the *Federalist* discussing this question. It is essential that any Government, in order to be able to carry on, should have the necessary money at its disposal. That is essential to its self-respecting existence, and the system proposed here is the only one, according to the teachings of history, sufficient to carry this out. I have indicated at greater length than I intended, though I could not have done it at shorter length, the general nature of the proposals submitted to the consideration of this House and the people of all parts of Queensland; and I will now just say a word or two with respect to some objections that will naturally arise. It will be said, "We are going to have four Parliaments in Queensland, one Governor, and three Lieutenant-Governors, and so on. Is not that too much?" From one point of view, it may be said, "Yes; it is too much." But there is no hard and fast rule that can be laid down in such matters; and I think it will not be digressing if I briefly refer to the size and population of some of the American sovereign States constituting the original thirteen States forming the United States of America. First, I may say that the population of Queensland at the present time is something over 400,000. It has an area of 640,000 square miles. According to the proposed division—the boundaries of which are not indicated here—the Northern division would have an area of something like 250,000 square miles, the Central division a little over 200,000 square miles, and the Southern division nearly 200,000 square miles; and the population would be something less than 100,000 in the Northern, nearly 50,000 in the Central, and it would very soon be nearly 300,000 in the Southern division. The largest State in the American Union at the present time is Texas, with 274,000 square miles; the next is California, which has 156,000 square miles. California is smaller than any of the three Queensland provinces will be; and there are only two other States in the American Union with an area of over 100,000 square miles—namely, Nevada, which has 112,000 square miles, and Colorado, with 104,000 square miles. There is scarcely any other State that has above 50,000 square miles;

so that the area does not count for much. On the other hand, let me call attention to the size and population of some of the original States. They were absolutely sovereign States at that time, being subject only to the loose bond of the first confederation. The population of Delaware was under 60,000, and its area about 2,000 square miles; the population of Georgia was 82,000, and its area 58,000 square miles. Rhode Island had a population of 68,000, and an area of a little over 1,000 square miles; New Hampshire, with 9,000 square miles, had a population of 141,000. New Jersey had a population of 184,000, and an area of 7,500 square miles. That State now has an area of over 8,000 square miles, so that there must have been a modification of the boundaries. The largest of all was Virginia, with a population of 747,000; but that included a large proportion of negroes, and took in all the western country to the Mississippi. And of the others none had a population over 400,000, except Pennsylvania. That indicates that neither area nor population is necessarily a guide as to whether a portion of a country is of sufficient importance to have local autonomy. I may fairly add that the three States that came in afterwards—Kentucky, Maine, and Vermont, which were admitted within the first three years—each had a population of less than 100,000. I may refer also to some of the Swiss cantons, where the population may be considered absurdly small, which have for centuries been self-governing communities. Therefore those who are afraid, judging by the population or area, that the experiment is too large, are contradicted by all the teachings of history. I have indicated the nature of the proposal, and I now ask hon. members of this House, and I ask their constituents outside, to compare the advantages of what is now proposed, and the absence of disadvantages in the scheme, with the advantages of what is called complete territorial separation; and I ask them, considering this dispassionately, to see whether we cannot, by adopting a scheme like this, on this general basis, continue together for some purposes as a united and friendly people, each part of the colony managing its own affairs, having full liberty to develop its resources as seems best to it without interference from the others, but remaining at the same time for the purposes of communication with the outside world, one people, the people of the great and rich territory of Queensland—to be merged, very soon, I hope, into the greater and more important Australian Dominion. I commend this matter to the consideration of the House and of the country, entirely irrespective of party politics. There is no need why any member in opposition to the Government should not continue to oppose the Government with the strongest opposition although he agrees to this resolution; on the other hand, there is no reason why members who support the Government, but do not believe in this proposal, should not oppose it. I hope, however, that members on all sides will consider the matter from the points of view I have indicated, regarding it as a question the settlement of which devolves primarily upon the people and the Parliament of Queensland. I ask them to regard it from that point of view, and to see whether this does not indicate the lines upon which a settlement can be arrived at satisfactory to all persons; which will conserve the friendly relations of all parts of the colony; which will assist, instead of retard the establishment of Australian federation, and which will bring credit to us in the eyes of the empire, and of the whole civilised world!

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: I beg, Mr. Speaker, to move that the words of which I have given notice be added to the resolution. I do not think it is necessary that both you and I should read them.

The SPEAKER: The question is that the following words be added to the resolution :—

2. That the following proposals be adopted as a basis for giving effect to the foregoing resolution, subject, nevertheless, to such modifications as may, upon further consideration, appear expedient, that is to say :—

I. That the Legislature of the United Provinces should consist of two Houses, one to be chosen by the Legislatures of the separate Provinces, and the other to be elected by the electors of the separate Provinces in proportion to the European population of each Province.

II. That unless otherwise provided, the Legislatures of the separate Provinces should consist of two Houses, of which one at least should be elective.

III. That the Governor and Executive Council of the United Provinces should be appointed as at present.

IV. That for each Province there should be a Lieutenant-Governor, to be appointed by the Governor of the United Provinces, and an Executive Council appointed by the Lieutenant-Governor, and holding office during his pleasure in accordance with the system commonly called responsible government.

V. That the distribution of the respective powers and functions of the Legislatures of the United Provinces and the separate Provinces should be upon the following basis, that is to say :—

That there should be assigned to the Legislature of the United Provinces the following matters :—

1. The constitution, privileges and proceedings of either House of the Legislature of the United Provinces, but always subject to the provisions of the Act constituting the Union, and to the consent of the Legislatures of the Provinces.
2. The constitution of new Provinces and the alteration of the boundaries of Provinces.
3. The admission of new Provinces to the Union and the terms of such admission.
4. The alteration of the respective powers and functions of the Legislatures of the United Provinces and the separate Provinces, but always subject to the consent of the Legislatures of the Provinces.
5. External affairs, and the relations of the United Provinces to the United Kingdom and to the other Australasian Colonies or Provinces.
6. The public debt and property of the United Provinces.
7. Obligations in respect of contracts or engagements entered into by the colony of Queensland, or by the Government of the United Provinces.
8. The raising of money by any mode or system of taxation, other than Customs duties.
9. The borrowing of money on the public credit of the United Provinces.
10. The fixing of and providing for the salaries and allowances of Civil and other officers of the Government of the United Provinces.
11. The postal service and telegraphs.
12. The census and statistics.
13. Defence and military and naval service.
14. Navigation, shipping, and ocean lighthouses.
15. Quarantine.
16. Fisheries.
17. Bridges or ferries between a Province and another colony or Province, or between two Provinces.
18. Currency and coinage.
19. Weights and measures.
20. Bills of exchange and promissory notes.
21. Insolvency.
22. Patents of invention, designs, and trade marks.
23. Copyright.
24. Affairs of people of any race who are not included under the laws applicable to the general community, or with respect to whom it is necessary to make special laws.
25. Naturalisation of aliens, and the status of foreign corporations.
26. Marriage and divorce, and the solemnisation of marriage.
27. The criminal law.
28. The control of railway tariffs.
29. The regulation of immigration of persons not of the European race.

30. The constitution of a Supreme Court of Appeal from the Supreme Courts of the Provinces.

31. The enforcement within the United Provinces of process of courts of law of any Province or of any other country.

32. The appropriation of the moneys raised by the Government of the United Provinces.

33. Such other subjects assigned to the Legislatures of the Provinces as the Legislature of any Province may by law declare to be within the competency of the Legislature of the United Provinces in respect of such Province.

34. Generally, all matters affecting the United Provinces collectively.

And that there should be assigned to the Legislatures of the separate Provinces the following matters :—

1. The constitution, privileges, and proceedings of the Provincial Legislatures, but always subject to the provisions of the Act constituting the Union.

2. Taxation by Customs or any other mode or system of taxation within the Province in order to the raising of revenue for provincial purposes, but so that Customs duties shall not be imposed upon goods which are the natural products of any Province, nor collected upon goods passing from one Province to another Province by land, but the amount payable by one Province to another Province in respect of such last-mentioned goods shall be from time to time determined by commissioners appointed for that purpose.

3. The borrowing of money on the sole credit of the Province.

4. The establishment and tenure of provincial offices, and the appointment and payment of provincial officers.

5. Property and civil rights in the Province.

6. The management and sale of the public lands within the Province, and of all mines and minerals therein.

7. The registration of titles to land.

8. Education.

9. The establishment, maintenance, and management of public and reformatory prisons.

10. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions.

11. Local works and undertakings, including the construction and management of railways.

12. Municipal institutions.

13. Licenses for trading and other purposes in order to the raising of a revenue for provincial, local, or municipal purposes.

14. The administration of justice in the Province, including the constitution, maintenance, and organisation of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

15. The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the Province made in relation to any matter coming within any of the classes of subjects within the powers of the Legislatures of the Provinces.

16. The appropriation of provincial revenue to any purpose whatsoever.

17. Such other matters being primarily within the jurisdiction of the Legislature of the United Provinces as are referred by it to the Provincial Legislatures.

18. Generally, all matters affecting the internal affairs of the Province which are not assigned to the Legislature of the United Provinces.

VI. That the functions of the Executive Governments of the United Provinces and the separate Provinces respectively should correspond with the functions assigned to their respective Legislatures.

VII. That all Customs duties established by the Provinces, and the earnings of all railways of which the cost of construction forms part of the public debt of the United Provinces, should be received by the Government of the United Provinces, and should be appropriated in the first instance towards defraying the interest upon the public debt of the United Provinces, and that the surplus should be paid over to the several Provinces in such proportions and subject to such conditions as may be prescribed by the Act constituting the Union.

Mr. DONALDSON said : Mr. Speaker,—The Hon. the Premier, in the very excellent speech which he has just delivered, expressed the hope that this matter would be discussed not from a party point of view. I desire, as far as I possibly can, to discuss it entirely upon its merits, and to leave aside all party considerations. I may say, further, for myself, that this is not a matter which I have had very strong opinions upon—that is, separation—until recently. But I have taken considerable time and trouble to make myself acquainted with the requirements of the different parts of the colony during the time I have had the honour of a seat in this House, and it is after full consideration that I have arrived at the conclusion that for the best interests of, at all events the Northern portion of the colony, they are entitled to separation. After giving that full and due consideration, I voted on a recent occasion for Northern separation. The hon. gentleman, in the preliminary portion of his speech, dealt very fully with the position of the colony, its great size, and the necessity there was for having different Governments in the various parts of it. I do not go quite so far as the hon. gentleman, although, to a considerable extent, I agree with him that there should be an autonomous government in the North. Some of the reasons he gave are very convincing on that point, more particularly with regard to the expenditure of money in the construction of public works. He more than once admitted that money had been voted for works with which hon. members could have no acquaintance, and that there had been a considerable waste of money on public works which were not conducive to the best interests of the colony. I believe hon. members representing the outlying portions of the colony—say, the Central or the Northern, as the case may be—seeing that there was a considerable scramble at all times for the expenditure of public money, have been only too anxious that as a large portion of it as they could get should be spent within their particular boundaries, irrespective of the merits of the scheme that might be submitted to the House. That has been one of the great errors in the past, and I believe that if the colony was divided, each portion of it would be able to look after its own affairs much better than could possibly be done by a Government so far removed from the scene of operations as Brisbane is, where members are not supposed to have a full knowledge of the works proposed to be carried out. Had that scheme been in existence some years ago, it would have been beneficial to Queensland as a whole, and very beneficial indeed to some particular districts where there has been a very large expenditure from which, I fear, there will be for a long time very little returned. At the outset I may say that I almost regret that this matter has come before the House at the present time. Just at present all the colonies—if I may be permitted to use the word, notwithstanding the Premier's objection to it; it is a word I am accustomed to, although I do not like it—all the colonies are setting themselves earnestly to work to fully consider the subject of a Federal Constitution, and I earnestly hope, as an Australian, that the time is not far distant when we shall be able to adopt a scheme of federation that will be acceptable to all portions of this great country. I fear, although the hon. gentleman was very careful in his remarks—I hope my fears are groundless—that the action we are taking at the present time may not have the effect desired in other colonies. There is a considerable amount of jealousy existing between the different colonies, and even amongst eminent statesmen there is not always the large-mindedness that ought to exist; and I should not be surprised to find that some exception is

taken to the proposals now initiated by the hon. gentleman. Some of the proposals, I admit, would be very suitable indeed for a Federal Constitution, but if there is any of this jealousy in the other colonies which prevents them from coming together, it will be a great pity if, while the colonies are in the humour to fully discuss this matter, anything is done by us which will be injurious to the drawing up of the Federal Constitution. When that convention meets, the hon. gentleman will certainly take a very active part in it. I believe he will be one of leading spirits at the convention, and I, as a Queenslander, shall be proud to see him take a prominent part, and I trust our opinions will so agree that I shall be able to give him my most cordial support. The hon. gentleman has very properly pointed out that the Imperial Government has been very careful in interfering in any matters of internal concern in Australia for many years past; but so far as the separation of the North is concerned, I question whether they would look at it as a matter of internal concern when they look at the last division taken in this House on the question of separation and find that nearly all the Northern members, to say nothing of others, voted for entire separation from the Southern portion of the colony. It must have considerable weight with the Imperial Government when they find that a large majority of the members representing the Northern portion of the colony are in favour of territorial separation, and they must recognise that it is nearly time they took some action, and gave effect to the wishes of the majority of the people residing in that part of the colony. If they disregard that altogether, what chance has the North of ever having separation? If the North have to wait until a majority of this House gives effect to their wishes, they may have to wait a long time. If those hon. members would take my advice, I should say that if they have to wait until they can carry a majority of the members of this House, they had better give up the game entirely and remain exactly as they are. I have no fear with regard to separation even if it is granted, for I am certain that as soon as federation is agreed to, which I hope will be before many years, the Northern portion of the colony could not keep out of that federation. It will be forced into it. Some people are under the impression that if the North gets separation they would not come into the federation; but their own interests—and there is nothing keener to press people—would force them into the federation before very long. One admission made by the hon. gentleman is one of the best arguments that could be used in favour of separation. He has admitted that the large size of the colony, and the vast distance of most parts of it from the Central Government, make it desirable that the colony should be divided into three portions. The hon. gentleman's speech is sure to be read in the mother country, and people will say that there is in it a strong argument, at all events, in favour of separating the colony; and although the desire of the hon. gentleman is not the same as that of the separationists pure and simple, it will be taken as a strong argument in their favour, and I should not be surprised to see that the hon. members who represent the Northern portion of the colony, and who are not satisfied with anything short of total territorial separation, will now look forward with some hope to their being able to obtain what they desire. But if the scheme of the hon. gentleman is accepted, what does it amount to? Are the other portions of the colony going to receive any benefits whatever from it? Are they going to be placed in a better position than they are in at the present time? I venture to say they will not. Notwithstanding that

the States of America were none of them as large as the States proposed under this proposal, none of them had such a small population as there is at the present time in this colony. Does it not appear ridiculous that a colony of 420,000 people, having 1,000 acres per head for every person in it, should have four Parliaments, and one of them a Central Government? It seems to me to be almost too absurd to say that 420,000 people require such a number of Parliaments to govern them. If I was satisfied that a scheme like this was likely to be satisfactory, I would willingly support it, but I have not been convinced, up to the present time at all events, that it is at all desirable that there should be so many Parliaments to govern such a small number of people. Another objection is that I fear if this scheme was adopted, before the date of the federation of the Australian colonies, the amount of friction that would occur under it would have the effect of retarding the federation of the whole of Australia. That is my opinion, and I think I can give reasons for arriving at that conclusion. The hon. gentleman has adopted in this scheme exactly the opposite system to that adopted in America with regard to Customs. He proposes that each of the provinces shall have the collection of their own Customs, but they are to be retained and held by the Central Government, as well as the earnings on the railways, until such time as the amount of the interest due by each colony for the public loans has been met by each. I venture to say that for a start that will cause the greatest amount of friction between the colonies that they could possibly have. They will not be satisfied to be treated in such a manner, as they will consider that that will be keeping them still in leading strings and will not be giving them control of their own affairs. Of course, if they go in for direct taxation of their own, they will be entitled to the money received in that way. They will not be entitled to the money earned from public works and Customs, and, under the present form of Government in Queensland, that forms the greater portion of our income. The proposal is that the Central Government shall take that and hold it until such time as the interest upon the public loans is paid. Then again, with regard to border Customs, it appears that some commissioners are to decide what is a fair amount to be paid by one colony for goods passed over the border of another. I venture to say that no matter who the commissioners undertaking that task may be, they will not give satisfaction to either or both parties. The hon. gentleman says that many years ago this worked satisfactorily between New South Wales and Victoria. But the case of New South Wales and Victoria is very different from what will be the case in the inland parts of this colony. For a number of years the Victorian Government paid the New South Wales Government a certain sum for the free access of goods across the River Murray, and that continued in operation for several years because it suited New South Wales; but as soon as an attempt was made to send manufactured tobacco across the border, New South Wales would not hold to the agreement. Such an arrangement was all right while it was one-sided, but from that time there has been no such arrangement. Some time since an agreement of the same kind was made between New South Wales and South Australia, but that came to an end, because it worked very unsatisfactorily indeed. Each colony tried to have the best of the bargain, and neither was satisfied unless it had the best of the bargain. The result is that there is no treaty of the kind at the present time between any of the colonies, so far as I am aware, and Customs

duties are collected on each of the borders. If commissioners are appointed to decide what shall be paid by each colony for passing goods over the borders of another colony, will either or both be satisfied? I say they will not. It will be a matter of impossibility to determine that, because no provision is made that it should be compulsory to send invoices from one province to another, and even if it was made compulsory, merchants here would object to pay a higher duty upon goods sent outside of Brisbane, and the same with merchants in other ports. Now, with regard to the railway earnings. The provincial legislatures are to have the control of their railways, but they are not to have the revenue from them. Each colony will be allowed to run its railways, but all the earnings are to go to the Central Government. The cost of working will have to be paid by the provincial Government, and the revenue will have to be handed over. Will that prove a very satisfactory arrangement? I venture to say it will not. In some cases the railways will be losing concerns, and it will hardly be satisfactory to the people of the provinces to have to pay the whole of the cost of working those lines, and then have the whole of the receipts from them taken over by the Central Government. That is the proposal of the hon. gentleman. The provinces will have the right, assuming that the Bill pass, to construct railways of their own, and will have the right of retaining the receipts from them; but with regard to all the lines in existence now, the objections I have pointed out will apply. Of course there is one proposal I believe would be agreed to at once. I believe that each province must have the control of their own land laws, because it is not possible for any Central Government to frame one land law that would apply to all parts of the colony. The difference in the conditions of climate and soil is so great that it is really necessary that each colony should have the control of the lands within its boundaries, because the local legislatures would have a more intimate knowledge of the lands in their own province, and would be able to frame legislation suitable for their purposes. In that matter I am heartily with the hon. gentleman, and I trust that when we do get the Federal Convention the legislation with regard to the lands, at all events, of each colony will remain with the local Parliaments, and will not be left under the control of the Federal or Central Government. I do not wish to go at length into this matter, because hon. members who are deeply interested in the question I know are desirous of discussing the matter at length. It is a question to which they have given considerable attention, and upon which I feel they will be able to give good reasons for whatever action they may take. I may state at once that I am not in the secrets of any hon. member on this question, and I do not know what action the Central and Northern members propose to take in dealing with it. I believe that they will be fully able to discuss this matter and give good reasons for whatever action they intend to take. So far as I am personally concerned, I am not going to support the resolutions of the hon. gentleman, but I at once disclaim, and I trust he will accept my disclaimer, even though I may not have given sufficient reasons for the action I am going to take, that it is not for any party purpose that I intend to vote against the resolutions.

Mr. POWERS said: Mr. Speaker,—As no member of the Ministry proposes to answer the leader of the Opposition, and as I have been requested, as one of those who are opposed to the separation of both Northern and Central Queensland, to state the grounds of my objection, I shall now explain my views to the

House. The objections which I have to separation are, I am sure, endorsed by a great many residents of the district in which I live, and also by many persons in the Southern portion of the colony. Before proceeding further, I would point out that after the able speech made by the Premier, anyone who speaks on this subject is handicapped to a very great extent, but they can only do their best, and I propose to do my best. In pointing out the objections to separation, I am only doing my duty to my constituents. The difficulty I have before me is to know what we are agreeing to if we pass these resolutions. The Premier in submitting the resolutions, proposed in the first instance, simply as an expression of opinion, "that it would be to the advantage of the colony to establish in the Southern, Central, and Northern districts separate legislative and executive authorities, with full powers of legislation and government so far as regards matters of local concern." I take it that if the House approves of these resolutions it affirms that in some way a separation of the colony is desirable. The hon. gentleman dealt chiefly with the seven principal heads of the scheme which he has submitted to the House. I think that hon. members should know whether if they approve of these resolutions they do not approve of the separation of the colony into three provinces. If Parliament approves of the division of the colony into three provinces, then it certainly should agree to its division into four or more provinces, because, as the Premier admitted, there will of course be an application from the people of the Gulf country for the separation of that district. Before I sit down I intend to show that the Wide Bay and Burnett district, although they do not want separation, will be forced into the position of demanding separation if separation is granted to the Central district. The Premier has admitted that area and population are not the things to be considered in a question of this sort, but the desires of the people.

The PREMIER : I did not say that.

Mr. POWERS : I understood the hon. gentleman to say that.

The PREMIER : I said they are not alone the controlling element.

Mr. POWERS : Well, in the Wide Bay and Burnett district we have as large a population as the Central district, we have also had injustice done to us as far as expenditure is concerned, and I think I shall be able to show that we have as good a claim for separation as the Central district. We have not agitated for separation because we believe that the colony should be maintained as a whole, and that if separation is necessary at all, it is only necessary for the Northern portion of the colony. That is the only reason why an agitation for separation has not been commenced before; but as surely as this House affirms that it is desirable that the colony should be divided into three provinces, so surely will an agitation be commenced to divide it into four districts. The first proposal in these resolutions is—

"That the legislature of the United Provinces should consist of two Houses, one to be chosen by the legislatures of the separate provinces, and the other to be elected by the electors of the separate provinces in proportion to the European population of each province."

Would that be affirmed by the people of the colony if it were put before them? In the United States the members of the Senate are elected by the legislatures of the States, and the members of the Congress are appointed by the people. That is what is proposed in this scheme. But I wonder whether the people of the colony will accept the proposition that the elective

House is to be elected "by the electors of the separate provinces in proportion to the European population of each province." Brisbane alone has a greater population than the whole of the Wide Bay and Burnett district, than the whole of the Central district, and greater almost than the whole of the population of Northern Queensland. The population of Northern Queensland at the last census was 66,000, now it is over 70,000. That of Brisbane was between 60,000 and 70,000 last census, and the population of the Central district is not greater than 50,000. Therefore the town of Brisbane, in the new legislature, elected on the basis of the European population of each province, would return more members than either of the two provinces. I am sure that the people here would find the same difficulty as was experienced in Canada, owing to the preponderance of voting power held in certain places, on account of the members being elected in proportion to the population. The next proposal is "that, unless otherwise provided, the legislatures of the separate provinces should consist of two Houses, of which one at least should be elective." We are asked to affirm that principle, but I think the House ought to know what it is that we are really asked to affirm. Are we affirming that one House shall be elective, or is it to be an open question to be decided afterwards, if separation takes place, whether the legislature shall consist of two Houses, one of which shall be elective? I am satisfied that we are asked to go too far on insufficient information. The next proposal is "that the Governor and Executive Council of the United Provinces should be appointed as at present." I suppose there will be no objection to that. But the next proposition is "that for each province there should be a Lieutenant-Governor, to be appointed by the Governor of the United Provinces, and an Executive Council appointed by the Lieutenant-Governor and holding office during his pleasure in accordance with the system commonly called responsible government." I am satisfied that if these small sections of the community are to have Lieutenant-Governors, the voice of each district will be in favour of a Lieutenant-Governor, not elected by the Governor here or by the Governor in Council, but by the people of the different districts themselves. In the majority of cases the people of the various States in America have elected good Presidents, and I think the people of the different districts of Queensland could be trusted to elect their Lieutenant-Governors or Presidents, and I, for one, protest against those appointments being made by the Governor of the United Provinces. The Premier did not discuss in detail the functions he proposes to give to the different legislatures, and I do not think those things can be fully debated now. But before discussing any of them, I would like to state my objections to the motion of the hon. gentleman. It would be expensive and against the best interests of the colony as a whole. It is uncalled for, except possibly in North Queensland. It would dwarf our legislative powers, our freedom, and the aims of our public men by petty struggles for provincial positions and powers in small sections of the colony. It would cause the colony eventually to be cut up into many small provinces, in addition to the three proposed now, to the disadvantage of the colony as a whole. With a population of only 400,000 people, we have not a sufficient number of capable and willing men to form four or more Parliaments to govern the colony to the best advantage of the people. Although "freetrade throughout Australia and protection against the world" may be to the interests of the whole of Australia, it is not an advantage to Queensland, as a separate colony, to have it divided into

small sections under one Central Government, with liberty to any provincial legislature to have freetrade with the world, whilst the rest or any portion of the colony has protection. Under the seventh proposal, all Customs duties go to pay the expenses of the Central Government, and are appropriated with returns from public railways to pay interest on the public debt; for if South Queensland was a protectionist province and North and Central Queensland freetrade, the South would have to pay an undue proportion of the interest on the public debt due by the colony as a whole. The proviso for the return of any surplus in terms provided by the Act constituting the Union would not remedy this, because the Customs duties, if only levied in one province, would not pay the loss or difference between revenue from public works constructed on loan and interest payable on the loans. I think the Chief Secretary will see at once the difficulties he has to face in going to the Federal Convention to take part in framing a Federal Constitution to submit to this House; because if they take away the powers of this colony to any great extent, or to so great an extent as the Ministry now propose, it will be opposed, and we find that the Ministry cannot bring a satisfactory proposal before this House, for I am sure there is hardly one member of this House who would approve of this motion as introduced; and I feel satisfied that not one constituency would approve of it as introduced. I say, therefore, that it is the bounden duty of the delegates to the Federal Convention to consider the interests of all these colonies, and take away as few powers as possible from this colony to hand over to the Federal Government. The people of North Queensland, and the different associations, as represented in the Press, object to these great powers being retained by the Central Government as proposed in this resolution; and there are other difficulties staring us in the face. If these powers, which it is proposed shall be retained by the Central Government—and I am pleased to see that so many are proposed to be retained in this scheme—but if it is proposed to hand them over to a Federal Government sitting in Sydney, I say the people of Queensland would strongly object. I can quite understand the objections of the Northern and Central districts to these proposals, because if I were asked, as a Queensland, to only retain the powers proposed to confer upon those districts, I should protest against it as earnestly as I could, and, if possible, prevent any powers being kept away from those Governments. If these are not the proposals which the Premier intends to give to the Federal Government, what is the use of debating them, or of passing the resolution, because surely we are not to have another Parliament to deal with the matter, and if those powers are once given to the Central and Northern districts, they will hardly like to give away any of those powers to the Central or Australian Federation Government. I think the bringing forward of these resolutions for debate is not the best way of securing federation. They are brought forward at the end of the session when nothing definite can be done in connection with them; and for these reasons I hope they will not be passed, and that the Government will not press them to a division, because we are asked to affirm too much on too little information. We are asked to affirm what will be against the interests of Queensland if we do approve of such a thing. As to the railway tariffs, I think those people who have to raise the money for making railways, and pay the interest on it, will have some say with regard to the tariffs. I can see no way of getting over that. We give the

people power to borrow money to make railways, but we say the railway tariff must be left to the Central Government.

The COLONIAL TREASURER (Hon. Sir T. McIlwraith): They can make what rates they like on railways constructed by themselves.

Mr. POWERS: The resolution says all public railways.

The COLONIAL TREASURER: The provincial railways will be managed entirely by the people themselves. They will get all the revenue.

Mr. POWERS: I am very glad to hear from the Treasurer that it is proposed that the earnings of the railways built by the provinces will be retained by them. I am glad of the explanation, but all the earnings of the present railways go to pay interest on the joint debt. Then the present railways will be taken for the public debt, and the railway tariffs will be left in the hands of the Commissioners of the United Provinces. What I want to point out is that the great objection I have is that the scheme will cut the colony up into very small provinces, in addition to the three proposed, to the disadvantage of the whole colony. As I have already pointed out, the people of the Wide Bay and Burnett districts do not want this Lieutenant-Governor and all the state attendant upon that officer, nor do they want any division of the colony at all.

An HONOURABLE MEMBER: How do you know?

Mr. POWERS: I speak positively on the point, because a conference was held of all the representatives of divisional boards and municipalities in the Wide Bay and Burnett district, and they approved of financial separation only as far as two parts of the colony are concerned. They wish that the colony should not be divided at all; they do not want separation. But I will say this: That if the Central district is granted separation, application will be made that the same privilege be granted to the Wide Bay and Burnett district. I am not now bringing forward a matter that has not been debated in this House before. In 1872 a Bill was introduced for financial separation, in which it was proposed that there should be four divisions—the Wide Bay and Burnett, the Central, the Northern, and the Southern. Then a Royal Commission was appointed to inquire into the matter, and they recommended that the Wide Bay and Burnett district should be one of the divisions for financial separation. A Bill was next introduced in 1877 in which that district was again included in the financial separation schemes, and I would point out that when those proposals were made in 1872, 1876, and 1877, the population of the districts referred to was about equal. The areas are unequal; but, as the Premier has pointed out, several of the United States of America when first formed were less in area than the Central district; and I may point out further that seven out of the thirteen original United States had a less area than the Wide Bay and Burnett district. As far as indebtedness is concerned, one objection raised against the separation of the Central district is that it would have a debt of £77 per head; but I would point out that the loan expenditure debt per head of the Wide Bay and Burnett districts would be only £50 per head. Again, there are three goldfields in that district as against one in the Central district; and in agriculture it is far and away ahead of anything that can be shown by the Central district. I am not arguing on these points now further than to show that if this proposal is granted to the Central district, the Wide Bay and Burnett districts have an equal claim.

In regard to railways, I believe that if we had had anything like the expenditure that has taken place in the Central district, they would be paying their way better than in any other portion of the colony. As far as legislation is concerned, what is suitable for the Central district is also suitable for the Wide Bay and Burnett districts. With respect to the Customs difficulty, all that would be avoided, because no duties are to be collected on the border; and although it may be said that the Wide Bay and Burnett districts will be connected with Brisbane shortly by railway, that applies also to the Central district, because, as soon as the line from Brisbane to Gympie is completed, the line from Bundaberg to Kolan—which, I believe, is on the boundary line—will also be completed; so that the Central district will also be connected with Brisbane by rail. Therefore that argument cannot hold good. In 1872 the position was this: The Central district was in debt, according to the Bill then brought in, to the extent of £247,356, while the debt of the Wide Bay and Burnett districts was only £11,335. The position in 1877 was, that nothing had been spent in railways in the Wide Bay and Burnett districts, while £993,678 had been spent in the Central district; £53,777 in the Central as against £22,000 in the Wide Bay and Burnett districts for telegraphs, and £72,000 in the Central district for harbours and rivers as against £38,000 in the Wide Bay and Burnett districts. Then another point which will show clearly the claim we have as against the Central district, will be found in the Railway Commissioners' report for the year ending 30th June, 1890. There I find that the actual expenditure on the railways of the colony is £13,960,538 15s. 7d. In the Wide Bay and Burnett district we are entitled to £1,745,067, but we have only got £1,461,686. The Central district is entitled to £1,745,067—the same as the Wide Bay and Burnett districts—whilst they have actually received £2,475,738, so that with the same population they have received an expenditure of nearly £1,000,000 more than the Wide Bay and Burnett districts. I say therefore that they have obtained an immense advantage in the Central district over our district up to the present, and if they have been badly treated and mismanaged, it shows that other districts have greater claims. If we consider the question of harbours and rivers, the Wide Bay and Burnett districts—according to the Auditor-General's report dated August, 1889—have only received out of loan £98,443, whilst the Central district has received £239,802. If you take public buildings, the Wide Bay and Burnett districts have received £19,756, as against £32,590 in the Central district. I contend, therefore, that looking at the question in the light of expenditure, in which the greatest injustice is done, we have a claim for a separate Government as well as the Central district. And why has it not been acknowledged? Simply because no agitation has been got up. During the last few years, in the Central districts, an agitation has been got up, and a resolution has been brought down to this House, and although that was not passed, the Government have come down and asked that the colony shall be divided into three provinces. If it is right to do that—and I am sure the Premier considers they are entitled to what he proposes to give them, or else he would not have brought in his resolutions—then we are also entitled to the same privileges. Representing part of the district whether the other members representing that district for the time being agree with me or not, I feel it is my duty to point out the reasons why we also are entitled to consideration, and should be treated the same as the other portions of the colony. If these claims are based on the matters to which I have referred, then

other districts in the colony will be able to show the same claims. When this division takes place, away go sixteen members for the Northern district, and eleven members for the Central district. At present the Wide Bay and Burnett districts are represented by nine members; but the constituencies within five miles of this House return thirteen members. With the assistance of the Northern and Central members we may be able to get fair play as against the South; but we could be swamped by the vote of Brisbane, although we represent Bundaberg, Eidsvold, Maryborough, Gympie, Howard, and other places. That is a serious thing to consider in dealing with these resolutions. We must consider whether, under the circumstances, this division of the colony is advisable. Taking now the apportionment of loan appropriations for the year ending 30th June, 1890, I find that the Wide Bay and Burnett districts received £63,998 for railways, whereas the Central district received £116,665; and for harbours and rivers we received £7,496, whilst the Central district received £15,755. Then in the Wide Bay district our Western railway is only about fifty miles in length, whilst the Western line in the Central district is about 400 miles in length. Although we have the large population of Gympie at our back, we have not even got a railway to the bay, which would only cost, I am informed on good authority, about £40,000. The Central district, on the other hand, has a line to Ennu Park, which cost over £100,000. I say that if the Northern and Central districts have claims for separation, then separation will be required for the rest.

Mr. MURRAY: What area have you got?

Mr. POWERS: The area of the district is over 20,000 square miles, which is larger than seven of the original United States of America. If area is the only question, we can do what the Central district proposes to do and go across to the western boundary, and draw, as the Colonial Treasurer put it, a blue pencil mark across the colony. But the area is not the question at all. We should deal with the people and not with the extent of the district; and I say we have as great a population as the Central district, and I should not be doing my duty if I did not put our claims, as far as the people of the district are concerned, before this House and the country during this important debate. I would just like to point out one other thing in connection with this important question, and that is the question of Customs duties. People will say: "Well, if you will not have this federation, why do you advocate Australian Federation with protection all round?" I contend there is a great difference between the colony of Queensland agreeing to the federation of the whole of Australia, with protection against the world, and having to pay a duty, say, in Bundaberg or Maryborough, whilst at Rockhampton you pay nothing. They might have protection against the world with a federated Australia, but those places would have a right to have freetrade with the world, and if the Central and Northern districts had a right to have freetrade with the world, then why should not a larger community living in the South have the means of having the same thing? Those are things which should be brought before the House. I have to admit that the North has agitated for a long time past for a different system of government to be adopted, and a change is almost required for people living, say, in Normanton and the far away districts not connected by rail, and not likely to be for a long time to come. I am sorry that they demand territorial

separation, and I am sorry to see the Premier has gone so far as to admit that territorial separation in another form is necessary for those districts. I hope that if the time has come when the colony is to be separated, the time has not come when it is to be separated into small provinces. New Zealand started with three provinces, and, although on a different basis to what is proposed here, the people applied for the same privileges to be given elsewhere, and before long the number had increased to ten. I look forward with regret to the time when a similar system will be adopted here, as it will not be long before we should have half a dozen provinces. What was the result in New Zealand? The public men in those small provinces were grasping, and their tone was lowered to such an extent that the people rose in indignation and did away with the whole system; and the colony had to take over great liabilities before she could once more become a great colony. I see before me a time when in this colony we shall have to do the same thing, because, although we are a great country, we have a small population. The Premier talked ably, splendidly, and everybody could only admire his speech; but he spoke as if he were dealing with 4,000,000 of people instead of 400,000. We are only dealing with a small population; but we are dealing with a great province, and we are now asked to divide ourselves before federation comes on. I say that we are going the wrong way; we should profit by the experience of New Zealand. We have the same class of people, and they were fettered by the institution of these provincial legislatures, and their public men had their ideas brought down to provincial ideas. As that was not good for that colony, so I believe it will not be for the good of this colony. Therefore I think it is my duty, and I am glad it is my privilege to be in this House, to raise my protest against the colony being cut up. I hope this resolution will not be pressed to a division, not because it has been brought in by the Ministry, but because I believe it is contrary to the true interests of this colony.

The HON. J. M. MACROSSAN said: Mr. Speaker,—I think it is unnecessary, in addressing myself to the resolution, to speak of the extreme importance of the subject. I think it will be fully admitted by all members of this House, that this is the most important business that has ever been brought before a Queensland Parliament. Some hon. members may, perhaps, imagine that this is a question which concerns only the Northern portion of the colony. It is not. It concerns the whole of Queensland at present, and the whole of Queensland in its future government. Therefore I maintain that there has never been anything so important before us before. We may make land laws, and we may alter them; and make railway tariffs, and build railways; but nothing has ever come before Parliament equal in importance to the subject we are discussing to-night. If a Constitution be established in Queensland upon the basis of the resolutions of the Premier, that Constitution may be altered; but it will remain the Constitution under which Queensland will remain for all future time. Now, although I cannot say that I feel any diffidence, I feel some discouragement in addressing the House upon this subject. The Premier made an excellent speech—everyone will admit that, even those who are not willing to accept the resolutions which he has made. That speech was worthy of a statesman, and although I cannot agree with everything that he said, and cannot agree with the resolutions as they appear on the paper, still I must admit that, even from my point of view,

view, of course, is the Northern point of view. Now, I hope that every member of this House who professes to have an opinion of his own, more especially Southern members, will express himself freely and independently upon this question, which is one that concerns their constituents as much as it concerns my constituents, and it concerns them as much as it concerns me. I hope, therefore, that they will not be afraid to express their opinions, as this is not a party question, and cannot be construed by any means, no matter what any man says, into being a party question. Now, I will ask, what has been hitherto the objection to according separation to the Northern portion of the colony on the part of the Southern people? All the South objected until lately when we received the assistance of the Central members in regard to a resolution that Northern separation should be granted. As I said, hitherto the objection has come from the Southern members, and what has been the cause of that objection? It was not that they objected to allow people of their own flesh and blood to go free and govern themselves—not anything of that kind. It was not the feeling appertaining to a man sitting on a throne who is anxious to keep the whole of his territory intact, and is afraid lest even one little inch of his domain may be taken away from him. It has been purely and entirely a question of self-interest—"self-regarding"—as the Premier termed it—rather a euphonious term for "self-interest." It has been entirely a question of self-interest—the question of Customs tariff. I believe the people of the Southern part of the colony would have no objection to the separation of the Northern portion of Queensland if they could always be sure that the Customs tariffs would remain for the North the same as for the South. I believe the only objection of the people of the South to separation has been that the Customs tariff in the North will be different from that in the South—that the Northern people who are more in favour of freetrade than the people of the South, will have a freetrade tariff, and that the Southern people, who have now the advantage of a protection tariff all over the North, will then be compelled to compete with the rest of Australia and the world upon equal terms. That has been the chief objection. Now, looking at this scheme, does it remove that objection of the people of the South? I think not. If it does I shall be very glad of it, and shall be very glad to hear what the people of the South, through their representatives, have to say upon the subject before I am convinced that it does remove that objection. But before I hear what the members for the Southern part of the colony have to say upon the subject, I shall give my opinion upon the scheme as it now stands before us; but first I must say something to the Premier, at which I am not very well pleased. A letter appeared in yesterday morning's *Courier* professing to come from Lord Knutsford, addressed to His Excellency the Governor, in which it was stated that the London Press had received an intimation of a scheme of three autonomous governments in Queensland nearly three weeks before this House had any intimation on the subject. I am only repeating what the letter stated. The letter is dated 9th October, and the first intimation that we had of any such scheme was on the 23rd October, after the division was taken upon my motion. I think that was rather discourteous to this House.

The PREMIER: Nothing whatever was sent that I know of. It must have been a telegraphic report of what I said when the House met on September 16th. Nothing else could have been sent.

The Hon. J. M. MACROSSAN: I will accept the hon. gentleman's explanation as correct. If any such information has been sent to the London Press it was most discourteous to this House. The hon. gentleman has tried as well as he can to put himself in the place of a Northern man. But that is scarcely possible. No man can put himself in the place of another man living a thousand miles away, unless he had lived there a few years under all the circumstances surrounding Northern life. He may then be able to say, "I can put myself in that man's place." But the hon. gentleman can only do it in an imaginary way, and he has done it to the best of his ability; but he has not viewed this question from a Northern point of view. The hon. gentleman has raised the question of the public creditor, and the interest on the public debt. That no doubt is a most important subject, but it is one which I do not look upon as insuperable. I do not think he himself looks upon it as altogether insuperable in the event of Northern territorial separation being granted by the Imperial Government. I have one or two schemes which I think would satisfy the Imperial Government on that point, but it is not necessary for me to bring them up now. I believe they will be satisfactory as far as the payment of interest on the debt is concerned. The only advantage which lies in this scheme is that it provides for the payment of the interest on the debt, giving at the same time as large an amount of autonomous government to the different provinces as the hon. gentleman possibly can. He provides for the payment of the interest on the debt, but he provides for it in a very peculiar way. This question of the public creditor and the public debt is a question that has existed in Queensland since three or four years after separation. Objection was taken to separation in 1864 on account of the public creditor. And what do hon. members imagine was the amount of the debt? £300,000—not so much as the debt of the city of Brisbane. The same objection was taken then as is taken now. The hon. gentleman forgets that when Queensland was separated from New South Wales that colony had a debt of over £3,000,000, but even that did not prevent the Imperial Government from cutting off the largest part of New South Wales, and allowing it to govern itself. The colony of New South Wales had contracted that debt, and the whole colony was responsible for the interest on the debt, but separation was allowed all the same. And the same thing will occur again. I believe that Northern territorial separation is within measurable distance, and within a very small measurable distance. Of course the hon. gentleman says that is a matter of opinion. So it is, and opinions differ; but I think I am correct, and I think I have pretty nearly as much information on that subject as the hon. gentleman himself has. This is looking on both sides of the shield. He has shown us one side of it, and I am showing him the other. Before going further I must take exception to his remark about professional agitators. Who are the professional agitators in this scheme for Northern separation? I think we may call the hon. gentleman himself a professional agitator, for he has done more in his way by these resolutions to forward the scheme of separation than ever I have done.

The PREMIER: I did not refer to any member of this House.

The Hon. J. M. MACROSSAN: I do not believe there are any professional agitators. What is to be got by professional agitation? Every man who agitates for Northern separation has to put his hand into his own pocket to pay for it, and it is hardly likely that men will become

professional agitators on those terms. This scheme is not a new one in Queensland. Probably the hon. gentleman knows that, but I do not suppose many other hon. members are aware of it. Even this scheme of dividing the country into autonomous governments is not a new one. In May, 1864, the Hon. John Douglas introduced a Bill for the purpose of dividing the colony into four autonomous governments, but he withdrew the Bill because the Government of the day had another Bill before the House at the same time for a very similar purpose, although it did not go nearly as far as the scheme of the Hon. John Douglas. I have never been able to get a copy of the Hon. John Douglas's Bill. I have tried my best to get it, but it is neither in the records of the House, nor at the Government Printing Office. What was contained in the Bill is, however, shadowed forth in a speech made by the then Minister for Lands and Works, Mr. Macalister, when introducing what he called the Provincial Councils Bill. The Hon. John Douglas, I may say, at that time represented Port Curtis, in the Central district. Mr. Macalister said, referring to the Bill of the Hon. John Douglas:—

"By the hon. member's Bill he proposed to hand over to these tribunals respectively the whole of the waste lands of the colony in the various provincial districts which he proposed to constitute. Power of taxation was given to these tribunals; the right to make their own laws; and, in fact, a power to do all the work of legislation."

That was the principle of the scheme proposed by the Hon. John Douglas in 1864, and now we have a very similar scheme proposed in 1890, but for the purpose of preventing territorial separation. The Hon. John Douglas at that time was not a territorial separationist, but he became one very shortly afterwards. He saw the futility of trying to get the Southern people to agree to any scheme that would do justice to the other parts of the colony, and he therefore became a territorial separationist. At that very time I was agitating for financial separation, and he for territorial separation. I believe the hon. leader of the Government is perfectly sincere and honest in intention in bringing forward this scheme; but can he reasonably expect to be able to carry it? That is a great factor in the minds of Northern and Central members—I speak for the Northern members only—in accepting or refusing to accept this particular scheme. The majority of those members do not believe the hon. gentleman is able to carry it. I believe that at the present time territorial separation is as easily obtainable by the people of the North as this scheme is obtainable by the Premier. And before I sit down I shall show why I believe this scheme is as difficult of attainment as the other. Before I do that, however, I will go into the details of the resolutions themselves. I shall, as the hon. gentleman has done, go over them and comment upon them as I go along, and I shall say where I disagree with them and where I agree with them. Then I shall give my reasons for believing that the hon. gentleman has no better chance of carrying this scheme in this House at the present time than the Northern territorial separationists have of carrying their scheme in the Imperial Parliament. The first of these proposals provides for a completely new Constitution in Queensland, and for a new House of Assembly, containing a smaller number of members, of course, and a new Legislative Council. It fact, it provides for an entirely new scheme of government. That I perfectly agree with. The second and third proposals I also agree with; but when I come to No. 4, as the hon. gentleman has himself said, I differ from him in the opinion I hold upon that. The question arising there is whether the Lieutenant-Governors of the provinces shall be

elected by the people, or nominated by the Central Government—which really means nominated by the Southern Ministry of the day.

The PREMIER: Not at all.

The HON. J. M. MACROSSAN: I say it does, because in any scheme of a Central legislature which can be adopted on the basis of population, the Central and Northern districts combined can never have more than about one-third of the representatives for the whole colony. That is a positive fact.

Mr. BARLOW: Are you not going to outstrip us in time?

The HON. J. M. MACROSSAN: We may in the time of the hon. gentleman's son.

The PREMIER: Then give the Upper House a veto. There are lots of ways of getting over that difficulty.

The HON. J. M. MACROSSAN: I am coming to that. It naturally follows that the Upper House must be constituted upon a similar principle to that adopted in America in the case of the Senate, and I maintain that if there is to be an Upper House at all, the provinces must be represented equally, so as to make up for the unequal representation which must inevitably prevail in the Lower House, or House of Assembly. The difficulty is that the Ministry of the day, even although the Upper House may be based upon terms of equality, must still prevail, and the Ministry of the day will bear about the same proportion as it does at present in the Parliament of Queensland. At any rate, whether or not, I object to the central authority appointing the Lieutenant-Governors for the provinces. This is a matter of my personal opinion, and it is not a point upon which the Northern members have agreed, as the matter has not yet been discussed by them. I believe a better system is for the whole of the people of each province to elect their Lieutenant-Governor, and that Governor should be a real live, active Governor, and not a mere figure-head, as Governors of the colonies are now-a-days. He should have a veto upon what he considers to be bad legislation. There is bad legislation here as well as in other parts of the world. In the United States, where this system prevails, with the exception of three or four States, it has worked extremely well, and the Governor or President who vetoes the largest number of Bills is the man for the people. They are beginning there to discredit their legislatures and their legislation, and they actually depend more upon the activity and honesty of the men they elect as Governors than upon the people whom they have elected as representatives.

The PREMIER: That is Aristotle's cycle—democracy ends in autocracy.

The HON. J. M. MACROSSAN: I am not a believer in a one-man Government; but I believe in a one-man Government so far as that goes. I believe that is the best system for the Queensland Federation, and I believe it would be the best system for the Australian Federation. If I live to go down to the convention I shall advocate that, if the question comes up for consideration—if we get so far as discussing the Federal Constitution. I believe that there should be only one link binding us with Great Britain in a federated Australia, and that would be the Governor-General; but the others—the Lieutenant-Governors—should be elected by the people. The system of appointment proposed is the Canadian system, and it has not worked very well so far, although that system is very young yet. It has caused considerable friction, whereas the system in force in the United States has caused no friction and has

worked very well. When we are talking about this being a part of the Canadian system hon. members must not forget that these resolutions are founded almost entirely upon the Canadian system. The hon. gentleman knows that, and I know it.

The PREMIER: To a certain extent.

The HON. J. M. MACROSSAN: Almost entirely upon the Canadian Constitution.

The PREMIER: They are very different.

The HON. J. M. MACROSSAN: I have the Canadian Constitution here, and I could read these proposals out one by one from it, but I do not wish to take up the time of the House in doing that. What I want to infer from that is, that I hope this will not be the basis of the Federal Constitution, because I do not agree that the Canadian Constitution is a Federal Constitution suitable to Australia. Although there are many points of difference between the hon. gentleman and myself in politics, I do not agree with the Canadian Constitution, and I believe the hon. gentleman leans as I do, though perhaps I lean more, to the American Constitution.

The PREMIER: These are based quite as much upon the United States as upon the Canadian Constitution—rather more.

The HON. J. M. MACROSSAN: No, no.

The PREMIER: I think so.

The HON. J. M. MACROSSAN: I am certain they are not.

The PREMIER: Well, I only venture to think so.

The HON. J. M. MACROSSAN: Well, Mr. Speaker, I have nothing to say against the first of the subsections, but the second, I think, will require a little alteration. It is quite right that the central authority should, in admitting a new province, have something to say in its Constitution, and also upon the question of the boundaries; but I do not think they should have the whole say in the alteration of the boundaries. I think there should be some power left in that matter to the provinces whose boundaries are to be altered. The third point is the admission of new provinces to the union, and the terms of such admission, and that should be within the power of the central authority no doubt. In the United States when a territory is about to be admitted as a State, the people themselves meet in convention and adopt a Constitution, and that Constitution is sent to Congress, and if Congress approves of it, the territory is admitted as a State. If Congress does not approve of it, the Constitution is sent back, and has to be altered, so as to satisfy Congress before the territory is admitted as a State. That is one of the reasons why Utah had not been admitted, because they would not adopt a Constitution satisfactory to Congress. Of course under this scheme it is right that the public debt of the United Provinces should be under the control of the central authority. Number 8 refers to "the raising of money by any mode or system of taxation, other than Customs duties." That is to be a portion of the functions of the Central legislature. If hon. members will turn to the next page they will find in paragraph No. 2 that "taxation by Customs or any mode or system of taxation within the province" is one of the functions which are to be entrusted to the provincial authorities, and I think they will come to the same conclusion that I have—namely, that there will have to be considerable alteration in one of those provisions, because they certainly clash with each other. Two separate

and independent authorities cannot have the power of taxation over the same area; they cannot be allowed to tax the same things.

The PREMIER: They do in the United States.

The HON. J. M. MACROSSAN: Oh, no; the United States have complete power and authority over Customs and excise; but direct taxes, municipal corporation taxes, railway taxes, and all taxes of that kind are left to the individual States.

The PREMIER: In practice, but not by the Constitution.

The HON. J. M. MACROSSAN: They are left to the individual States, and the one authority does not encroach upon the other.

The PREMIER: That is so in practice, but the central authority has the power.

The HON. J. M. MACROSSAN: If we take paragraph 8, and read it as it stands on the paper, and interpret it truly, it means that although the provincial legislatures have the power to control the public lands in their respective provinces, yet the central authority can impose a land tax. That is a thing that could not be tolerated. The central authority would also have the power to impose an income tax, and any other tax barring Customs duties; whereas the provincial authorities will have power to levy all kinds of taxes, Customs included. There must be an alteration made there, or there will be a continual conflict of authority, which would certainly not lead to the good government of the country. There is, as the hon. gentleman stated, a good deal to be said in favour of the postal service being under the control of the central authority. I do not know any federation in the world where the federal authority has not the control of the postal service, and I think it is only right that it should have that control. Telegraphs I am not quite so certain about. There may be something to be said in favour of placing them under the control of the provincial authorities, but, as I have said, the postal service is always under the control of the central authority. Coming lower down the list of matters to be assigned to the legislature of the United Provinces, we come to "defence and military and naval service." I really believe that these should be under the control of the central authority, but there has been a great deal of friction in Queensland already over the question of defence and the management of the Defence Force, and I do not know but that it might be better probably to remove that friction, and make these matters local instead of general. "Navigation, shipping, and ocean lighthouses," and "quarantine," should be general. "Fisheries," I think, should be local.

The COLONIAL SECRETARY: Deep-sea fisheries?

The HON. J. M. MACROSSAN: We have no deep-sea fisheries.

The COLONIAL SECRETARY: We have the bêche-de-mer.

The HON. J. M. MACROSSAN: Bêche-de-mer is not deep-sea fishing. It is certainly carried on a long way from the mainland, but the water is very shallow in some places. All the matters down to No. 24 I believe, with the hon. gentleman himself, should be general. Number 24 should also be general. I believe that that especially should be general; it refers to the affairs of races other than our own, and I think it is better that legislation in regard to the affairs of alien races, if I may call them such, should be undertaken by the general Government. The question of the control of railway tariffs is a very important

one. There has been a great deal of friction in different parts of the colony over railway tariffs. I think, as we have three Railway Commissioners whom we are bound to keep for a certain number of years, no matter how they and we get on together, there would be less expense if the railways all over the colony, so far as tariffs are concerned, were managed by the Commissioners. Otherwise I would be in favour of each province having a tariff of its own, at the same time taking some means to prevent a war of tariffs. That is probably the best means that could be adopted, although I dare say some of the people whom I represent would not agree to it. The "regulation of immigration of persons not of European race" should decidedly belong to the central authority, and should belong to the Central Federal Government when we get a federation of Australia. Number 34 I do not agree with at all. I am quite opposed to that system. The Canadian Constitution gave all the authority which was not defined to the central authority. The United States did quite the reverse. The people of the United States in convention prescribed a Constitution and said: "This will be the Constitution of the United States of America; all the authority that is not given in that Constitution is reserved to the different States." I could not agree on any account to No. 34—"Generally all matters affecting the United Provinces collectively."

The PREMIER: That is by no means the Canadian system.

The HON. J. M. MACROSSAN: It is the Canadian system. I do not say that it is in the words of the Canadian Constitution; but it is the principle of the Canadian Constitution.

The PREMIER: Not at all.

The HON. J. M. MACROSSAN: With regard to paragraph 2 of the matters assigned to the legislatures of the separate provinces, I have explained that it will clash with No. 8 in the matters assigned to the legislatures of the United Provinces, and that there should be some alteration made in one of them. I quite agree with the system that is proposed in paragraph 2. It worked very well in Victoria and New South Wales, and it is the only way the border Customs can be arranged. There is no other way of doing it unless by collecting, which would be very inconvenient in provinces so closely united as these provinces would be. Then, I have no objection to any authority given to the separate provinces until we come very low down in the list. Clause VII of the resolutions—I look upon all the others as subsections—is like, as a Northern member said to me, the postscript on a lady's letter, which contains the chief substance of the letter. Now, Sir, it may be necessary in framing a Federal Constitution such as this, where the central authority retains the control of the Public Department, and the payment of interest on it, that it should have something of this kind, but unless the hon. gentleman can devise some other means by which the interest on the public debt can be paid, then No. 7 will spoil the whole object of the resolutions. The people of the Northern portion of this colony will never consent to be in perpetual liquidation. That is what it really means. The Customs revenue is to be collected by the Central Government; the appointments are to be in the hands of the provincial authorities. Surely there will be a clashing of interest between those who have the appointment of the officers and those who have the authority to get the money from those officers. That would never be a satisfactory way of carrying on the business of the country, and the same with the railways. But the

hon. gentleman seems to forget that one of our chief objections has been that we have no control of the Customs; that we have always paid a great deal more through the Customs than our fair share. We shall not be helped in the slightest degree by this.

The PREMIER: Why?

The HON. J. M. MACROSSAN: The hon. gentleman's own common sense should see why. I will just take the example of what has taken place during the last three or four years. I quoted statistics the other evening when moving the separation resolutions, which were laid on the table by the hon. gentleman himself and the present Treasurer, proving that the deficit which now exists over the whole of Queensland has not been in any way created by the Northern portion of the colony; but under this system we should still have to pay just the same amount of interest, and the same amount of the general expenditure for carrying on the central authority as we have done for years past.

The PREMIER: No; you misunderstand.

The HON. J. M. MACROSSAN: The hon. gentleman may shake his head, but there is no other interpretation of it than that.

The PREMIER: It is certainly not meant.

The HON. J. M. MACROSSAN: I do not say what is meant; that will be the result of No. 7. The whole of the Customs are to be taken by the central authority, and the whole of the revenue of the railways at present in existence. The interest on the public debt is to be a first charge upon those receipts, and then the next thing will be the expenditure of the Central Government, which may or may not be large. That is also to be taken out, and then the surplus, if any, is to be divided on some principle that has yet to be stated in the Constitution Act.

The PREMIER: There is no difficulty in working that out.

The HON. J. M. MACROSSAN: Not the least, but the difficulty will be in our getting a fair share of that money back again.

The PREMIER: No.

The HON. J. M. MACROSSAN: I say it will. The same thing may happen, of course, in the South. I am talking of the Northern State at present, because we have always objected to be paying more than our share. Our great contention has been that we have paid more than our share of the public revenue, and that the immense area of the country prevents good government from being established in the far North. Those are our objections, and they are admitted by the hon. gentleman. What is wanted is more control over Customs; but what the hon. gentleman gives with one hand he takes away with the other.

The PREMIER: The surplus will be so large that there will be no difficulty. There will be £2,000,000 to pay £1,000,000.

The HON. J. M. MACROSSAN: The interest at the present day is £1,170,000.

The PREMIER: Customs are over £1,000,000.

The HON. J. M. MACROSSAN: But what about the expenditure of the Central Government? Customs has been once £1,400,000, but it has been lower than £1,200,000.

The PREMIER: Then there are the railways, £800,000.

The HON. J. M. MACROSSAN: Who is to pay the cost of the work? Is it to be paid by the provincial authority, and the central authority take all receipts?

The PREMIER: Of course.

The HON. J. M. MACROSSAN: That renders the scheme still worse. I can assure the hon. gentleman that there is not the slightest chance of the Northern members accepting this scheme as long as No. 7 remains in it. That is a positive certainty. We have met to-day and discussed this scheme, and we have discussed it before. We are inclined to go as far as we can with the hon. gentleman. He knows that; but we cannot accept a proposal of this kind. That is our firm determination.

The PREMIER: Can you suggest anything else?

The HON. J. M. MACROSSAN: I can suggest two or three things. I can suggest that in the Constitution Act, which will be given to each separate province, the interest on the payment of its share of the public debt should be a first charge on its revenues. That is very simple. We should not then be in continual liquidation with the Southern Government as a receiver.

The PREMIER: That is in no way different in principle from this. It is exactly what it means.

The HON. J. M. MACROSSAN: I think the hon. gentleman is mistaken. If it means that, I do not understand English; then, again, I have told the hon. gentleman that we cannot accept this scheme. I have pointed out several defects, but if we accept this scheme we cannot accept it without going before our constituents. The hon. gentleman must remember that every member who is sent here from the North as a separationist is simply a delegate on that subject; but on every other question he is a representative. He is sent here as a territorial separationist, and cannot depart from that without the consent and approval of his constituents. So that if we accept this scheme, or a modified scheme, the hon. gentleman must certainly remember the position which we occupy. Now, we have met the hon. gentleman in a very friendly way; we have discussed the matter in a friendly spirit; and as I said two or three weeks ago, I believe he is thoroughly sincere in trying to prevent what he thinks would be a calamity, which is of course a matter of opinion. Now I come to the question whether the hon. gentleman is capable of carrying this scheme through the two Houses. Of course he knows the objection which Southern members and Southern people generally have to separation pure and simple, and he also knows that the same objection applies to this scheme, as far as the Customs are concerned. No doubt the people of the North would have a tariff such as would satisfy themselves, which would not be a pure freetrade tariff, but a freetrade revenue tariff. We know that there are serious objections to this scheme amongst the members representing Southern constituencies. I wished the leader of the Opposition to speak before me, to show what was the feeling he represented. I wished the hon. member for Burrum to speak before me, to show the feeling which he represents—a feeling which I know exists, and which must be satisfied if this scheme is to be carried into law. One of the four districts which the Hon. John Douglas proposed in his scheme of autonomous government was Wide Bay and Burnett, even at that early stage, and the scheme of the Financial Separation Commission included the Wide Bay and Burnett districts, so that the Wide Bay and Burnett districts have had their claims before the House before I entered it; and the hon. gentleman remembers that in 1877, when the Government of which he was Attorney-General brought in a Financial Separation Bill—not upon the lines laid down by the commission—and left out Wide Bay and Burnett, the Wide Bay and Burnett members talked the measure

out, and his Government had to withdraw it so that I believe the Wide Bay and Burnett districts will press their claims to be included, and I think they have a perfect right to do so. Now, let us come to the hon. gentleman's potency with regard to passing a scheme of this kind. Is he aware that he requires a majority of two-thirds to pass this scheme?

The PREMIER: I do not think two-thirds of this House can do it.

The HON. J. M. MACROSSAN: He requires also a majority of two-thirds of the other House, leaving out of view the question whether that House would pass a measure which means the annihilation of themselves.

The PREMIER: They will have to do that some day.

The HON. J. M. MACROSSAN: The late Government, if they had been long enough in office, would have introduced a measure relating to that question. If the hon. gentleman thinks that less than two-thirds will do, I will read the 9th section of the Constitution Act.

The PREMIER: I say that two-thirds cannot do it.

The HON. J. M. MACROSSAN: They cannot do it absolutely; but it requires to be passed by a majority of two-thirds before it can go any further.

The PREMIER: That would not trouble the authorities at home.

The HON. J. M. MACROSSAN: The 9th section of the Constitution Act is as follows:—

"Notwithstanding anything hereinbefore contained, the legislature of the said colony, as constituted by this Act, shall have full power and authority from time to time, by any Act or Acts, to alter the provisions or laws for the time being in force under this Act, or otherwise concerning the Legislative Council; and to provide for the nomination or election of another Legislative Council, to consist respectively of such members to be appointed or elected respectively by such person or persons, and in such manner as by such Act or Acts shall be determined.

"Provided always that it shall not be lawful to present to the Governor of the said colony for Her Majesty's assent any Bill by which any such alteration in the Constitution of the said colony may be made unless the second and third readings of such Bill shall have been passed with the concurrence of two-thirds of the members for the time being of the said Legislative Council and of the said Legislative Assembly respectively.

"Provided also that every Bill which shall be so passed for any of such purposes shall be reserved for the signification of Her Majesty's pleasure thereon, and a copy of such Bill shall be laid before both Houses of the Imperial Parliament for the period of thirty days at the least before Her Majesty's pleasure thereon shall be signified."

An HONOURABLE MEMBER: Is that in our Act?

The PREMIER: Some of it has got in by mistake. But it does not make any difference.

The HON. J. M. MACROSSAN: The man who found himself in the stocks said there was a mistake somewhere. The hon. gentleman says that it does not make any difference, but it makes this difference: Unless he gets forty-eight members of this House and twenty-seven members of the Upper Chamber to agree to the scheme, he cannot even lay the Bill before the Governor.

The PREMIER: It could not be done then by that means.

The HON. J. M. MACROSSAN: Yes. But then it has to go home, and lie on the table of the House of Commons thirty days before it can be presented for the Royal assent. It is a serious question for members representing the North to consider—whether they should adopt this scheme in its entirety, seeing the difficulty in getting

the scheme adopted by the Parliament of Queensland. We have two schemes at present before us. We have our own scheme for territorial separation pure and simple, which everybody understands; and we have this scheme of the hon. gentleman's to prevent the necessity for territorial separation. We cannot go on with the two schemes concurrently—he will admit that. If we accept his, we must give up the other; if we stand by the other, as I believe the Northern people wish us to do, we cannot accept this. Can the hon. gentleman give us an assurance that he is able to pass this resolution through this House and through the other Chamber with the majorities I have stated? If so, can he give us an assurance also that he will carry this out to a conclusion satisfactory to the people of the North? If not, it will be a suicidal policy for us to accept it; we cannot give up territorial separation for the chance of a majority of forty-eight, which I believe to be impossible of attainment.

The PREMIER: You cannot give up the hope of territorial separation for the almost certainty of this.

The HON. J. M. MACROSSAN: We cannot give up the hope of territorial separation for what seems to be the impossible attainment of this. There are sixteen members representing the Northern, and eleven members representing the Central constituencies. If the whole of these went with the hon. gentleman, he would have twenty-seven. Then he must have the balance of forty-eight along with those twenty-seven before he can pass the resolution; and when it has gone through the ordeal of this House, how is he to get twenty-seven members of the other Chamber to pass a scheme which will decapitate themselves?

The PREMIER: How will you get their consent to the other scheme?

The HON. J. M. MACROSSAN: We do not want their assent to the other scheme. They have nothing to do with that. It will be decided by the Imperial Parliament.

The PREMIER: They have just as much to do with the one as with the other.

The HON. J. M. MACROSSAN: The hon. gentleman knows he is talking nonsense.

The PREMIER: The Parliament of this colony cannot do either by itself.

The HON. J. M. MACROSSAN: The Parliament of this colony has done all we want. It has given us the large minority of 26 against 32, and I can assure the hon. gentleman that we shall never ask the Parliament again to do anything else. If we fail in getting territorial separation pure and simple from the Imperial Parliament and Government, we have another scheme of our own which will compel this Parliament, without asking them, to give us all we want. The hon. gentleman understands what I mean.

The PREMIER: I do not understand the hon. member.

The HON. J. M. MACROSSAN: Yes, he does. Every member of this House understands me.

The COLONIAL TREASURER: I do not.

The HON. J. M. MACROSSAN: I will forgive the hon. member, but I think he ought to understand it.

The COLONIAL TREASURER: I do not.

The HON. J. M. MACROSSAN: Very well. I will not explain any further. I have now given the hon. gentleman my opinion on this question—the most important question I have discussed in this House. It is a more important question to the colony than the question I moved

the other day, because it means the separation of the Northern, Central, Southern, and Wide Bay districts.

The PREMIER: Does it?

The HON. J. M. MACROSSAN: It means the division of the colony into four parts, whereas we asked for only two parts—South and North. I do not object to four colonies, because I believe there can be five or six nice colonies carved out of this territory when the time comes; but it should not be done just now. I have given the hon. gentleman my full and honest opinion; and, in giving it, I represent the Northern separation party in this House. What I have stated, they agree with; and I believe thoroughly and honestly that the hon. gentleman has no more chance of carrying this scheme through both Houses of Parliament than he has of taking wings and flying outside of this House. I say in all sincerity that our chance of Northern separation is much better and much easier of attainment than this scheme; and I say the Upper House will never assent to this, even if he could get the assent of forty-eight members here, which I very much doubt. I have always been more or less a federationist. Lately I think I have been a little more a federationist than even the hon. gentleman himself, and I do not believe for a single moment that the scheme before us will in any way affect the Federation Convention in the manner that is feared by the leader of the Opposition. I do not think it will have any effect upon the men who will meet together to frame the Federal Constitution, because the greater part of this scheme is one which I hope would not be taken up by the Federation Convention. There is more power given to the Central Government in this scheme than I should be willing to give at the Federation Convention. I would give the Federation Convention the control of railways; outside of that I would not be willing to give the federal authorities much more power. I would try and restrict their power as much as possible to national subjects, retaining to ourselves all the powers that could be retained under a federal system.

The PREMIER: That is what I want to do.

The HON. J. M. MACROSSAN: I believe that is what the hon. gentleman wants to do. The condition of Queensland is quite different from the conditions of all Australia; and although the hon. gentleman thought, and probably still thinks, that this scheme will be the basis of federation, I think he is mistaken. I hope it will not, because I hope that when a federation scheme is adopted the Federal Government will have the control of the Customs; and if the Northern people are then independent, as I hope they will be, they will be willing to give the control of the Customs to the federal authority, because we shall then become members of a great nation, and in doing so we shall be fully compensated by the fact that we shall have freetrade within the bounds of Australia, and protection against the world. By that means we should be fully compensated for what we gave away; but we should not be compensated under this scheme if we allowed the central authority to collect and retain Customs and railway receipts from railways already constructed. I hope the hon. gentleman will alter that; and he must bear in mind that with that alteration we are bound to consult the wishes of our constituents before we can accede to the scheme, even with the alterations I have indicated.

HONOURABLE MEMBERS: Hear, hear!

Mr. BLACK said: Mr. Speaker,—I move that the debate be adjourned.

The PREMIER said: Mr. Speaker,—There is no objection, of course, to the adjournment of the debate. I do not think it can usefully proceed further this evening. I think, Sir, I may be allowed to say that, in my opinion, the objections the hon. member for Townsville has urged can all be removed. They do not impress me as being anything to be at all afraid of. However, I am not going into that matter now; it would not be fair to do so; but I can assure him that none of the matters he has referred to are new to me; and having considered the question from many points of view, I feel satisfied that there is no objection he has urged that cannot be overcome; and I hope that all hon. members representing different portions of the colony will exert themselves to overcome them.

The HON. J. M. MACROSSAN said: Mr. Speaker,—To-night the discussion has been confined entirely on this side of the House—to myself as a Northern and other members. I should like to hear Southern members speak. This question affects them quite as much as any other part of the colony, and they must not be silent on the subject, because if they do not express their opinions we shall be taking a leap in the dark, which I can assure them we do not intend to do.

Question put and passed.

The PREMIER said: Mr. Speaker,—I beg to move that the resumption of the debate stand an Order of the Day for to-morrow. I do not propose to go on with it to-morrow, because I think hon. members should have time to consider what has been said before resuming the discussion. I certainly desire to support the contention of the hon. member for Townsville that Southern members should express their opinions on the question as well as Central and Northern members, because, as the hon. gentleman has said, it concerns all parts of the colony equally.

Question put and passed.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House do now adjourn. We propose to take Supply to-morrow.

Question put and passed.

The House adjourned at a quarter to 11 o'clock.