

Legislative Assembly.

Tuesday, 6 July, 1880.

New Member—Bills Assented to (Town Hall Municipal Loan Bill—Volunteer Land Orders Bill—Executive Councillors' (Functions Substitution) Bill)—Message from the Governor—Municipal Baths Site Acquisition Bill—Railway Trial Survey *via* Braidwood to Cooma—Public Accounts—Adjournment (Insolvent Estate of James Little—Minerals in Unsold Land—Sydney Police Court Arrangements)—The case of Patrick and Michael Griffin—Equity Bill—Wool, Coal, and Cattle Tax Bill (Second Reading)—Municipalities Special Endowment Bill (Second Reading)—Lands for Public Purposes Acquisition Bill—Pastures and Stock Protection Bill.

MR. SPEAKER took the chair at half-past 4 o'clock p.m.

NEW MEMBER.

MR. TARRANT.

MR. SPEAKER informed the House that he had issued a writ for the election of a member to serve in the Assembly for the electoral district of Kiama, in place of Samuel Charles, Esquire, resigned; and that the writ had been returned, with a certificate of the election of Harman John Tarrant, Esquire, indorsed thereon.

MR. TARRANT subsequently subscribed the oath and signed the roll.

BILLS ASSENTED TO.

Town Hall, Municipal Loan Bill.

Volunteer Land Orders Bill.

Executive Councillors' (Functions Substitution) Bill.

MESSAGE FROM THE GOVERNOR.

Message No. 65, from His Excellency the Governor,—recommending that provision be made to meet the necessary expenses in connection with a Bill to grant to Her Majesty certain duties of Customs and other taxes—read.

Referred to Committee on the Bill.

MUNICIPAL BATHS SITE
ACQUISITION BILL.

Bill presented (by Mr. O'CONNOR) and read the first time.

RAILWAY TRIAL SURVEY *via*
BRAIDWOOD TO COOMA.

MR. GREVILLE rose to move,—

That in the opinion of this House a trial survey *via* Braidwood should be made prior to a decision being arrived at of the route of railroad between Goulburn and Cooma.

He said that Parliament had not yet sanctioned the construction of a line of railway to connect Cooma with the Great

Southern Railway, but from the answers which had been given to deputations by Ministers, there could be no doubt that at some future time, probably in the next session, the House would be asked to vote the money necessary to carry out the work. It was of the utmost importance that honorable members should have all available information before them before they arrived at a decision as to the route which the line should take. Some of the railway lines which had been constructed might have been taken by routes other than those which had been adopted if Parliament had had sufficient data on which to form accurate opinions, and having seen how errors had been made in the past we ought to guard against errors in future. In proposing the motion he wished to state distinctly that he was not actuated by a desire to secure any undue advantage for Braidwood. If a trial survey were made, and it were shown that a line *via* Braidwood was not practicable or was not advisable, he should do all he could in support of any other route which might seem to him to be the best in the interests of the country generally. If Parliament should decide to take the line to Cooma without having had a trial survey *via* Braidwood, they would decide on insufficient data. Great expense had been incurred in making trial surveys *via* Bungendore and Queanbeyan—he believed not less than three surveys had been made to bring Queanbeyan in the route—and he was at a loss to understand why a trial survey *via* Braidwood should not be made. The district of Braidwood was of such importance that at no distant date it would have to be connected by rail with Sydney, and, if it were possible, it would be advisable to include the district within the route of the line to Cooma. The local railway committee had been agitating in the matter, and in consequence of a petition which they presented, the Government instructed Mr. Stephens to make a flying survey *via* Braidwood, and that officer submitted an unfavourable report. The people of Braidwood did not think that Mr. Stephens had made a thorough inspection of the country and, therefore, they did not regard his report as being of any value. What the people of Braidwood contended for was not that the line should be brought through

their town, but that it should be kept on this side of the Dividing Range until a point was gained where the range could be penetrated in the smallest compass and without entailing any other engineering difficulties either on this or on the Cooma side. The claims of the people as to the importance of the district were not exaggerated, as was shown by a resolution passed at a meeting held at Bungendore, as follows :—

That the meeting is of opinion that the adoption of the proposed line through Bungendore and Queanbeyan is by far the most central course, as it approaches within 30 miles of Braidwood, which is one of the most important districts of the colony, as a great and prominent feeder for the line in population, agriculture, and stock, also its gold and other mineral treasures, which are of such incalculable importance as to demand the most favourable consideration of the Government; it will also intersect innumerable acres of magnificent agricultural land, and will pass close by gold and copper mines.

Bungendore was a rival township to Braidwood in regard to the railway, and after hearing that resolution read he thought honorable members would not consider that he was making an unjustifiable application. Subsequent to Mr. Stephens's visit to the district, the department, on the strength of representations of the Braidwood Railway committee, sent up another surveyor, Mr. Randall, and he presumed Mr. Palmer, the officer who had charge of the surveys, relied on that report, and that it was that report which induced the Government to decline to order a trial survey as was desired. Mr. Palmer had submitted a report to the Engineer-in-Chief, in which he said—

Attached is a report of Mr. Randall on the route lately explored by him (in company with residents of Braidwood), which has been recommended as the most practicable for railway purposes between Braidwood and Cooma. Accompanying this report is a tracing from county maps showing the general direction of the proposed route and the heights of the most important points as taken by the barometer.

It will be seen from the report that a rise of 1,800 feet has to be made from Braidwood to the Dividing Range, and a fall of 1,600 feet from this point to the crossing of the Umaralla River, the main elevation being 4,000 feet above sea level, and 1,100 feet above any point on the route already surveyed by the Burra Creek, while the character of the country between the proposed crossing of the Shoalhaven River and that of the Umaralla River is less favourable for railway construction than any of the routes surveyed, it being a matter of doubt, until an actual survey is made, whether portions of the Braidwood route would give practical gradient.

[*Mr. Greville.*

Honorable members would notice that Mr. Palmer admitted that it was impossible to determine the matter without an actual survey. If the Government refused to order a trial survey to be made the people of Braidwood would feel that they had not been treated justly, and it would be satisfactory to them to know that scientific officers of the Government had made a thorough survey of the country. The altitude of the Dividing Range seemed to present a difficulty which Mr. Palmer thought could not be overcome. He thought it would be found that a line from Goulburn *via* Braidwood, which would pass the Dividing Range, would be far less costly than any other line, and it would be the most direct route. The distance of the line from Goulburn to Cooma would be 30 miles shorter *via* Braidwood than by any other route. That was a most important consideration in dealing with the question. We had, in some of the existing lines, paid too much attention to the small towns to the injury of the termini. The practical answer to Mr. Palmer's statement about the difficulty of getting over the Dividing Range was given by the *Braidwood Dispatch*, as follows :—

The rise from Braidwood to Lynn's selection, where Jerrabatgully Creek is left and the fall to Jinden Creek is reached, distant 30 miles from Braidwood, was estimated by Mr. Randall at 1,125 feet. This is exactly what it was made by Mr. Stephens, the Government engineer engaged upon the first exploration, and from thence through the gap the ascent is some three or four hundred feet less than by the passage he took through the Dividing Range.

It does not appear to us, inexperienced though we be in engineering matters, that the further rise from Lynn's of 675 feet in 10 miles, till the highest point is gained, which is only a gradient of 67 feet to the mile, is an insuperable difficulty. The gradient between Lynn's (on this side) and the point recorded at Brick-kiln Creek is no criterion of the gradient that may be obtained, as a higher elevation can be easily secured by keeping nearer to the summit of the Berlang Range, which the exploring party skirted the foot of. This range, covered with magnificent timber, runs for many miles in the right direction for the line, until it abuts on the Shoalhaven, and a high-level bridge might be made to cross that stream to carry the level on to the eastern slope of Jerrabatgully Creek at a point where it comes down to the river on the opposite side; or the river might be crossed at Ballalaba, and the other side of Jerrabatgully followed up, when whatever gradient that suited could be taken to reach Lynn's.

These were the opinions of men well acquainted with the requirements of the

district. What did those who could certainly speak with some authority say upon the subject? The *Braidwood Dispatch* said—

The official report—or so called official report—upon the proposed railway line by way of Braidwood to Cooma is anything but a satisfactory one. The application which we made for a trial survey remains as yet really unanswered. What we have now principally to do with is Mr. Palmer's memo. thereon to the Engineer-in-Chief. In this brief denunciatory document the route is very unfavourably compared with that *viâ* Molonglo on account of the altitude of the crossing of the Dividing Range exceeding by 1,100 feet that of the highest point on the Molonglo or Burra route. But the comparison is not extended beyond this. The distance, we know, would be much shorter this way; the nature of the soil the whole way, except for about 3 miles getting down to the Numeralla, would furnish easy cutting; timber would be abundant, and whichever way the line is taken, will have to be drawn for its construction from this side of the Dividing Range; only two rivers would have to be crossed the whole way, namely, the Shoalhaven and Numeralla; and, albeit the altitude attained in getting through the Dividing Range is considerably above any point on the Molonglo line, yet it must be borne in mind that there is only one eminence to be surmounted on this line, to which there is a gradual ascent and descent, and not a series of elevations, one after the other, to clamber over, as on that route, where the numerous watersheds forming the south-eastern tributaries of the Murray have to be crossed, necessitating a succession of very stiff gradients and a good deal of zigzagging, and the erection of a number of large and very costly bridges. The advantage of the Braidwood route consists, mainly, in the facilities for cheapness of construction which it affords in the line being made to adapt itself to the natural features of the country, which can be taken advantage of without-increasing the distance.

Briefly reviewing these facts therefore, as pointed out by the inspecting surveyor and commented upon by his superior, we ask is there sufficient in the one unfavourable feature of the line pointed out as to the height of the dividing range to discard it altogether? Ought not its other advantages to be taken into consideration in order to compare it fairly with the other routes that have been surveyed; and if so, has anything been shown in Mr. Randall's report or Mr. Palmer's memorandum thereon to the Engineer-in-Chief to debar us from having the same fair play accorded to this line as to the others, and of getting its merits and demerits accurately tested by means of a trial survey for the purpose of giving the Government, or, if they are unable to decide, the Parliament proper data to go upon in determining which is the best way for the proposed line to be taken.

He rested his case upon what he had read, and he was sure that if honorable members had time to read the documentary evidence which he could submit to them they would

be convinced that a great injustice would be done, not only to the district of Braidwood but to the country generally, if we proceeded to decide upon the route without giving due attention to this information. Suppose it should turn out that the Government could not ask the House to sanction the construction of the line *viâ* Braidwood, the money expended in the survey would not be wasted; because the time would come when the country would have to be intersected with a network of railways, and the information afforded by these trial surveys would then be exceedingly useful. He appealed to the House and to the Government to say that the inhabitants of the large and populous district of Braidwood should not be allowed to remain under the impression that they were to suffer a gross injustice.

Motion made, and question proposed.

Mr. LACKEY said that the honorable member had given a great deal of information to show that the proposed branch line to Cooma ought to be taken *viâ* Braidwood. If, however, the honorable member had adduced the evidence of any skilled officer or other person capable of forming a correct opinion of the character of the country over which the railway would have to be constructed, he would have done more to assist the House in arriving at a decision. He submitted, however, that the evidence which the honorable member had produced could not be regarded as in any way authoritative. No doubt that evidence represented the opinions of a great number of residents in the Braidwood district who were very anxious to see a railway constructed through that part of the country. The facts of the case were these: The Government on bringing forward their proposals for the construction of railways throughout the country deemed it advisable to make surveys in different directions with a view ultimately of constructing a railway from Goulburn to Cooma. The staff of surveyors was out for a long time endeavouring to ascertain which was the most desirable route—the one along which the line could be most easily constructed; and which would pass through the country having the largest population, and holding out the greatest inducements for settlement. Several directions were taken by the surveys, the routes being from Tarago to Bungendore across the Queanbeyan River,

through Boro to Michelago, and on towards Cooma; another was by way of Tarago, Bungendore, Queanbeyan, Michelago; and another *viâ* Gundaroo, Queanbeyan, and Michelago. The honorable member had made representations to the Railway Department from time to time as to the propriety of a trial survey being made through the district of Braidwood, and his representations were referred to the Engineer-in-Chief, who reported against the proposal, considering that it would be undesirable to construct a railway *viâ* Braidwood to Cooma, because Braidwood was out of the direct route, and if the line went in that direction, it would leave out the whole of a large population on the western shores of Lake George, Queanbeyan, Molonglo, and Michelago. The route which the honorable member proposed would be through a district having a very sparse population, and one which, from the nature of the country, would render the construction of a railway almost impracticable. Owing to the urgent representation of the honorable member, however, a surveyor (Mr. Randall) was directed to report upon the character of the country before the expense of a survey was incurred. He traversed the route in company with several persons who were well acquainted with it, and afterwards reported against it. Further representations having been made to the department on the subject, another surveyor was sent to examine the proposed route; and he, after riding through and carefully exploring the country in company with persons who were well acquainted with the district, reported that the construction of a railway from Goulburn to Cooma *viâ* Braidwood was utterly impracticable, the engineering difficulties being almost equal to those which had to be overcome in constructing the line of railway across the Blue Mountains. There were ascents and descents along the route towards the watersheds of the Umaralla River, which were almost as great as those to be met with on the Blue Mountains. The House would be willing to see everything done which could be done to meet the wishes of the honorable member and his constituents; but he thought that under all the circumstances it would be unwise for the Assembly to arbitrarily direct the Railway Department to make a trial

survey. He hoped the honorable member would see that the Government desired only to do that which was for the interest of the country at large, and that they were simply guided by their officers, whose reports were entirely opposed to the honorable member's view upon the subject. He trusted that the motion would be withdrawn, as he did not wish to divide against it; but, should it be persisted in, he would be obliged to do so.

Mr. FITZPATRICK said that the honorable member for Braidwood was quite justified in bringing the matter before the House, for it was undoubtedly the duty of honorable members to pay attention to the wants of the districts they represented. He believed that the route from Gunning to Gundaroo was perfectly flat, and that it presented no difficulties whatever to the construction of a railway. Did he not believe that that was the best route he would hold his tongue, because he would not support a line which he did not think would be the best. As far as he could gather, those who were opposed to the line being carried along that route considered that it was longer than the other route, and he rose to rebut that argument. After all the preliminary steps had been taken the matter must rest in the hands of the Government, who, he supposed, would be guided, as they ought to be, chiefly by the reports of their professional officers, and the opinion of the head of the department, a gentleman of great ability and high character. It was objected that the junction at Goulburn would make the line shorter from Sydney to Cooma than it would be if the junction were effected at Gunning. That was perfectly true, but he took an argument which ought to have more weight than that. We ought not to think merely of the interests of the people of Cooma but of the interests of the people of the whole colony, and it was cheaper for the people of the whole colony that the junction with the Southern line should be effected further south—say at Gunning. It would be cheaper still to have the junction at Yass, but that would place the lines almost at right angles with each other. The junction could be more easily effected at Gunning; and, in considering the question of distance, it should be remembered that the line to Gunning was already constructed.

[*Mr. Lackey.*]

Sir HENRY PARKES : What is the difference in distance between a line from Cooma to Gunning and a line from Cooma to Goulburn?

Mr. FITZPATRICK : I suppose that the difference would be about 12 miles. Twenty-four miles of line are already made on the longer route.

Sir HENRY PARKES : Is the distance from Cooma to Gunning shorter than the distance from Cooma to Goulburn?

Mr. FITZPATRICK was not quite sure, but he supposed that the difference was about 11 or 12 miles. The honorable member for Queanbeyan could no doubt say exactly.

Mr. MACINTOSH did not desire to do anything that would force the Government to make a trial survey. The country was no doubt rough, but that was only for a distance of 12 or 18 miles, the rest being flat, and since the exploration made by Mr. Randall, who was the last surveyor sent there, a more practicable route than that gentleman traversed had been discovered. He had received from a gentleman who resided in the district, and in whom he had perfect confidence, a letter stating that a route had been discovered which would probably upon survey be found to be not only practicable, but easy. Two of the party who accompanied Mr. Randall had found an easy track over the range, and they accounted for its not being seen on the former occasion by the fact that Mr. Randall was in a hurry to get away. The new route was much shorter than the one *via* Queanbeyan, and passed through a forest of the finest timber in the country, while on the other route there was not a stick fit even for the fencing in of the railway line. As there clearly appeared to be a practicable route from Braidwood to Cooma, he would certainly vote for the motion to have a trial survey made, so that definite information might be obtained. Up to the present time only a flying trip had been made over the country. Another consideration was that expensive bridges would have to be constructed on the route *via* Bungendore and Queanbeyan, while on the lower route, bridges of a less expensive character would be required. The population of Braidwood was quite equal to that of Queanbeyan or Gundaroo.

Mr. THOMPSON : They are half Chinamen.

Mr. MACINTOSH : Everybody must be aware that there was a large agricultural population settled about Braidwood, while Araluen was a great mining district. He had no personal interest in the matter, but he had the utmost faith in the gentleman who had furnished him with the information he had given, and, as the Government usually yielded in cases where the inhabitants of a district thought their interests had not been properly considered, he hoped they would give way in this instance also and consent to a trial survey being made for the satisfaction of the people of Braidwood.

Mr. McELHONE intended to vote against the motion because it had been introduced at a most improper time—when the session was about to terminate. It looked like an attempt to coerce the Government to do what they believed to be wrong. If other honorable members had adopted the course pursued by the honorable member for Braidwood, the Government would have been inundated with applications to have trial surveys made, and with far stronger claims than the honorable member for Braidwood could urge. If the honorable member thought that the railway ought to be taken through the Braidwood district, he should have taken action sooner. At the present period of the session he did not think the House was in a fit state to consider whether the route recommended by the honorable member was one which ought to be adopted or not.

Mr. BADGERY said that as a trial survey of the line advocated by the honorable member for Braidwood would not cause any delay, the Government not being in a position to carry out the line already authorised, he would vote for the motion. At the same time, from his knowledge of the country, he thought there was no possibility that the route suggested by the honorable member for East Sydney (Mr. Macintosh) would be adopted, but that the route favoured by the Government would be the one finally approved. However, from what he knew of the Braidwood district and its productive capabilities, he thought it only fair that the Government should make a trial survey in that direction for the satisfaction of the residents who, if their claims were not considered, would think they had been unjustly

treated. The honorable member for East Sydney was mistaken in saying that inexpensive bridges only would be required over the Shoalhaven River. In his opinion one bridge over the Shoalhaven River would be more expensive than several crossings by the other route.

Mr. DILLON did not think with the honorable member for the Upper Hunter that the motion had been brought forward too late in the session; he thought it had been brought forward too early, for he was not aware that it had yet been decided to carry a railway from Goulburn to Cooma. As the motion had been proposed, however, he would support it, because a trial survey would do no great harm, either by causing delay or expense, while it would satisfy the people of the district. He did not know anything as to the relative merits of the two routes, but he had been in the Braidwood district and knew that it was a very fine country. There was very valuable agricultural land, and the mineral riches of the district were scarcely yet known. The people of Braidwood had been for a long time asking for a trial survey, and he did not see why it should be refused, simply because a flying exploration had been made. These explorations were never thorough in any sense. The surveyor sent to report always got over the country as fast as he could; sometimes a few residents accompanied him and showed him the routes they were acquainted with, but the examination of the country was very partial and hurried. He was informed that in this particular case better routes had been discovered since the visit of the Government officer, but he was informed that the only route which had been surveyed was that by way of Queanbeyan. It was not for honorable members to discuss the relative merits of the various routes suggested; that could only be done after a trial survey of each route had been made by competent officers. After all, money spent in making trial surveys was not misspent, because in time to come, no doubt, all our towns would be connected by railways, so that any surveys made now, though not useful at the time, would be useful eventually.

Mr. THOMPSON said that the result of agreeing to the motion would be a delay of two or three year in the construction of the railway; and, unless a good case

[*Mr. Badgery.*

could be made out in favour of Braidwood, the House ought not to insist on the proposed survey being made. He thought the Government had the fullest possible information with reference to the route between Braidwood and Cooma. It would be utterly impossible to take the railway by that route, owing to the character of the country. After what had been said by the Secretary for Public Works, it was not necessary to refer to the character of the various routes proposed; but he would quote a few statistics which would illustrate the relative importance of the rival districts, and would show that as a matter of public policy it would be unwise to take the railway by way of Braidwood. In the Queanbeyan district, in 1878, the number of sheep was 333,022, producing 900 tons of wool, against 18,549 sheep, producing only 50 tons of wool, in the Braidwood district. With regard to agriculture, in the Queanbeyan district, in 1877, 78,803 bushels of wheat were produced, while not half the quantity was produced in the Braidwood district. Taking into consideration the character of the country, and the probable trade, there was no good reason for making a survey for a railway between Braidwood and Cooma.

Mr. DAY thought honorable members who had spoken in support of the motion could know very little of the country between Braidwood and Cooma. The Government might some day construct a line from Goulburn to Braidwood with advantage, but between Braidwood and the Umaralla River there was one of the most barren tracts of country to be found in the colony, with little else besides kangaroo rats upon it. He admitted that there was land of very good character in the vicinity of Braidwood itself; and, if there were not many sheep upon it —

Mr. THOMPSON: Not half so many as in the Queanbeyan district.

Mr. DAY: Braidwood had always been recognised as good cattle country. But the country between Cooma and Queanbeyan was on a dead level, and the same might be said of the land between Cooma and the Umaralla River. That country, however, would be tapped by another line. If the honorable member had brought forward a motion asking for the survey of a branch line to Braidwood, the House might have done well to entertain the

proposal; for the line, as far as Braidwood, would traverse good country. But in constructing the line to Cooma we must not disregard the level country—for the most part Crown lands—between Michelago and Cooma, and the first class country between Goulburn and Lake George.

Mr. GARRETT said he would vote against the motion, because if it were carried it would lead to a long delay in the construction of the railway, and the consequent infliction of a great injury upon the country as well as a great wrong to the large district of Monaro. There could not be much doubt as to the desirableness of the proposed railway; but no one travelling from Goulburn to Cooma would think of going *via* Braidwood. When the great rush to Kiandra took place people travelled through Monaro from all parts, but few attempted to reach their destination by the Braidwood route, and those who did make the attempt were not likely to repeat it. Taking Braidwood by itself he at once admitted that it might be connected with the main line of railway with advantage; but it did not follow because that was the case that a line to Cooma should be taken through that town.

Mr. O'CONNOR would vote against the motion if he thought that the proposed trial survey would delay the construction of the railway, but he did not see why that should be the case. Besides, the work would be a costly one, and it was therefore the more desirable that honorable members should have the fullest possible information before committing themselves to a particular route.

Mr. GREVILLE, in reply, said the main objections to the motion had been urged by honorable members who appeared to think that he was advocating a trial survey in the interests of Braidwood. He was doing nothing of the kind. All that he contended was that the House should stay their hands in the matter until they had obtained the necessary information. He had not come forward in the interests of Braidwood, however good a claim upon the consideration of honorable members that place might possess; he had spoken more in the interests of Cooma and of Sydney than in those of Braidwood. The possibility of the survey occupying two years was a bugbear. The greater portion of the line was surveyed, and, even if the

work did occupy two years, it would be better to suffer the inconvenience of a little delay rather than commit a gigantic mistake in the selection of the route. From documents he had read, and evidence which had been submitted to him, he felt convinced that the proposed route *via* Braidwood was worthy of consideration. A Government surveyor at first reported that the route was impracticable; another selected a lower altitude, which made the route more practicable; and a correspondent of the honorable member for East Sydney (Mr. Macintosh) had discovered another route of a lesser altitude than the two previously considered. What did we keep our survey staff for? Why should not some of the officers be told off to examine the country between Braidwood and Cooma? The only real objection raised by the Minister for Lands was the high mountain range which would have to be crossed; but in comparing the range to the Blue Mountains the honorable gentleman was drawing upon his imagination and picturing difficulties which the officers of his department had not discovered. He had the reports of the officers before him, and was unable to discover any mention of the Blue Mountains. He felt assured that unless the trial survey for which he asked were made, a great injustice would be done to the district.

Question—That the motion be agreed to—put, whereupon a division was called for with the following result:—

Ayes	...	...	...	19
Noes	...	...	...	23
Majority				4

AYES.

Mr. Fitzpatrick,	Mr. Macintosh,
Mr. Copeland,	Mr. W. C. Browne,
Mr. Badgery,	Mr. Beyers,
Mr. Barton,	Mr. Shepherd,
Mr. Bennett,	Mr. Dillon,
Mr. R. B. Smith,	Mr. Melville,
Mr. Terry,	Mr. Coonan,
Mr. McCulloch,	<i>Tellers,</i>
Mr. Barbour,	Mr. O'Connor,
Mr. S. C. Brown,	Mr. Greville.

NOES.

Sir Henry Parkes,	Mr. Combes,
Mr. Watson,	Mr. J. Davies,
Mr. Lackey,	Mr. Clarke,
Mr. Suttor,	Mr. Day,
Mr. Baker,	Mr. McElhone,
Mr. Hoskins,	Mr. Garrett,

Mr. Jacob,	Mr. Roseby,
Mr. Cameron,	Mr. Fawcett,
Mr. Burns,	Mr. Teece.
Dr. Renwick,	<i>Tellers,</i>
Mr. Greenwood,	Mr. T. R. Smith,
Mr. Hezlet,	Mr. Thompson.

Question resolved in the negative.

PUBLIC ACCOUNTS.

Mr. SPEAKER reported the receipt from the Auditor General of the Treasurer's Annual Statement of Public Accounts for the year 1879, with the Auditor General's report thereon, furnished in accordance with the 38th section of the Audit Act.

ADJOURNMENT.

INSOLVENT ESTATE OF JAMES LITTLE—
MINERALS IN UNSOLD CROWN LANDS—
SYDNEY POLICE COURTS.

Mr. McELHONE moved the adjournment of the House, in order to call the attention of the Treasurer to what he regarded as a cold-blooded piece of tyranny on the part of an official assignee, in conjunction with a solicitor, whose action in the matter was a disgrace to the profession. A short time ago Mr. James Little, a store-keeper at Scone, in consequence of losses by drought, the small selectors who were his chief debtors being unable to pay, became insolvent. The estate was placed in the hands of official assignee Sempill, who, instead of dealing with the claims himself, handed them over to a solicitor named Russell. All the debts were for such amounts that they could have been recovered in the District Court by suing. But a demand was made in every case. In some instances a bank draft, cheque, or money order was sent down. Mr. Russell refused to receive the amounts due to the estate until his costs were paid, and, before they could be paid, writs were taken out in the Supreme Court. It was known as a fact that many of these poor people, whose blood was thus sucked, had parted with nearly all their small number of live stock, which had outlived the drought, in order to pay their liabilities. This Mr. Sempill received his 5 per cent. for doing nothing. Why should these persons, who received thousands a year for doing nothing, getting 5 per cent. out of these insolvent estates, be allowed to put the collection of the accounts into the hands of solicitors? Dr. Creed, who mentioned this matter to him, desired him to bring it before the House,

and furnished him with documents which showed that this solicitor Russell was employed to apply for payment, and that at the same time he demanded costs; in the majority of instances it was a guinea, the sole excuse for the charge being that a letter was written. He presumed that a solicitor could not charge for such a letter if a person tendered the money; at any rate, he was entitled to only 6s. 8d. for writing a letter, and that was a great deal too much. He believed the official assignees put insolvent estates in the hands of solicitors in order to divide the plunder. It was not long ago since this Mr. Sempill was himself an insolvent, and took the benefit of the law; and yet he had no mercy on these poor people who had lost their little all by drought. He handed them over to this blood-sucker Russell, and after they had paid all they owed he then demanded costs. The Bank of New South Wales held bills of sale, or other security, over the goods and chattels of Little, and they claimed to be paid the money which one poor man paid into the bank, so that, to meet the demand of Sempill and Russell, he had to pay the money twice over. In the case of Hugh McColl for 10s. 6d. costs, Russell took a writ out of the Supreme Court; although the money due had been sent, this Shylock would not take it unless he obtained the costs, yet this poor man had sold all that was left to him by drought in order to pay his debts. The amount of the debt was £14 10s. 5d. The Minister of Justice, he believed, had power to deal with these official assignees, and he would ask the honorable member whether they were allowed to levy black-mail in this way. It was high time the Government took the matter in hand, and saw to the alteration of the insolvency laws so as to take out of the hands of these individuals the power to persecute. These were cases for the District Court, not for the Supreme Court. A grosser piece of cruelty was never perpetrated than this by those vampires Sempill and Russell. Among the victims were two gentlemen, Messrs. F. and S. Parbury, known to the honorable member for East Maitland—men who were not likely to evade their debts. Those young men were served with writs by Russell, although they were ready to pay on demand what

was due. He believed it was illegal to demand costs before steps had been taken to recover in a Court of law, or to demand payment for a letter until an action had been commenced. But Russell wanted to make all he could in this way. He hoped the Minister of Justice would cause the Commissioner to call Mr. Sempill to book, if he had not power to deal with Russell. These victims had never had an account rendered before they were called on to pay what they owed as well as two guineas as costs. In that case Russell did not wait for a reply; he immediately took out a writ to put these unfortunate persons to further expense. He imagined that such a man as Russell was a disgrace to any profession, more especially to the legal profession; and it was difficult to understand how he was admitted to it; he could not have been admitted if he had to undergo the examination to which solicitors are now subjected. In another case, that of Mr. Pinkerton, a man who also was well known to the honorable member for East Maitland, there was a charge of four guineas for costs, and before the man had time to send a telegram Russell had a writ issued from the Supreme Court. It would be better to be in the clutches of the Kelly gang, and to be asked for your money or your life, than to be in the hands of Sempill and Russell, who would take both. He believed that there were solicitors in Sydney who worked in collusion with the official assignees to extort from debtors in insolvent estates more than was due. James Wood, an honest, straightforward man, paid £10 1s. 10d. to the manager of the Bank of New South Wales at Scone, who had demanded it and received it. He was served with a writ and charged with two guineas costs. He knew this man to be a highly honorable hard working fellow, who had been struggling against losses by adverse seasons. The money was demanded of him by the bank, which, under a bill of sale or other power over the estate of Little, received the moneys. Yet these fiends in human form, Sempill and Russell, came down on the poor man because he did not pay the money twice, and Russell issued a writ against him, not caring if he compelled him to sell the shirt from his back. He thought it was the duty of the official assignee to

demand payment of debts due to an insolvent estate, and if they were not liquidated within a reasonable period, to take action for their recovery in his own name without handing over the business to any solicitor. There could be no doubt that there was urgent necessity for an amendment of the insolvency laws which would take it out of the power of men such as these to harass unfortunate people who were debtors to an insolvent estate. It would be to the interest of all parties concerned if the Government appointed two or three competent persons who should have the management of insolvent estates.

Mr. S. C. BROWN thought it was a great pity that the honorable member for The Upper Hunter would persist in using such intemperate language. He had perused the papers which the honorable member had in his possession, and the persons whose cases were mentioned seemed to him to have suffered considerable hardship. He really could not understand how some of the things stated in the documents could have happened. It was not his duty to pass judgment on his professional brethren, but he thought the gentleman referred to by the honorable member for The Upper Hunter had in two or three cases committed very grave errors, and had been very harsh indeed. He would have acted more wisely if he had been more merciful and lenient. If the statements made were true, the attorney had not only acted harshly towards the debtors in the estate, but he had acted most foolishly in the interest of the estate. Still he did not think anything had been done to warrant the harsh and intemperate language of the honorable member for The Upper Hunter. He rose chiefly to point out that there was really no use in bringing the matter before the House, as neither the Government nor the House had any power to interfere. The official assignees were appointed by the Chief Justice. The Commissioner of Insolvent Estates sat as a Judge in his own Court, and the Government had no power over him. For the Government to ask the Commissioner or a Judge to hold an investigation into any particular matter would, in his opinion, be an interference with the proceedings of justice, which would be far worse in its consequences than even the wrongs

which the people named had suffered. Those people were not without a remedy. They had the power to ask the Commissioner to hold an investigation into the conduct of the official assignee or any other person acting in the administration of an insolvent estate, and he was quite satisfied if the charges made were proved before the Commissioner the parties would get substantial redress. What earthly good was done by referring to the matter in the House? The people would not get their money back in consequence of anything which was said or done in the House, as the Commissioner could not interfere unless the matters were brought under his notice in a regular way. If all other attempts to obtain redress had failed there might be some justification for mentioning the matter in the House.

Mr. BADGERY did not agree with the honorable member for Newtown as to its being impolitic to refer to the matter in the House. He knew most of the parties whose names had been mentioned by the honorable member for The Upper Hunter, and he believed the statements they made were true. It was all very well to talk about applying to the Chief Commissioner for redress, but it was only reasonable to assume that the unfortunate people thought that they had had enough of lawyers already, and would not be prepared to have anything more to do with them. Reference to the matter in the House would have this good effect: it would show people the dangers to which they were exposed, and they would be careful to protect themselves as far as they could. He should like to know whether solicitors had any power to claim fees under the circumstances stated by the honorable member for The Upper Hunter.

Mr. S. C. BROWN: No.

Mr. BADGERY: Then it is disgraceful for any man to claim the costs.

Mr. COPELAND wished to draw attention to what he considered a very absurd practice in regard to the sales of land: that was when land was offered for sale, but not sold, the Crown lost all interest in the minerals contained in the land. There might be some reason in allowing a purchaser of land to become possessed of the minerals, but he could not understand on what principle the minerals should be lost to the Crown

[*Mr. S. C. Brown.*

simply because the land in which they were contained had been offered for sale. He thought the Government ought to put a stop to this absurd practice.

Mr. O'CONNOR suggested that reforms should be made in regard to the holding of Courts at the Water Police Court building. The other day the Small Debts Court was held in a small room to the inconvenience of suitors when a larger room was unoccupied. There was a building at the corner of Erskine and Clarence streets which was formerly used for a women's lock-up, but which had been closed for the last three years, and several of his constituents suggested that a policeman should be stationed there. He hoped the suggestion would receive the attention of the Colonial Secretary. With regard to the matter brought before the House by the honorable member for The Upper Hunter, he thought that there was some excuse for the language used by the honorable member. Reference to the matter in the House would have this good effect: it would strike terror into the minds of those heartless wretches who would harass unfortunate people in such a way. The time of Parliament was not wasted when it was taken up in exposing such cases.

Mr. McELHONE, in reply, thought that the law society, of which the Attorney General was the head, ought to take cognisance of the matter which he had mentioned. If the Attorney General brought the conduct of Mr. Russell under the notice of the Supreme Court, he believed the Court had the power to strike his name off the roll. He should make no excuse to any one for having spoken so warmly on the subject.

Question resolved in the negative.

CASE OF PATRICK AND MICHAEL GRIFFIN.

Order of the Day read for the resumption of the debate, adjourned from June 15th, on motion (by Mr. BADGERY),—

That the resolution of this House, passed on the 10th June, 1879, adopting the report from the select committee in the case of Patrick and Michael Griffin, be rescinded.

Question put, whereupon a division was called for with the following result:—

Ayes	10
Noes	26
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Majority	16

AYES.

Mr. Greville,	Mr. Bennett,
Mr. H. H. Browne,	Mr. O'Connor.
Mr. Melville,	
Mr. Garrett,	<i>Tellers,</i>
Mr. Teece,	Mr. Terry,
Mr. W. C. Browne,	Mr. Badgery.

NOES.

Mr. Lackey,	Mr. Wisdom,
Mr. Watson,	Mr. Simson,
Mr. Fitzpatrick,	Mr. Baker,
Mr. Suttor,	Mr. Burns,
Mr. Farnell,	Mr. Hoskins,
Sir Henry Parkes,	Mr. T. R. Smith,
Mr. J. Davies,	Mr. Copeland,
Mr. Dillon,	Mr. Dangar,
Mr. Roseby,	Mr. Thompson,
Mr. Bowman,	Mr. Harris.
Mr. S. C. Brown,	
Mr. Eckford,	<i>Tellers,</i>
Mr. Fawcett,	Mr. Hezlet,
Mr. Barbour,	Mr. Clarke.

Question consequently resolved in the negative.

EQUITY BILL.

Bill recommitting; and clause 84 amended by substituting the word "September" for the word "May."

WOOL, CATTLE, AND COAL TAX BILL.

SECOND READING.

Mr. WATSON, rising to move the second reading of this Bill, said: After the lengthy debates which have taken place on the proposed imposition of the taxes provided for in this measure, it appears to me that there is very little in the shape of new arguments left for me to urge, and after the full discussion which has taken place, extending over several nights, I shall best consult the convenience of honorable members by not recapitulating what has already been advanced prior to the adoption of the resolutions upon which the Bill is based, in Committee of Ways and Means. I have fully shown to honorable members that we require additional taxation to make the revenue equal to the expenditure; and I claim for the taxation we have submitted that it is as little objectionable as any which could be devised; and it has this also to recommend it, that it will not entail any cost for collection, while the amount of the tax will be considerable. Taxes of any kind are sure to be objected to by those upon whom they will fall, and the imposts which have been suggested by honorable members in lieu of those which I have proposed would certainly be

far more strongly objected to. A property-tax would be one attended with great difficulty at the present time, even if it could be made available in sufficient time to meet our requirements. Honorable members have also recommended that we should increase the tea and sugar duties; but if we had proposed to increase those duties, it must be clear that such a tax would not be approved. One of the principal objections which have been urged against the proposed export duty on wool is that it will interfere with the shipment of Queensland wool from this port. The tax which we propose will not, however, interfere with that trade in any way. Provision has been made that that trade should be in no way hampered, and it will continue to be carried on just in the same manner as it is at present. And, while on this point, I may remind honorable members who have started this objection that there will be a positive encouragement for the Queensland wool trade to come here, as under the Bill which has just been assented to, goods from intercolonial ports intended for transhipment here for London will be exempted from the payment of wharfage rates. Wool arriving from Queensland after this Bill becomes law, will be dealt with exactly in the same way as it is at present. This wool has now to be entered at the Customs House, and the marks, numbers, and weight are given. We propose that this course shall be adopted; but, when the entry has been passed, the collector will give a certificate to show that wool of that quantity and description has been imported. The wool can then go into warehouse, and it will not be required that it shall be placed in bond. When the wool is about to be exported, the certificate will have to be produced, and the wool will be exported without any impediment whatever. If the wool were imported in the grease, and were to be scoured before export, a deduction of 50 per cent. will be made for scouring. So much for the argument based on the alleged diversion of the Queensland trade. The same officers of Customs who now collect other duties will collect the wool duties; and the same staff which now deals with stock will collect the tax on stock; while the tax on coal will also be collected by the officers of customs, and will go into the revenue

without any deduction for the cost of collection. I am satisfied that no taxes more equitable than those embodied in the Bill can be proposed; and with this conviction I leave the measure in the hands of honorable members, feeling assured that they will agree to the proposals submitted.

Motion made, and question proposed.

Mr. FITZPATRICK: I do not intend to enter upon much argument on this occasion, but I shall content myself by simply recording my vote against the second reading of the Bill. I think, however, that I ought to say that the Treasurer assumes that he has satisfied the Committee that there is a necessity for more taxation; but I take leave to think that the honorable member has satisfied neither the House nor the country. The expenditure proposed by the Government will considerably exceed £5,000,000, and the estimated deficiency—not the ascertained deficiency—will be considerably under £200,000. For the Treasurer, under such circumstances, to talk of the necessity for additional taxation, is simply to injure the good repute of the colony. I leave with the Treasurer and the Government the responsibility of determining that fact; and I say that they would be consulting the best interests of the colony by withdrawing the proposed taxation, and considering the whole question during the recess. I make this suggestion in no spirit of hostility to the Government, but from an earnest desire to save the country from the great injury which must accrue if the proposed taxes should be collected. I would like to address one argument to honorable members, which I do not recollect having yet heard advanced in the House, although it has been very much insisted on out of doors. It is pretty well known that there exists in Melbourne, and has done for a considerable time, a much better market for the sale of wool than that of Sydney. So much is that the case, that wool is worth more in Melbourne than it is in Sydney, by reason of the greater concourse of buyers. The owners of wool who desired to make Sydney their shipping port thought they saw a remedy for this evil that, as soon as the Southern Railway was completed, a little enterprise on the part of our wool-brokers would at least command an alternate sale in Sydney, at which the foreign buyers would attend as they do that at Melbourne. Any

one, however, who forecasts the operation of this tax will see that, if the foreign buyers came here to bid, as they do at Melbourne, they would have to cope with all the difficulties created by the duties, the employment of agents, the manipulation connected with the placing of the wool in bond, declarations about the class of the wool, the opening of bales, and so on. I say that no man in his senses would come here twice to buy if he had to encounter all these difficulties. We should therefore be in a worse position then than now. After all the efforts we have been making to bring the wool to Sydney by adopting these proposals we shall be cutting our own throats, as it were—we should be embarrassing the export of wool by restrictions which cannot exist in the southern port. Neither the Treasurer, nor any honorable member who sits with him, has offered any justification for this tax. The honorable gentleman thinks that he is doing his duty in asserting this necessity for further taxation. He is a better judge of that position than I am, but he has not satisfied any one that these taxes will not be injurious in their character and operation. As has been well stated by the honorable member for Camden (Mr. Garrett), to get at the men whom the Government seek to tax, you trample upon those whom you have no right to tax.

Mr. GARRETT: I have entertained the hope that reflection would convince the Government of the expediency of abandoning their proposals with regard to new taxation. They took the whole community by surprise; but, so far as the public have been able to consider them, they have been universally condemned. I think that honorable members have been convinced that there is nothing to justify such proposals; and that the effect of our departure from the sound economical principles which have hitherto characterised our fiscal legislation must be to damage our reputation throughout the world. We retraced the steps which were at one time taken in the direction of protection, but now without any necessity whatever we are resorting to protection in its very worst form. Our public credit will be injured by such an unsound scheme of taxation, being patched on to our present system which is perfectly sound of itself. We have a total revenue of five millions

[Mr. Watson.

sterling, and we have a supposed deficit of some few thousands. We all know that there is no necessity whatever for the increased taxation. If there should be any necessity for it, the Government will not require to provide for a deficit before the end of the year; and there will be ample opportunity to deal with it before then. It can be dealt with in a much better way if more time be allowed. It appears, however, that the Government are determined to persevere in their determination to carry their new taxes. I hope the new taxation will be thrown out. The utter absence of any real argument in their favour must have struck everybody. There is nothing in the shape of argument to meet. The necessity for the taxation is not made out, and we have no arguments whatever in favour of the principle of the taxes. We have unfortunately been in a position in which the overwhelming arguments brought against the taxation proposals were used in a debate upon a motion which was not fairly before the House, and those arguments were therefore of no effect. I am confident that if the matter were brought before us now for the first time after the opportunity which has been allowed for reflection, the proposed new duties would be rejected. The arguments against the taxes have been unfruitful through being used at a time when the subject was improperly before us. There cannot be a doubt that the tax upon wool will fall upon no one except the producer of wool in this country; and, as far as I can learn, export duties have never been imposed where they would fall upon the producer. The only justification for an export duty has been that it would fall upon those who had to buy the article taxed. What are the arguments in favour of a tax upon the producers? That they have had the use of our Crown lands, and do not pay sufficient for them. It is sufficient to say in answer to that, that one half the wool produced in the colony is grown on freehold land. We have just passed an Act giving Ministers power to compel lessees to pay a fair and adequate rental for the use of the Crown lands, and that ought to be enforced, instead of this roundabout way of obtaining a fair rental being resorted to. The arguments in favour of the wool-tax entirely fail, in the first place, because half the wool is produced from freehold land, and, in the

second, because sufficient means for obtaining a higher rent from the squatters have been provided.

MR. MACINTOSH: How much of the public estate is sold?

MR. GARRETT: The honorable member is not going to get any facts from me. He has explained his views upon the subject, but he quite failed to adduce any argument which could be said to justify this tax. One argument used in favour of the tax is that the squatters derive great advantages from the extension of our railway system. Whose fault is it, if the squatters do not pay enough for those advantages? If they do not pay enough, the charges ought to be increased. It is unjust to inflict a tax upon the whole of the pastoral interest on account of advantages which are not enjoyed by the whole of those who occupy the public estate. If these taxes are passed, a great number of people will have to pay them who do not use our railways at all. The wool grown in the Monaro district is shipped from the seaport of Eden, where there is no railway. The wool-growers there and in many other parts of the country will be taxed for railway facilities from which they do not obtain any benefit. The tax of 6d. per head upon stock will be a very heavy impost. A beast has to be kept 4 or 5 years before it is fit for the market, and the average amount of taxation upon it will be from 2½ to 5 per cent., according to the price which the animal will realise. The amount paid in 5 years will be 2s. 6d. per head, and the price for which cattle are usually sold is from £2 10s. to £3 per head. It will be found when all other expenses are considered that 6d. per head per annum will be a heavy percentage. There never was a greater mistake than to suppose that the tax would reach none but those who were paying a very small rental for their lands. There is land at Kiama for which as much as £100 an acre has been paid, and in that district the number of stock is as large as the number to be found on any other lands of the same area in the colony. The cattle are held in herds of not less than 100, and all will have to pay the tax. What right have you to impose a tax upon them, if you do not tax all the other property-owners in the country? In the district of Camden, which contains three police districts, there are 76,000.

head of horned cattle, and according to the number of proprietors, as given in the *Statistical Register*, every one will be liable to taxation. What have the cattle breeders in that district done that they should be singled out for special taxation? Is there any land there the full value of which has not been paid to the Crown? There is none that has not cost from £20 to £30 an acre. To tax them in this way is a monstrous injustice which, if you were on the verge of bankruptcy, would not be justifiable. When we consider that our total revenue amounts to between five and six millions, and that the paltry deficit which is anticipated is six months off, it is ridiculous that such extreme measures should be resorted to at the present time. The proposed coal-tax is worse even than the wool-tax. The bulk of the coal land in the country has been bought at double the price of the pastoral land. We sold our royalty and now it is proposed to impose another royalty. But what about the land which we leased? We leased it at 5s. an acre with an obligation to spend £5 a year; yet it is now proposed to demand a royalty. Some honorable members say that the tax will not touch the pockets of the local consumers; but I say that every penny of it will come upon the local consumer. You will get nothing out of the pockets of the foreign buyers. The exporter will not be able to put another farthing upon the price of the coal which he exports, and he will obtain the amount of the duty from the local consumer, who will have to pay at least 1s. per ton more for coal. You are actually proposing to make the coal proprietors pay a royalty after selling them the land. Would such a thing be tolerated in the case of a contract entered into by a couple of honest men in private life? These taxes simply amount to a penalty upon one or two classes of the community—a fine imposed upon those classes for the benefit of the public at large. The effect may be to increase the customs revenue, but I prognosticate that it will diminish the railway revenue. A large proportion of the wool, to obtain which we have been lowering our railway rates and extending our railways, will not come to the port of Sydney. It will go to some other port. I know a grower of wool whose clip will amount to about 3,000 bales. He will send all his

[*Mr. Garrett.*

wool to Melbourne. It is true that he will have to pay the duty, but we shall lose 9s. per bale in freight. One ship less will come into our harbour, and our export trade will diminish by that amount of wool. We are extending our railways, lowering our freights, and providing facilities of various kinds in order to bring trade to the port of Sydney, yet it is proposed now to impose a kind of taxation, the effect of which must be to drive trade away. It is clearly dishonest to tax people to make them pay for railways which they are not in a position to use; and it is equally dishonest to charge a further royalty upon coal when our royalty has been sold. I know that it is impossible to do more than protest against the taxes. I have already given my vote against them, and I shall do the same again in the future. I will do all in my power to render the taxes as little injurious to the community as possible. In my opinion the effect of such taxation will be to make the Government detested by our own people and despised by those of the outside world who reflect upon our legislation.

Mr. GREENWOOD: I did expect that some one would answer the strong arguments which have been used against this measure. We have nothing to reply to. All the arguments used have been against the proposed taxation. I never heard of a measure of so much importance being proposed in either this or any other Parliament with so little said in its favour. I suppose the Treasurer is relying upon the votes which he has secured, and the pairing which I still assert the Government have themselves been a party to. I know that the Treasurer himself has been securing pairs, and over thirty members have paired off. Public attention ought certainly to be directed to the matter. What did the Treasurer say in moving the second reading of the Bill? He gave three reasons why we should agree to the motion. His first reason was that he knew of no other taxes which would not be more difficult to collect than those proposed in this Bill. Now what is that worth? If the Government merely want to obtain revenue in the easiest way, it may be possible to find an easier way than this. What the Government have to prove is that the taxes which they propose are in themselves just and right; not that they are easier to

collect than other taxes. That they have not done. I hold that we have a better way of raising revenue. I think the arguments used by the Treasurer to-night come with a bad grace from a Government who allowed three months to elapse after the loss of their previous taxation proposals before bringing forward any other scheme, and who have lost £60,000 by the delay. The new Land Act provides that the minimum rent for a pastoral lease for 5 years shall be £1 per square mile, except for back sections. The average rent last year was 15s. per square mile; so that in rents there must be an increase of one-third as leases fall in. It happens that during the present year between 1,600 and 1,700 leases will fall in, and we ought therefore to have the amount of the rents increased by about one-third. These 1,600 or 1,700 leases constitute about one-third of the whole number, which is about 4,300. £168,000 a year is the sum with which they are credited, so that the amount for one-third will be about £60,000 a year, and if the Government can increase this by one-third it will give them £20,000. If the Government will not use the power which they possess under the Act to appoint appraisers, and carry out the assessment of the leases, they have no right to ask Parliament for increased taxation. They come to Parliament under the plea of a necessity caused by their own neglect, and ask for the imposition of a most iniquitous description of taxation. It is a matter of opinion whether a property-tax or a land-tax could not be levied with just as little difficulty as the taxes now proposed, with all the complicated machinery which will be necessary to prevent the revenue from being defrauded. By these three forms of taxation the Government propose to interfere in a most vexatious manner with the freedom of trade, contrary to the teaching of Adam Smith, who was quoted by his great admirer in this Chamber the other day. Then the Colonial Treasurer said that the tax would not touch Queensland wool. That is a very small argument, because I hold that whether Queensland wool, on its way to London, comes to Sydney or not, that is no reason to give to this Parliament for imposing taxation on the people of New South Wales. My opinion is that, as a matter of fact, we shall injure our

transit trade very seriously if the Bill with these three taxes become law, but whether we shall or shall not, it is a small reason to be considered by the House for assenting to or dissenting from the proposed taxation. The only other reason given by the Treasurer was that the cost of collecting the taxes will be very small, because the present officers of Customs can do the work. Now what are we to infer from that but that the Government are now employing more officers of Customs than are needed to do the work? If the Customs officers can do this additional work, they are costing too much already, and it is a strange admission to make, while you are asking for increased taxation, that you are spending more money than you need. These are the only reasons that we have to reply to, and I ask honorable members to say whether there is any rationality in them to justify any man who feels his responsibility as a representative of the people in putting his hand into the people's purse in the manner the Government propose? But now, having cleared away the chaff which has been thrown at us, let us consider the taxes on their merits. I will condense what I have to say into a very few words. If the Government want a short, sharp, and decisive debate, and to trust more to the division than to discussion, I have no objection to let them have their wish. First, if the new taxation is in lieu of rent from the pastoral lessees, it is not proportioned to the respective deficiencies in the rents of the pastoral lessees, and it is not confined to those lessees. Some run-holders pay enough, I dare say—others pay lamentably too little; but there is no discrimination between those who pay too much and those who pay too little, but all have to pay in proportion to the quantity of wool they send to market. The tax is not confined to the pastoral lessees, but it will also fall on the pre-leaseholders, who are paying £2 a section—about three times as much per acre as the pastoral lessees are paying, and it also falls upon freeholders. In the second place, if the tax is to be imposed because of the easy terms on which freeholds have been acquired in the colony—no matter whether pastoral, agricultural, or mineral land—I ask the Government how they could be so lost to a sense of their duty to the country as during

the present session to carry through Parliament a Land Bill which has made the terms, both under mineral conditional purchase and under free selection generally, easier than before, by reducing the value of improvements and extending the time within which the improvements shall be made? They have condemned their own argument by their legislative action. The Government say, "We have parted with our land on too easy terms, and therefore we will levy a tax on those who have freeholds"; yet, in the same session in which they put that forward as a reason for new taxation, they have actually made the terms of purchase easier. No other argument than the action of the Government themselves is required in answer to that reason. Again, if this new taxation is, on account of cheap carriage, to make good to the revenue that it loses on the railways—and, if you like, on roads and bridges, and postal and telegraph services—it is not proportioned to the distance the produce is carried, but as much has to be paid upon produce which is not carried on the railways at all as on that which is carried more than 300 miles by rail; nor does it fall upon others who are benefited by cheap railway carriage equally as well as those who send wool and meat to market. That reason, therefore, falls to the ground, because it is absolutely contrary to fact. The railways exist for the benefit of the public; who derives the most advantage, we cannot say—probably it is those who use the railways most. Again, if this new taxation is intended as an indirect property-tax—as I have heard it argued by an honorable gentleman who is not now in the Chamber—what right have you to impose a tax upon a particular class of property and leave the rest untouched? That has been argued outside the House, if not in it, and it is said that when we have to impose particular taxes they must fall upon some particular classes. I hold that the tax on wool and meat exported from the colony will fall, not on the foreign consumer, because the foreign market is too vast to be ruled by a tax like this in New South Wales, but upon the producers; and I contend that when capital invested in one particular industry is called upon to pay a tax, capital invested in other industries ought to be called upon to pay an equivalent tax. If

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you violate that condition you violate the first principle of taxation, namely, that it should be equal in its incidence in proportion to the benefits received from the State; and as we do not protect one kind of property more than another, a tax meant to fall on property should fall equally on every kind of property. This tax fails in that respect, because it will fall upon a particular class without any corresponding taxation upon other classes.

Dr. RENWICK: What about the spirit duties?

Mr. GREENWOOD: I should have thought that an honorable gentleman who has studied political economy as well as medicine should know that, when we tax articles of general consumption, if that taxation does not fall equitably upon the whole people it is not the fault of the Government. People can, if they choose, abstain from everything that is so taxed. The Government tax the articles because they enter into general consumption, and therefore the tax is likely to be distributed amongst the whole people in a fair proportion to the benefits received in the form of protection, and we tax wines and spirits and other alcoholic liquors in accordance with a wise maxim, which says that we ought to tax stimulants more than anything else in order to discourage their consumption. The tax falls fairly upon all classes, and not on a particular class. Those who use the article must pay the duty. The man who consumes spirits does so to please himself, and he can escape the tax by abstaining from them, but the man who grows wool or meat cannot help himself, but must pay the tax, though the man who produces something else than wool, meat, or coal, escapes taxation altogether. That is the difference between the tax on spirits and the taxation the Government propose. Again, I have heard this taxation spoken of as a sort of indirect absentee-tax, because it will fall upon people who live in London, and who shear their million of sheep here and pay nothing to the revenue. That it will reach some of those people I have no doubt, and perhaps to a considerable extent, but that cannot be the reason for it, because it will reach everybody else who grows wool and meat, and it will reach residents in the colony in the gross—to a far greater extent than the absentees; therefore, it cannot be

an absentee-tax. Finally, if it is proposed as an emergency tax, the worst thing Parliament can do is to agree to such a tax, because we shall be teaching future Governments that all they have to do is to consume the time of Parliament until they get into a state of emergency, out of which they must be helped on their own terms, because there is no time to do anything else. It is the duty of Parliament to reject it then for the security of its own independence. Never let us grant taxation which we believe to be fundamentally unjust and fatal to the best interests of the country because the Government by their own neglect have got themselves into an emergency. I do not think there is an argument used in favour of this taxation which I have left unnoticed. If it be in lieu of adequate rent, it is not proportioned to the respective deficiencies of the lessees, and it is not confined to lessees. If it be in lieu of the easy terms on which freeholds have been acquired, the Government have cut the ground from under that argument by making the terms easier still. If it is in lieu of cheap carriage, it is not in proportion to the distance the produce is carried, and it does not reach all who benefit by cheap carriage. If it is an indirect property-tax, it falls on one class only, without any corresponding taxation on other classes. If it is an absentee-tax, it falls still more heavily upon the residents within our territory. If it is an emergency tax, there is not a single reason advanced in its favour; but, on the merits of the case, there is ample reason why the House, which is the guardian of the public honor and public purse, should reject it with scorn and contempt.

Mr. HOSKINS: I admit that I labour under a great disadvantage in following the honorable gentleman who has just sat down, because he had prepared a written peroration to his speech. I am not in the habit of resorting to that practice, and I must endeavour to state as well as I can, without such preparation, the reasons for the course adopted by the Government. I rise principally for the purpose of defending my honorable colleague, the Treasurer, from the attack made upon him for not having adduced at greater length arguments in support of his proposals. Looking at the long debates which took place upon the resolutions, I should have

imagined that the Treasurer deserved the thanks of the House for not taking up time in reiterating arguments which had been worn almost threadbare; and I take the liberty of saying that the arguments advanced this evening, with the exception of one or two put forward by the honorable member for East Sydney (Mr. Greenwood), are not new. The leader of the Opposition made a short speech, and the Government appreciate the consideration he showed them, but the other speeches have been characterised by a stentorian repetition of former arguments, and by audacity of statement. It has been said that if the proposed tax on wool become law the receipts on our railways will be diminished. I should like to know how that will be. I suppose that sheep will still be shorn and the wool sent to our ports for shipment whether the tax be imposed or not, and as it is not likely to be sent by bullock teams or horse teams it must be sent by rail, which is the only means of transit, except that of roads, for three-fourths of the wool produced in the colony. We are told that a large quantity of the wool of the colony is produced in the coast districts, and is not sent by rail to Sydney; but we know as a matter of fact that sheep do not thrive in the coast districts, and that consequently the land is chiefly used for depasturing cattle. No doubt wool from the Monaro district is sent to Sydney by sea as well as by rail, but by far the larger portion of the wool produced in the colony is sent by rail. The honorable member who used the argument might, if pushed into a corner, say that the wool would go to Melbourne, but even if the squatters found it more profitable to send their wool to Melbourne instead of to Sydney they would send it by our railways, and they would still have to pay the tax, because no one supposes that wool would be allowed to cross the border without paying the tax.

Mr. HEZLET: The buyer will have to pay the tax.

Mr. HOSKINS: The producer must pay the tax, and it is only fair to admit that. The producers of wool in this country have received greater benefits from the State and made larger profits out of the Crown lands which they hold at a low rate than other persons who have invested their capital in other pursuits in the

country, and they contribute less to the revenue than any other class of colonists. The honorable member for Camden (Mr. Garrett) says he has not heard an argument advanced in favour of the Government proposals. It suited the honorable member to say so. Not only have arguments been adduced, but no attempt has been made to refute them.

Mr. McCULLOCH : What are they ?

Mr. HOSKINS : The honorable member must have heard them ; and if he is so dull of comprehension as to be unable to understand them, the circumstance is much to be regretted.

Mr. McCULLOCH : I did not hear them.

Mr. HOSKINS : There are none so deaf as those who will not hear. The honorable member for Yass Plains made a statement—based upon information which he says he has received outside—which, if it could be substantiated, would militate seriously against the Treasurer's proposals. The honorable member said, in the first place, wool sales were better in Melbourne than in Sydney. Now that is a mere statement.

Mr. FITZPATRICK : Do you deny it ?

Mr. HOSKINS : I do, most emphatically ; and I have taken the trouble to make inquiries into the subject. I am well aware that Melbourne wool-brokers and newspapers puff up the Melbourne wool-market, and endeavour to make people believe that it is the emporium of the Australian wool trade. But the prices obtained in Sydney are equal to the prices realised for the same articles in Melbourne. I know of a great many squatters who have found to their cost that it is a great mistake to send wool to Melbourne.

Mr. McCULLOCH : Hear, hear.

Mr. HOSKINS : The Melbourne charges are in excess of the charges at Sydney.

Mr. FITZPATRICK : What charges ?

Mr. HOSKINS : The brokers' charges—the charges attaching to the sale of wool. I therefore deny the premise of my honorable friend that Melbourne is the best wool-market.

Mr. FITZPATRICK : That is what is called argument.

Mr. HOSKINS : I will come to argument presently. The honorable member for Central Cumberland (Mr. McCulloch), who is a producer of wool, has tried both

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markets, and I am sure that he will not admit that Melbourne is the better of the two.

Mr. McCULLOCH : I think Sydney is the better ; but the Government are going to make Melbourne the better.

Mr. HOSKINS : Then the honorable member for Yass Plains says that buyers will not come to Sydney with the knowledge that they will have to pay the tax, and that they will also have to contend with difficulties in taking the wool out of bond. In the first place, the buyers will not pay the tax.

Mr. FITZPATRICK : Who will pay it ?

Mr. HOSKINS : It will be paid by the producer.

Mr. FITZPATRICK : How so ?

Mr. HOSKINS : I take it that wool of a given quality will realise the same price whether it be sold in Melbourne or in Sydney, because one market is as good as the other. Therefore the tax imposed in Sydney will not increase the price in any way whatever, and consequently the buyer will not pay the tax.

Mr. FITZPATRICK : The wool will not be taxed until it is cleared for export.

Mr. HOSKINS : The honorable member is evidently ignorant of the practice of the port. Does he think that the Government will tax the wool after it has been placed on board ship ? Does he suppose that the tax will be imposed twice ? The buyer of course will give what the wool is worth irrespective of the tax.

Mr. FITZPATRICK : The wool will be sold in open market before it is exported, and the purchaser will therefore pay the tax.

Mr. HOSKINS : My honorable friend is quite wrong. The purchaser will pay the value of the wool.

Mr. FITZPATRICK : Will the grower consign it after it has been sold ?

Mr. HOSKINS : The wool will sell for what it is worth, irrespective of the tax. Now in what way will restrictions as to bonding prevent the export of wool from Sydney ? The Treasurer, in moving the second reading of the Bill, told us that the wool need not, and, in most cases, would not, be taken into bond at all. The duty will be collected upon the declared weight of the wool sent to the consignor, and certain penalties will be provided for false declarations. The honorable member for

Camden tells us that if we assent to this Bill we shall impair the public credit. How can we injure our credit by providing the Ways and Means wherewith to defray the expenses of Government and to pay the interest upon our public debt? So far from injuring the public credit by such a course, we are likely to improve it. I am sure the honorable member for East Sydney (Mr. Greenwood) will not indorse the statement that the public credit will be improved by a postponement of the evil day upon which additional Ways and Means will have to be provided. I think the Government are entitled to credit for proposing Ways and Means in the face of so much obloquy and opposition.

Mr. GREENWOOD: Bad taxes always injure public credit.

Mr. HOSKINS: But I contend that these are not bad taxes. No one has yet proved to my satisfaction that they are; and in proposing them the Government have shown, while doing no more than they ought to do, that they are not anxious to shirk the responsibilities devolving upon them. These taxes are imposed upon a class of persons outside the range of municipal taxation; and when the honorable member who last spoke said that no class of persons were taxed as heavily as we propose to tax the holders and occupiers of public lands, I think he made a statement which reflection cannot justify. Will the honorable member say, even if the taxes be agreed to, that residents in the country will be taxed to the same extent as residents in municipalities?

Mr. GREENWOOD: The latter pay for services which the former do not receive.

Mr. HOSKINS: Do not residents in the country use our roads, streets, and townships? Are not the interests of the country bound up with the interests of the towns? It is admitted that the rents paid by the squatters are wholly inadequate. They pay less than a third of a penny per acre for their runs; and I ask whether there is any class in the community who, while receiving such large advantages, pay so small an amount of taxation?

Mr. MELVILLE: The merchants.

Mr. HOSKINS: The merchants pay a great deal more. I was surprised to hear the honorable member for East Sydney (Mr. Greenwood) indorsing one statement

in particular, of the honorable member for Camden (Mr. Garrett). I have frequently listened to the honorable member for East Sydney with a great deal of admiration.

Mr. COPELAND: Especially when he has been upon the same side as yourself.

Mr. HOSKINS: I am of course always pleased to hear speeches when they are in accord with the views of the Government, but I have listened with great pleasure to speeches of the honorable member for East Sydney, even when he has been opposed to the Government. As a rule the honorable member does not indulge in wild utterances, but this evening he made a statement which astonished me. He said the Government had not tried other means of raising revenue equal to that which we propose to raise under this Bill, and that they were not taking steps to raise sufficient revenue under the provisions of the land law passed this session. From whom does the honorable member obtain his information?

Mr. GREENWOOD: From the Treasurer.

Mr. HOSKINS: I cannot think it.

Mr. GREENWOOD: I did, though.

Mr. HOSKINS: The land law passed this session provides a different mode of appraising runs. The Government appoint appraisers, and if they are dissatisfied with the amount of rent fixed by an appraiser they can, if they choose, have a second appraiser to assist at arriving at what they consider a fair rental. The Minister for Lands is not bound to accept the rent fixed by the appraiser if he thinks it inadequate. How, then, can the honorable member say, with any degree of justice, that the Government are not endeavouring to obtain an adequate rent from the squatters under the Act of 1880?

Mr. BARBOUR: The appraisers are all old squatters.

Mr. HOSKINS: Would the honorable member have the Government select appraisers from the fishmongers, bakers, and butchers of Sydney? I can only say—and I assure the House that the statement is true—that the Government have taken great care to select for appraisers the best men they could find. They have endeavoured to obtain men of undoubted character who have experience in country pursuits. The number of runs coming in for appraisement this year is 1,600, and

the total number is, I believe, 4,300. We have hitherto received, as rent for the total number, £180,000; the Treasurer requires £195,000; and can it be supposed, when the rent of the total number of runs has hitherto been only £180,000, that the increased rental of 1,600 will amount to £195,000? We have taken every step which the law permits; and I believe the instructions which have been given to the appraisers have been most carefully drawn. I am certain that if a largely increased rent is not obtained from the appraisalment it will not be from the fault of the Government. But we require to raise additional revenue for the present year; and the increased rent which we are entitled to expect from the appraisalment made this year will be revenue for the year 1881.

Mr. GREENWOOD: It will be paid before the 31st December of this year.

Mr. HOSKINS: It will go to the credit of the revenue for 1881, and we shall still have to equalise the revenue and expenditure of 1880. Of course if the Colonial Treasurer had cared to make things pleasant he might have concealed the deficiency in the background.

Mr. GREENWOOD: He could not.

Mr. HOSKINS: Perhaps he could not have concealed it from such an Argus-eyed critic as my honorable friend? But when the honorable member for months past has been harping upon the one string of increased Ways and Means, there is less justification for his blaming the Treasurer. I have heard another statement, which really carries its own refutation. The honorable member for Camden (Mr. Garrett) says that under these proposals we shall tax the freeholders more heavily than the leaseholders, and in support of that assertion he states that there is as much stock depastured upon freehold as upon leasehold land. Now the quantity of land alienated conditionally and unconditionally is 29,000,000 acres, and the quantity under pastoral, auction, and pre-emptive lease is 144,000,000 acres. And will any one go so far as to assert that there is as much stock upon freehold as upon leasehold land, when we consider that leasehold lands, beside being the larger area, comprise some of the best land obtainable for pastoral purposes? Of course it is an unpleasant thing for a

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Government to ask Parliament to assent to new taxation, and if the honorable member for East Sydney (Mr. Greenwood) should one day assume Ministerial responsibilities—and I hope he may—he will find that it is by no means so easy to bring forward financial proposals as to assail them. In financial debates a great deal of latitude is allowed, and wild statements are made which in some instances cannot be challenged. I have had many years experience in Parliament, and I have observed that taxing proposals are subjects which have occasioned the downfall of many Governments. This has arisen from a variety of causes. They afford opportunity for political free-lances, gentlemen who were never in office, and who speak without the responsibility that attaches to such a position, and to others who seek to dislodge the Government because something may turn up perhaps to their political advantage. Then there are others opposed to any system of taxation by which their pockets or the pockets of their friends may be reached. Therefore, any Government submitting taxation proposals know that they have a disagreeable task to perform. Nevertheless, any Government would be unworthy of the confidence of Parliament—and they ought not to remain at the head of affairs or be entrusted with the responsibilities of office if they shirked those responsibilities—by declining to ask for additional taxation when it is needed to meet the requirements of the country. The Government believe that in this Bill they have submitted proposals for increased taxation which will not bear harshly or oppressively, or seriously injure the prospects of the persons intended to be taxed. They propose to tax persons who hitherto and up to the present have escaped from contributing a fair quota of taxation to meet the costs of governing the country; because it must be understood that large squatters and landowners contribute no more to the general revenue of the country by the consumption of dutiable goods than do the poorest labourers. The owners of freeholds having been exempted from taxes which bear so onerously on residents in towns, ought to be called on to bear a fair share of the general burden with the highly taxed residents in municipalities. These proposals would not exact from them more than a fair proportion of the taxation

in comparison with that paid in towns which are incorporated as municipalities. The Government, however, feel it to be their duty to press these proposals, because it is incumbent on them to obtain sufficient means to meet the necessary expenditure of the country and to maintain its credit. As these proposals have been discussed during the last two or three weeks, the Treasurer was justified in believing that the debate would not now extend to any great length. I have thought it necessary to answer some arguments reiterated against the Bill, and I hope honorable members will consider that, as a member of the Government, in doing so I have not taken more time than one in my position would be expected to occupy in defending their policy.

Mr. BARBOUR: I have very little wish to prolong the discussion, so that anything I have to say will be stated with brevity. But I cannot allow some of the remarks just made by the Minister for Lands to pass without an answer, because I believe that he is so woefully wrong in his facts as to render them useless as the basis of argument. In the first place, he makes the assertion, and therefrom draws an inference, that because there are 150,000,000 acres of Crown lands under lease, and some 30,000,000 under freehold, there cannot possibly be so many cattle and sheep on the freehold as upon the leasehold land. A moment's reflection would have shown him how unwarranted is that inference. We know the argument with reference to the pastoral lessee is that he cannot afford to pay more than he does as rent, because his land will not carry much stock, being unfenced and unimproved. We have to consider that the pastoral lessee pays only one-third of a penny per acre, and that the freeholder who borrows at 7 per cent. has to pay 1s. 6d. per acre for the land; and surely the man who buys the land and pays 1s. 6d. per acre must make it carry a proportionate amount of stock if he means to make the undertaking remunerative. We know that many runs in the country are not stocked at all, but the honorable member forgets that this is an argument against the present taxation proposals. The proposals, if agreed to, would impose a tax on those who occupy stock, and improve the land; they would thus put a tax on industry, and are therefore objectionable. There

is, on the face of the argument used by the honorable member, a condemnation of the tax he endeavours to support. He uses another fallacious argument, or perhaps it would be more correctly called an assertion, when he says that the pastoral lessees and also freeholders do not pay any municipal rates. Here again his argument is against himself. Why is it that the land occupied by a shop in George-street is worth so much as compared with the land occupied by a shop in Goulburn, Yass, or Deniliquin? It is because there are certain advantages connected with it owing to the improvements made around it, and municipal taxes are paid in proportion. To make the honorable member's conclusion consistent, he should say that because shops in Goulburn do not pay the same rent and taxes as those paid for shops in Sydney they should be taxed by the Government. Municipal rates are paid for special privileges enjoyed, for the city life, the transaction of extensive business, and the greater opportunities for making money in it owing to the large population. Municipal taxation, being imposed with a view to special benefits to property, has no bearing on the question of taxation on the general body of the people to defray the expenses of Government. I was astonished to hear the Minister for Lands refer to the arguments of a previous speaker as merely loud declamation; for it must be admitted that the arguments of the first speaker, although so many times reiterated, have never been answered. No arguments at all have been brought forward to establish the position that this is a fair or good tax, as the Minister for Lands maintains it would be. The tax, in my opinion, is quite the opposite of a good tax. It is a bad tax, because it taxes people who should not be taxed. The Minister for Lands made another assertion devoid of any truth to support it when he said that all the wool must come to Sydney by the railway. How can it come to Sydney? Why have we made the railway rates for wool so low for the long distances between Sydney and Wagga Wagga and Albury? It is to induce the wool-growers to send their wool to Sydney. If they were bound to send it here under other circumstances, why should the rates be so low? They are so reduced in order to prevent anything like obstruction to the

transmission of the wool in this direction. This tax would be an obstruction to that trade, and that is one of the greatest objections to it. It would be a great obstruction to trade, and is it to be imposed by a free trade colony? Our boast has been that we have made Sydney a free port, and it is now proposed to make it the opposite. The pride we have cherished in reference to the inducements offered by our port for people to bring trade is no longer to be indulged in. We impose a stamp duty, export duty, and other charges; and instead of inducing buyers to come here we drive them away. The Minister for Lands states that we constructed the railway to Wagga Wagga and Albury in order to bring down the squatters' wool, and that they are bound to send it to Sydney. If the honorable member only knew the districts and the geographical position of Riverina he must perceive that our Southern Railway is only skirting Riverina, passing on the outside, and that if we are to get the great bulk of the wool grown in that district the railway must be carried from 100 to 300 miles into the country stretching westward from Albury. The centre of the district is about Deniliquin and Hay, and the southern railway is 300 miles eastward of that district. To get the wool to our line dray carriage would have to be paid, and that would be an obstruction. Therefore we should seek to remove difficulties rather than to impose restrictions, so as to give inducements to the wool-growers to accept the accommodation of our railway lines when they are brought near enough to be of use. The great bulk of the wool grown in New South Wales—about one-third of the total quantity—is produced in Riverina, and it is of a finer quality than that of the other two kinds. This fine quality is the attraction to buyers, the best quality of goods being always sought after; and if that one-third goes to Melbourne that city must afford the best market. So if it were drawn to Sydney and mixed with our inferior wools, buyers would be drawn here. Melbourne is, and has been, the better market, for the reason that it draws the fine wool from Riverina. Last season as many as 100,000 bales of wool passed through Echuca alone on its way to Melbourne. For New South Wales to put an export duty on wool would be to drive the

trade from Sydney; and the objection is not so much in the amount as in the obstruction. One of the best arguments a freetrader can advance is that a free port is a great inducement to trade to it, and it will far more than compensate to forego the imposition of taxes, which entail a number of small incumbrances. The freer our port is the greater will be its attraction of commerce. I question whether the one-third of our total wool produce grown in Riverina is not equal in value to the remaining two-thirds; and if there are no inducements to send it to Sydney it must go to Melbourne. It is like the source of a river—a straw will almost divert the run of the water from one side to the other; so the smallest obstruction will drive our southern grown wool to Melbourne instead of Sydney. There is no strength in the argument that our railways are to benefit the producers of wool, and that they ought to pay for them, especially as regards Riverina; because the Southern line will benefit them but little until the branch is extended to Hay, which cannot be done in less than three years, and then, we are told, the tax will not be required. The wool will still go to Melbourne if we do not use some means to attract it to this market. It cannot be said to be fair to Riverina producers to tax their wool now, on this ground, because they derive no benefit from our railways, or because they will not use them; and the argument that they get cheap freight on the railways does not apply to them at all. The Minister for Lands laid stress on the assertion that the producers would not pay the tax, and blames honorable members for being ignorant of the fact, saying something about certificates, weights of wool, and so forth. The facts are these: I am a wool-producer, and want to sell 100 or 2,000 bales in the colony. I can send it to Messrs. Mort and Company or other wool salesmen in Sydney. I give instructions that they are to sell my wool here. It comes down by railway and gets into their stores, a sample bale is opened, and the wool goes for sale. It may not be sold for a week or a fortnight; and no tax is then paid. But a month afterwards it is sold and shipped, and the entries are made at the Custom House; the duty is then paid by the shipper. It is true that the duty is not paid by the seller; but it

[*Mr. Barbour.*]

is deducted from the price, which is so much less in the market. The producer will thus not only pay the amount of the duty, but also the cost of the trouble and the expense of passing entries. The result will be that the wool, instead of bringing $\frac{1}{2}$ d. less for scoured, will bring $\frac{3}{4}$ d. or 1d. less than if there were no duty. No doubt this impost will injure the public credit—bad duties will always have that effect,—and taxes which obstruct trade cannot be otherwise than prejudicial to the interests of any country. The merchants of England have at present a free port here, and they readily send their merchandise; that is one of the advantages we have over Victoria. If there are duties to pay in and out, the system must tend to restrict commerce. I would like to see our port perfectly free. Excise duties, taxes on luxuries, and a fair rental for the public lands would free us from duties prejudicial to commerce, and leave our port the most attractive in the Southern hemisphere. I must say, with previous speakers in opposition to these taxation proposals, that I have heard no substantial arguments in their favour. All the arguments have been against the taxes, and in proof of the assertion that there is no necessity for them. I think it is our duty to reject the proposals, and I shall therefore vote against them.

Question—That the Bill be now read the second time—put, whereupon a division was called for with the following result:—

Ayes	...	...	23
Noes	...	...	21
			—
Majority	...	...	2

AYES.

Sir Henry Parkes,	Mr. J. Davies,
Mr. Hoskins,	Mr. Teece,
Mr. Watson,	Mr. Thompson,
Mr. Lackey,	Mr. Fawcett,
Mr. Suttor,	Dr. Renwick,
Mr. H. H. Brown,	Mr. Hezlet,
Mr. Jacob,	Mr. Cameron,
Mr. Roseby,	Mr. Clarke,
Mr. Harris,	Mr. Eckford.
Mr. McElhone,	<i>Tellers,</i>
Mr. T. R. Smith,	Mr. Day,
Mr. Kerr,	Mr. Macintosh.

NOES.

Mr. Fitzpatrick,	Mr. Terry,
Mr. Burns,	Mr. Beyers,
Mr. Farnell,	Mr. Tarrant,
Mr. Copeland,	Mr. O'Connor,

Mr. W. C. Browne,	Mr. Barton,
Mr. McCulloch,	Mr. R. B. Smith,
Mr. Greenwood,	Mr. Melville,
Mr. Barbour,	Mr. Bennett.
Mr. Bowman,	<i>Tellers,</i>
Mr. S. C. Brown,	Mr. Simson,
Mr. Shepherd,	Mr. Greville.

Question resolved in the affirmative.

Bill read the second time.

In Committee,—

Preamble postponed; progress reported.

MUNICIPALITIES SPECIAL
ENDOWMENT BILL.

Bill read the second time (on motion by Sir HENRY PARKES).

In Committee,—

Clause 1 (Special endowment to be granted).

Sir HENRY PARKES moved,—

That the clause be amended by the substitution of the words "third day of February" for the "thirty-first day of December."

Mr. S. C. BROWN would take this opportunity to ask the Colonial Secretary whether anything had been done by the Government with regard to the municipality of Camperdown, which, by the action of the House, had lost a large amount of revenue. Then there was the municipality of Hunter's Hill, in which there was a large amount of Government property which was not taxed. He should like to know whether any steps had been taken to afford relief to these municipalities.

Sir HENRY PARKES: It must be obvious to the honorable member that the cases which he has mentioned cannot be dealt with under this Bill. It appears to me that the only course which could be taken in reference to those cases would be to ask Parliament to consider them as exceptional ones, and deal with them by special enactment. The consideration which I have been able to give to the cases has led me to the conclusion that the cases could hardly be provided for in a new Bill to deal with municipal government, because such a measure ought to be based on certain principles to be generally applied. Under the Municipalities Act the University and the Affiliated Colleges are exempted from taxation. The properties of the institutions occupy a large portion of the municipality of Camperdown, and the municipality receive no return for the large outlay which is imposed on them in keeping in repair the

roads surrounding the institutions. At Hunter's Hill a quantity of ground is included on the Lunatic Asylum reserve for which the municipality receive no taxes. I admit that both are hard cases, but I dare say other cases equally hard are to be found. In any new Bill it will have to be provided that public property shall be liable to taxation or some special provision must be made to meet such cases as have been mentioned.

Mr. S. C. BROWN asked whether, during the recess, the Colonial Secretary would consider the two cases which he had brought under his notice?

Sir HENRY PARKES: As I have already intimated, the whole subject of municipal government must come under the notice of the Government almost immediately, and of course in considering the general subject I shall not lose sight of the cases named or any others which may be brought under my notice.

Amendment agreed to; words substituted.

Clause further amended (on motion of Sir HENRY PARKES) by the addition thereto of the words "and every such payment shall be made on the footing of the accounts and in accordance with the provisions prescribed by the 189th section of the first recited Act."

Bill reported with amendments; report adopted.

LAND FOR PUBLIC PURPOSES. ACQUISITION BILL.

In Committee; consideration of Council's amendments.

Motion (by Sir HENRY PARKES) made, and agreed to,—

That the Assembly agree with the Council's amendment substituting a new clause for clause 7 with an amendment to add to subsection 9—"Public parks or grounds for public recreation or places for bathing"—the following words:—"and for the reclamation of land for or in connection therewith."

Amendments in clauses 12 and 14 agreed with.

Sir HENRY PARKES moved,—

That the Assembly disagree with the Council's amendment omitting clause 16 (as to payment of compensation), and that the clause be retained with the addition hereto of words to provide that interest at the rate of 6 per cent. per annum shall be paid from the time of publication of notification of reclamation in the *Gazette* until the compensation money shall have been paid.

[*Sir Henry Parkes.*]

The object of this amendment was to meet the views of the Council. The Government thought the Council would be exercising a power which ought not to be allowed if they made the amendment, and the Council agreed to omit the clause so that it might be amended by the Assembly.

Amendment disagreed with; words added.

New clause 16 (Where claim may be prosecuted in a District Court), and amendments in first part of clause 17, agreed with.

Motion (by Sir HENRY PARKES) made, and agreed to,—

That the Assembly disagree with the Council's amendment omitting proviso to clause 17 to the effect that the Government may reclaim land under the surface for public works, provided they do not disturb the surface, without the payment of compensation.

Remainder of Council's amendments agreed with.

Bill reported; report adopted.

PASTURES AND STOCK PROTECTION BILL.

Motion (by Sir HENRY PARKES) proposed,—

That the House resolve itself into Committee of the whole to consider the Legislative Council's amendments in this Bill.

Mr. JACOB wished to take the ruling of Mr. Speaker with regard to an amendment made by the Council. He did so from a sense of duty, and with a view to make our proceedings strictly in accordance with rules and practice. It would be remembered that during last session he introduced a Bill to amend the Impounding Act, and when that Bill was returned from the Council it contained an amendment which the Speaker drew attention to. In "Votes and Proceedings" it was recorded that—

Mr. Speaker directed the attention of the House to the nature of the amendment made by the Legislative Council in this Bill by the insertion of the new clause 11, which involved a charge upon the public revenue, and said that such a clause could not have been initiated in this House except in a Committee of the Whole and accompanied by the recommendation of the Crown.

Whereupon Sir Henry Parkes moved,—That the Bill be laid aside, in consequence of the nature of the new clause 11 inserted by the Legislative Council.

Debate ensued.

Question put, and passed.

The clause to which allusion was made was as follows:—

The Governor may appoint inspectors of pounds who shall subject to the provisions of this and the principal Act and under the instructions of the Minister have control over such pounds &c.

The clause which had been inserted by the Council in the Bill under consideration, to which he wished to direct attention, was as follows:—

With the view to the effectual enforcement of this Act the inspectors of sheep shall in their respective districts be inspectors hereunder and shall as such under the direction of the Minister aforesaid possess and exercise (so far as the same are applicable) all the powers possessed by them as inspectors under the Diseases in Sheep Acts in force for the time being.

He maintained that the principle of this new clause was precisely similar to that introduced in the Impounding Bill.

Sir HENRY PARKES said it appeared to him that the case to which the honorable member referred was essentially different from the present one. In this case the Legislative Council had only thrown additional duties upon an officer already appointed, and there was no reason to infer that that would involve additional payment. In the case which the honorable member had quoted, the Council had actually created a new office.

Mr. FITZPATRICK was in the painful position of always having differed from the ruling given by Mr. Speaker in the case referred to by the honorable member for The Lower Hunter, as it appeared to circumscribe very greatly the functions of the Upper Chamber. If it was insisted upon it would render it almost impossible for the Legislative Council to discharge their legislative duties at all; and he could not see that there was any difference whatever between the two cases. The objection to the action of the Council in reference to the Impounding Bill was that it involved the expenditure of the money although it did not appropriate money. In the present case extra duties were to be thrown upon an officer for which extra remuneration would have to be paid.

Mr. SPEAKER: The two cases are not in my opinion analogous. The ground upon which I pointed out that the Legislative Council had interfered with the privileges of the Assembly on the occasion referred to by the honorable member for The

Lower Hunter was that they had created a new office which would involve the expenditure of public money. The Council in the present instance have not created a new office. They have imposed duties upon an officer already appointed, and no increased expenditure is thereby created or involved. In the case of the Electoral Bill certain duties were thrown upon Clerks of Petty Sessions for which a fee was to be paid out of moneys to be voted thereafter by Parliament, and it was upon that ground that the clause inserted by the Council was held to be inadmissible. I do not think that the Colonial Secretary can have been properly reported in the *Herald* on that occasion, or if he were he omitted to explain fully the ground of objection. The ground on which the Speaker said the clause was inadmissible was that it rendered necessary the payment of fees which would have to be voted by Parliament, and he read a clause from "May," which I have frequently read to this House, which states that a provision involving the expenditure of money to be voted hereafter by Parliament can be passed only on the recommendation of the Crown, and must be introduced in the Assembly in Committee. The amendment in the Bill now before the House does not involve any such expenditure, and I cannot therefore see any objection to it.

Motion agreed to.

Agreement with Council's amendments reported from Committee of the Whole; report adopted.

House adjourned at 12 minutes before 11 o'clock p.m.

Legislative Council.

Wednesday, 7 July, 1880.

Bills Assented to (Appropriation Bill—Town Hall Municipal Loan Bill—Executive Councillors' (Functions Substitution) Bill—Volunteer Land Orders Bill)—Public Works Loan Bill—Liquor Licenses Suspensory Bill—Special Adjournment (Death of Mr. Russell).

The PRESIDENT took the chair at half-past 4 o'clock p.m.