

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 15 JUNE 1875

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LEGISLATIVE ASSEMBLY.

Tuesday, 15 June, 1875.

Cook District Representation Bill.—Brisbane Drainage Bill.—Quinquennial Census Bill.—Gold-mining Companies Bill.—Immigration Act Amendment Bill.—Sheriffs Bill.

COOK DISTRICT REPRESENTATION
BILL.

The COLONIAL TREASURER said, that in consequence of the temporary indisposition of the honorable member at the head of the Government, who was unable to be present that day, it had devolved upon him to move the second reading of the Bill for giving additional representation to the Cook district. It would be in the recollection of many honorable members that, towards the close of the last session, a resolution was introduced and carried by the honorable member for Burke—

“That taxation without representation being foreign to the spirit of the Constitution, it is desirable that, during the ensuing session, legal provision be made for the representation of Cooktown and the Palmer.”

In pursuance of that resolution, the Government had introduced the present Bill. It was a very short one, and he thought that, with the large amount of business there was before the House, it was unnecessary for him to do more than move—

That the Bill be now read a second time.

Question put and passed.

BRISBANE DRAINAGE BILL.

The SECRETARY FOR PUBLIC WORKS moved—

That this Bill be now read a second time.

He thought it was scarcely necessary for him to point out the necessity which existed at the present time for providing in some way or other for a proper system of drainage for

the city of Brisbane. The death rate had increased so lamentably of late as to force upon that House and the country the necessity of taking some steps to lessen it if possible. He was sorry to say that at present there were no plans suited to show all the information desired for a complete system of drainage, as there had not been time to prepare them; but there were some which would, perhaps, do as far as they went. It was proposed by the Bill to set apart certain Crown lands within the city to be sold for the purpose of constructing drains, and he had laid on the table some plans for the information of honorable members, upon which the lands proposed to be sold were marked in pink. He would point out to honorable members that there was one small diagonal piece between Roma street and the North Quay which had been withdrawn, as it had been discovered that there were graves upon it, and it would now be fenced in; there were also four allotments near the Normal School which were withdrawn, as it was proposed to reserve them as a dépôt for the police, the Government having been informed by the Commissioner of Police that, in consequence of the distance of the barracks, it was necessary to have a station in the city; those four allotments were considered to be in as central a position as could be obtained. There was also some land in Fortitude Valley, at the Ann street end, which appeared by the plan to be partly within the municipal boundary and partly outside of it—the boundary of the municipality running along a water-course up to the Acclimatisation Society's grounds; but, as it was proposed to make some improvements there, it was supposed that no objection would be raised. He thought that the extraordinary mortality which had prevailed of late, must be attributable, to a great extent, to the want of proper drainage in the city. Independently of that mortality, a very large destruction of property had taken place in Queen street, through the insufficiency of the drains to carry off the water at the time of floods. He believed that the amount of property which had been destroyed in Brisbane would have been sufficient to more than pay the cost of constructing very good sewerage for that part of the city at all events; and, although it might be said that the citizens had themselves been to blame, or the officers appointed to take charge of their interests had been to blame for permitting obstructions in the watercourse, yet the House had to deal with the facts before them, and as to who had been to blame was not a question that had anything to do with the Bill before them. It might be that the sewer which had been built was of too small a capacity to carry away the great quantity of water which flowed into it during flood time. He believed that if the Bill was passed, they would be enabled, before the next wet season, to carry off the water which now came down from Petrie

terrace, as the sewer which he proposed should be constructed, would take the water from there and from behind the Railway Station; beyond that, they had no plans. He thought, however, that if the Bill was passed, the Government, in conjunction with the officers of the Corporation, could prepare plans for the drainage of the whole town at some future time; and, although there was no doubt that the land they now asked leave to sell would not realise sufficient to provide a perfect system of drainage, still it would go a great way, and the Corporation might, perhaps, find themselves by that time in a better position to carry out the rest of the plan. He believed that the Government were adopting a similar course to that adopted by the late Government, when they passed the Bill for constructing the sewer in Eagle street.

Mr. PALMER must say, that on looking over the Bill, he had hardly been astonished at it, for it was on a piece with the patch-work legislation with which the Government had commenced the session. He thought it was a pity to waste time over such a Bill, as he was confident the system proposed by it would never answer. He thought that the result of the action taken by the preceding Government ought to have been quite sufficient to convince the Government—if they were capable of being convinced, that was to say—that that action was a mistake; yet, they proposed to follow that up by perpetrating another blunder. It was true that he had, when the late Government was in office, introduced a Bill to make a drain across Eagle street; and it was also equally true that, when that drain was being constructed, he had called the attention of the Corporation to the fact that it would never be of any service, but only an annoyance, as there was not sufficient space in it to carry off the water. However, the Corporation, with their usual sagacity, persisted with the work, and a pretty muddle had been made of it since. The Bill which was before the House proposed to place some more patch-work before the country; and the boast that the proposed drainage would be nearly covered by the sale of the lands mentioned in the schedule was an empty one, as he believed the money thus obtained would be in no way equal to the requirements, if the system of drainage was pursued as stated. He thought that, if the Government had come forward with a really comprehensive measure, and had put it to the common sense of the House whether it was not a matter of very great importance to the colony that Brisbane should have a proper system of drainage, they might have depended upon receiving the support of every honorable member to carry it out; but when they came down with a paltry measure, like that before the House, they could not reasonably expect to have the assistance of honorable members on his side of the House. He thought, if the honorable Minister for Works,

in moving the second reading, had dwelt a little more upon the enormous mortality which was now going on, and had been going on for months, and had shown that his measure would in any way have the effect of diminishing that mortality in future, it would have had more weight than speaking about the damage which had been done by the floods to some property in Queen street; at any rate, it would have had more weight with him, and, he believed, other honorable members near him. He thought that, seeing the enormous death rate, it was high time that the Government took in hand some comprehensive scheme for purifying the city, and if they could not carry it, they would then be able to say, "Well, we did our best to remedy the evil, but we were beaten." They were afraid, however, to do any such thing, and to soothe their consciences in some way they brought in the present miserable little Bill. He could guarantee for most honorable members on his side of the House, that, if the Government came forward with a proper comprehensive measure to lend the Corporation of Brisbane a sum of money for the purpose of constructing a proper system of drainage, they would find no opposition—that was, provided that proper plans were laid on the table of the House, and that the work was to be constructed under a proper engineer, and not carried out in a corporation peddling way. Of course, the House would expect that the money would not be a grant to the Corporation, but that it should be repaid by means of a rate to be levied. If, as he said, the Ministers had come forward with a scheme worthy of statesmen, they might have carried it, but they had failed to do so. Feeling as he did that the Corporation had been very unfairly dealt with in having some of their lands taken away from them—and he had always told deputations that he thought they had been unfairly treated in that respect—if they were to ask, he believed the House would allow them the whole of the lands that were now proposed to be sold. He thought other honorable members would agree to that. It was not a question affecting Brisbane alone, but the whole colony, for the mortality now going on was something fearful. It was not, however, only a question of mortality amongst immigrants, for whom the House should consider that every year a large sum of money was being spent, but also of the death-rate amongst the rising generation of natives, who were of a much better description than most of the late arrivals, and likely to be of more good to the colony; doubtless, when statistics showed the high rate of mortality, the Government would regret that they had not taken steps for providing for the health of the community. He hoped the Government would take back their measure, and bring in one which was more comprehensive. It was a matter of life and death, and not merely of the loss of property in Queen street.

The COLONIAL TREASURER said that the honorable member for Port Curtis had informed the House that it was in consequence of the bungling of the Corporation that the sewer across Eagle street had been such a failure, and that he had remonstrated with the Corporation whilst that work was being constructed; but he considered that it was the Government of which the honorable member was the head that were to blame, for, on looking at the Waterway Construction Act, he found that it said:—

"It shall be lawful for the said Governor with the advice aforesaid to require that the said Municipal Council shall submit to the said Governor in Council for his approval all plans designs and estimates which shall be prepared and framed for constructing and maintaining the said work."

He had no doubt that the plans were submitted to the Government, and were approved of, as, otherwise, they had no right to allow the work to be constructed. He thought it was very unfair of the honorable member for Port Curtis, who was in office when the work was done, to turn round now upon the Corporation; he thought it was casting a slur upon the Corporation, and endeavoring to make them responsible for the defective drainage, whereas he had no doubt that the plans had received the approval of the Governor in Council. With regard to the comprehensive scheme advocated by the honorable member, it was just on a piece with the course taken by the Opposition in regard to every measure introduced by the Government. Honorable members must be perfectly well aware that comprehensive plans of drainage could not have been laid on the table during the present session, and the objection thus raised by them was tantamount to saying that nothing was to be done. It was true that the Corporation had been deprived of their lands, and, therefore, it was only a matter of justice and fairness that the lands included in the schedule attached to the Bill should be handed over to them as a compensation for past injustice; and that, as soon as possible, the work should be proceeded with. As to any comprehensive scheme, he should think that any engineer having the work in hand, would do very well if he had proper plans prepared in six months, whereas the Bill proposed a simple and practical way of dealing with the difficulty. Of course, no honorable member could suppose that that Bill would provide for the whole drainage of the city eventually, and there was no doubt that there must be a comprehensive system carried out some time or other; but he would point out that, if the reasoning of the honorable member for Port Curtis was adopted, the whole question would be shelved for at least another year. The Government had, at the present time, the services of two professional gentlemen, who were perfectly competent to give them advice on the subject—he referred to the Engineer-in-Chief for

Railways and the Engineer for Rivers and Harbors—and as no steps would be taken in constructing the work until the plans had been approved by the Governor in Council, there would be every safeguard that could be required. As to waiting for a more comprehensive scheme to be prepared, it would be equivalent, as he said, to shelving the matter, and allowing the present rate of mortality to go on without taking any means to check it.

Mr. C. J. GRAHAM said the honorable member who had just spoken had referred to the course taken by the Opposition in regard to every measure introduced by the Government; but it was no secret that that was the intention of the Opposition so long as the Government brought in petty Bills like the present, and also that their great objection to the present Government, and their great reason for sitting on that side of the House was, that the Government had not shown themselves competent to deal with any question in a statesmanlike manner. He considered the present Bill did not go far enough, as it simply provided for carrying off a little surface water from the hills, which might have done injury to some property in Queen street, but which was not the cause of the present sickness, so much as the absence of any proper underground sewerage. It was a disagreeable subject to discuss, no doubt, but if any honorable member walked round the town, he would see a state of things, which, to his mind, fully accounted for the great mortality which had been taking place of late, especially among children, and which mortality it was stated to be one of the objects of the Bill to diminish. The honorable the Treasurer had referred to the failure of the drain constructed when the late Government were in office, and he had noticed that that was always the course pursued by the present Government; when they wanted to defend themselves, they pointed to some similar course taken by their predecessors. The honorable member for Port Curtis acknowledged that experience proved that he had been altogether wrong, and yet he was reproved by the honorable Colonial Treasurer, because he wanted to prevent the Government from carrying out a system of legislation, which his own experience had proved to be of no avail. It was because the other had proved so bad that the present very similar scheme was objected to. The present Government said that they would make sure of the plans having been approved by the Governor in Council before they were carried out; but, even then, there was no certainty whatever in regard to those plans that they would have any good effect. He believed that the state of things in the town at the present time was a slur upon the Corporation. It would be a disgrace to any town or country, even to a Chinese settlement, or a black's camp; and certainly the last was not more offensive than many parts of Brisbane. What was wanted

was, not only a comprehensive measure for keeping the town clean, but a stringent measure to compel the inhabitants to keep their premises clean, and make the city passable. He believed that one of the great causes of the prevailing sickness was the accumulation of filth in the streets and around houses, and it appeared at present to be a difficulty to make persons keep their premises clean—at any rate, the Corporation had failed to make them do so. Until that was done, there would be no improvement upon the existing state of things. It had always been a cry that the city of Brisbane had received more money from the Government than any other town, and he thought it had done so. It had its waterworks, for instance, on which a large sum had been spent; but when it came to a question, not of convenience or luxury, or even of profit, but a matter of life and death—when they saw that day after day the rising generation was fading away from the effects of the disgusting state of the city, he was sure that he could speak on behalf of his constituents, and say that they would rather see a large sum of money expended on a comprehensive system of drainage, than a continuation of the present unfortunate state of things. He believed, that if there was a proper system brought before the House for the drainage of the whole city, and that an extra rate was imposed beyond the rates now imposed by the Corporation, with a view to pay the interest on the loan of the Government, it would be of enormous benefit to the inhabitants of the city. If the Government would come forward with some such proposition as that, he believed it would be supported by the colony. It could also be made the initiation of a general system, to be carried out in other towns when necessary. As there were no plans before the House, and as no information had been given to it, except a few remarks from the honorable Minister for Works, in moving the second reading, he imagined that all that it was proposed to effect by the Bill was to carry off a little storm water; and, unless the Government could propose something better than they had done, he thought the matter had better be left alone.

Mr. STEWART said it had been stated that it was an urgent necessity that something should be done towards draining the city, and he was of that opinion. He also agreed with the honorable member for Port Curtis, that the matter of flood water damaging property in Queen street was a mere *bagatelle* as compared with the very serious death-rate which had recently grown up, and which he had reason to believe, from medical authorities he had consulted, was very likely to greatly increase. He considered, therefore, it was a matter with which the House should deal at once, and that it should not be postponed, as had been proposed, until another session. He did not see anything in the Bill to prevent the neces-

sary lands being sold, and the work being made part of some general scheme, and he was quite sure, the money would be well spent. As honorable members were aware, all the drainage of the city could not go through one drain, and, therefore, the work might be carried on in one portion of the city, and, next year, when the House again met, they might pass some comprehensive scheme and levy a special rate. He was quite sure the citizens would gladly pay a rate to have something done, as the want of proper drainage was being more felt every year, as the city became more populated; and he trusted honorable members would see that it would be only delaying what they expressed a desire to see carried out, if they rejected the Bill before them. He hoped that next year the Government would come down with a comprehensive scheme, including power to levy rates, as it would be only a matter of justice to the Corporation, whose lands had been very unfairly taken from them—some for the purpose of erecting the very building in which honorable members were then sitting. It might be that Brisbane had received more money, as stated by the honorable member for Clermont, than any other town, but they had also had more land taken from them than any other town had had. As to the Waterworks, to which allusion had been made, that was not a Corporation work at all, as it had been taken out of their hands; and as to the Bridge, there was a stipulation forced upon the Corporation after it had been commenced, which caused it to cost twice as much as it would otherwise have done. He hoped the House would see the necessity of something being done as soon as possible, and as there were two very good engineers whose services were at the disposal of the Government, he had no doubt that, until a comprehensive scheme was laid before the House, something might be done to drain the city, and, if possible, diminish the great death-rate which was now existing. In regard to the remarks of the honorable member for Clermont, that the dirty state of the city was entirely the fault of the Corporation, he believed that such was not altogether the fact, but that the recently appointed Board of Health had something to do with it, as, since it had been established, the city had been in a far worse state than it was before. He should support the second reading of the Bill.

Mr. DE SATGE looked upon the Bill as being one of those Brisbane Bills of which they might expect to see many before the end of the session; and, of course, it was a Bill for which, it might be said, they should vote, as its object was to remove disease from the city. But, before considering an extensive scheme of drainage for the city of Brisbane by loan or otherwise, the question should be raised whether it would not be better to remove the capital, and he believed that, if the people north of it were polled, they would say that the removal of it would be the

best remedy; they would recommend its removal to a more healthy spot. He believed that a great deal of the stench and disease could be avoided by the inhabitants themselves, if they would only be cleaner about their own premises, as at present it appeared to be the practice to throw all sorts of offal and dirt in front of their dwellings, and into the streets; the drains got choked up, and then men were employed to dig them up, and poison the air of the whole country. He cordially agreed with the remarks of the honorable member for Port Curtis, that they were allowing their native youth to fade away, whilst they were paying enormous sums annually for the introduction of an inferior class.

Mr. EDMONDSTONE said he would like to know what a hue and cry there would have been if the Government had come forward with some large comprehensive scheme of drainage, and because the present Bill had emanated from what was called a Brisbane Ministry, even it met with opposition. If the late Government had carried out a proper system, instead of making only one drain, they might, in that way, have doled back to the Corporation something in return for what had been taken from them, and he firmly believed that no other Corporation had had anything taken from them which had been given them in the form of endowment. He could state why the city had not a proper and comprehensive system of drainage, but he was not going through the whole history of bungling. He would be glad to see the piece of work now proposed carried out, although it was called patch-work; at any rate, it was not more patch-work than what the Corporation got from the late Government. A really comprehensive system was required, but, until that could be carried out, something was required to be done. At present, there was only one small drain, which, a few years ago, was a little creek, and which, in consequence of the growth of the city, had become a nuisance to everybody and dangerous to the health of the citizens, yet nothing else had been done, although the city was naturally much better situated for drainage than any other place. Honorable members had asked, why the Government did not bring in a comprehensive Bill, and deal with the matter in a more statesmanlike manner? but he believed that if they had attempted to do so, it would be rejected. The honorable member who had just sat down said the Waterworks had been given to Brisbane, and that was always brought forward when anything was asked for Brisbane; and he believed, if any member representing a metropolitan constituency were to bring in a measure asking for a large loan for anything connected with Brisbane, it would be scouted out of the House. It would be said it was centralization again, and Brisbane for ever! He might tell honorable members, that the land proposed to be sold under the Bill, in Fortitude Valley, and

through York's Hollow, was simply a water channel, at present; and although some of it might be sold and realise some money, the amount would have very little effect in doing the work now required to be done. He was glad to see the Bill introduced, and that honorable members were prepared to do something with a view of cleansing the city, and thereby preventing, to some extent, the large increase in the number of deaths that were taking place. But although that was the case in Brisbane, he would ask, was Maryborough, was Rockhampton, Mackay, Townsville, and other towns in the colony, exempt from the visitation? Even if they went to the South, to New South Wales, they would find they were suffering from the same visitation, and he was informed that it was much worse in the southern colonies, and it was certainly bad enough here. He hoped the Bill would pass, and he trusted that before long, the House would see the necessity of giving back to the citizens of Brisbane, some of the property that had been taken from them.

Mr. DOUGLAS said he was happy to observe there was a probability of something effectual being done now in reference to the drainage of Brisbane, and in reference, probably, also to their sanitary laws, not only as applied to Brisbane, but as applied to the whole colony. In a semi-tropical country, such as this was, it was absolutely necessary to enforce sanitary laws, if requisite, by almost arbitrary and despotic power. They had seen the effect of that in some cities situated in tropical countries—such as New Orleans, for instance. That place had become positively uninhabitable, until some despot—he thought, in the first instance, General Butler—took the matter in hand; and, despite the resistance of the inhabitants, he succeeded in making it not only much more healthy than it had been, but it now enjoyed a reputation for being a sanitary and habitable town. He was quite sure they would have to submit to very much more arbitrary enactments in this respect than they had hitherto had to submit to in this colony, so far as their large towns were concerned, if it was to be made a healthy country. All the objections that had been taken to Brisbane applied quite as much to the northern towns of the colony. When on a visit he made to Maryborough lately, the complaints there were quite as numerous as they were here with respect to the defective state of the drainage, and the same abuses existed which the honorable member for Normanby had referred to. The matter was one that ought really to be taken up seriously, and though they might accept this Bill as a provisional measure, which it was admitted to be, yet, from the announcement made by the honorable member for Port Curtis, and other honorable members who were alive to the interests of the case, he thought the Government might feel justified in considering, even this session,

how far they would be prepared to treat this question on their Loan Estimates. He had no hesitation in saying, that in the northern towns, they had as great—nay, even a far greater—need than railways, and that was, to maintain themselves in a healthy condition. Whether this was to be carried out through municipalities or not, he did not pretend to say; but he would say, that they would confer a far greater benefit on the colony in this way than in any other form they could propose; and he hoped, after the expression of opinion by honorable gentlemen opposite, the Government would really, in this matter, reconsider their Loan Estimates. There were other matters on which he thought they should reconsider these Estimates, but there was nothing on which he thought they might with greater wisdom reconsider the position they had taken up, than in connection with this measure, and there was no question which would tend to greater satisfaction on the part of the public. The sum of £100,000 would be a small amount for such a purpose, to be spent in the different towns of the colony, in supplementing the efforts of municipalities. It would be barely sufficient even for the immediate necessities of the case. A good deal had been said as to the unhealthiness of Brisbane, and he thought the remarks of the honorable member for Wickham, in reference to that, were perfectly fair. The unhealthful state of the whole of Australia, at the present time, did not justify them in attributing unhealthiness to Brisbane particularly. It was no exception in that respect, and he thought it was hardly fair that some honorable gentlemen should attempt to attach opprobrium to the city, which really did not deservedly attach to it. With regard to the operation of the Board of Health, he was aware that very considerable exception had been taken to their administration. His own belief was, that they did not possess sufficient powers; and that they would have to concede much larger powers to any body of men, than were now possessed by that Board, if their operations were to be effectual; and those men must be prepared to face necessarily an amount of unpopularity, which must attach to the proper discharge of their duties. A different system altogether must be adopted, and unless it were, they would suffer materially in mortality. There was no reason that the city should be unhealthy because it was in a tropical climate. Some of the healthiest cities in the world were in tropical climates. He believed Bombay, a city where there was a large number of inhabitants crowded into a small space—a city very little less than London, and not less than that of many cities of the United Kingdom, such as Edinburgh and Glasgow—was very healthy; so that the mere matter of climate did not render it absolutely certain that a city would be unhealthy if proper sanitary measures were applied. These rules might be very simple, but they must be inflex-

ably applied with regard to persons, or the result would be a serious deterioration in public health. He trusted the House would accept this measure as an instalment in this direction, and he hoped it would be merely an instalment, and that the Government, during the present session, would seriously consider the question as regarded the Loan Estimates.

Mr. McILWRAITH said, when he read the preamble of the Bill he imagined it was a comprehensive scheme for the drainage of Brisbane; and if he had been drawing up the measure, he could not have expressed it better than it was there expressed. It said:—

“Whereas it is desirable that provision should be made for the construction of proper drains and sewers in the city of Brisbane.”

From that he understood it was a Bill to provide for a thorough system of sewerage and drainage for the city, and he was prepared to give it his support; but on examining it, and seeing the extraordinary means by which the funds were to be raised, and after hearing the explanation of the honorable the Colonial Treasurer, he found it was a peddling little Bill to provide for the sale of some allotments in Brisbane, and to hand the proceeds over to the Corporation, in order to continue the construction of a drain, which had actually been proved to have been a failure previously. It was simply to provide funds to extend the system of drainage that had been initiated, and which, up to the present time, had been a failure, and not to deal with the whole drainage of the city, and he should devote his remarks to that one point. It would have been quite as competent for the Government to have come down and asked for the money, and have placed a scheme of sewerage and drainage before the House, as it had been to bring forward any other scheme. Take, for instance, the railway from Maryborough to Gympie. They had placed £112,000 on the Loan Estimates for that, and he would guarantee that they would be able to get more reliable information and better plans for a system of drainage and sewerage in Brisbane in a week, than the Government had done this session with regard to that railway. It had been argued that those who opposed the Bill desired to shelve it; but that did not apply at all, because, if the honorable the Minister for Works came down and said, we want £10,000 for constructing a proper system of drains and sewers in Brisbane, he would be perfectly prepared to support such a measure, and he was sure, from the pledge given by the honorable the leader of the Opposition, he also would support it. He, for one, would be glad to be a party to it, and there had not been a single argument brought forward against the Government undertaking the drainage of the capital, or any large towns in the colony. What was complained of was, that they were actually proposing to waste money by assist-

ing the Corporation to carry out what had been proved to be a bad scheme. What they should do was to say what they were going to do, and ask for £10,000, or whatever sum might be required; and, in the meantime, let them get the plans prepared, which could, no doubt, be done in the course of a fortnight, and have them submitted for approval before the end of the session. He believed they would do a great deal more service to the House and the country by pursuing that course than by coming down in this little peddling way and asking to sell land to provide money for the drainage of Brisbane. But the honorable the Minister for Works was a northern man, and he was working for the North all through. He dare not come down and tell the House even what he desired to do, as he (Mr. McIlwraith,) would do. He was a western member, but he would have no hesitation in coming to the House and saying, “We want money for a national work in Brisbane;” but the honorable the Secretary for Works said, “No; I will get over it; I will sell some land in Brisbane, and give them the money for it;” which was, after all, just the same as if they voted the money for that special purpose. In fact, it was more detrimental to the interests of the country, because these lands might have to be sold at a time when it might not suit the Government to sell them; and to show the importance of holding possession of lands in the city, he might state that they had had to search all over it for a site for the new Court Houses; the only site available was the one decided upon. But it suited the Minister for Works, because he could tell his northern constituents he gave the people of Brisbane a system of drainage, but he made them pay for it, and he would say the same with regard to the Western Railway. But there could be no greater mistake than to suppose the lands paid for it, and not the colony. The lands belonged to the colony, and if the Bill passed, and the money received from the sales of the land was devoted to the work, it would be exactly the same to the colony as if it were paid in hard cash. The honorable member himself showed that the measure was ill-considered, and he pointed out its very worst feature, when he said that two of the best allotments proposed to be sold had been withdrawn, because the Government had found use for them. He should see that there would be a great demand for land for public buildings in the future, for which these lands might be very properly reserved; but, instead of that, he proposed to force them into the market, and then he contended that it was not paying away money for the sewerage and drainage of Brisbane. They did not object to the work being carried out; they considered it as a national undertaking, and that Brisbane had the best claim, because it was the capital of the colony. It was the place the majority of people first saw on arriving, and from which their first impres-

sions were formed. He considered that the drainage of towns was a national undertaking, and he did not think that any one would object to it. The Government ought, however, to reserve to themselves the power of rating, so that the inhabitants of the towns might be called upon to provide the interest on the money advanced, but he did not think Brisbane ought to be rated at the present time.

Mr. BEATTIE said he could not agree with the preamble of the Bill, because he thought "sewers" ought to be struck out. If it were simply a measure to provide for the drainage of the city, then he could quite agree with the remarks of the honorable the Minister for Works; and he thought the House ought to be put in possession of the facts of the applications that had been made to the Government for the purpose of constructing this drain. The first application was made by the Corporation to the Palmer Government for certain land, for the purpose of doing away with two or three very dangerous bridges in the locality of Eagle street, and also for the purpose of closing up a very nasty open drain at the back of Queen street. The Government at that time agreed to the proposal, and introduced the Waterway Construction Bill, giving the allotments applied for, and the proceeds were devoted to constructing the drain up to Queen street. Since that time, the railway works had been proceeded with, and the whole of the surface-water from the extensive watershed in the western part of the city, where there were about 120 acres of Government land, had been concentrated into one focus, and had resulted in the destruction of a good deal of property. The present drain was, he believed, quite large enough to carry off all water that might accumulate, if the drain through Makersson street, proposed by the Corporation, had been carried out. The application now made by the Corporation in connection with this matter, was, he believed, similar to that made to the Palmer Government—to sell lands that had been resumed under the Parliamentary Buildings Act, and apply the proceeds to the construction of this drain up to a certain point. He believed this was absolutely necessary as a preventative of disease, because a large open drain, into which all sorts of filth was thrown, running through the centre of the city, was not calculated to add at all to the health of its inhabitants. In fact, he had no hesitation in saying, that were it not for occasional thunderstorms, very serious disease would break out in consequence of that drain. He could not at all approve of the idea of this drain being made, as it were, the nucleus of an extensive system, because it would simply empty all the filth into the river about the centre of the city, to be blown back by the north-easterly wind. A great deal had been said about the unhealthy state of Brisbane, and he must say it was very unhealthy at present, and the death-rate was something frightful; but he believed that

this unhealthiness had been greatly accelerated by the operation of the Health Act that had been put in force. A more pernicious system, he believed, had never been in existence than that at present in force in Brisbane—all manner of filth accumulating in large quantities—and the sooner it was put a stop to the better. It had, certainly, proved a complete failure, and he believed that if the whole matter were placed in the hands of the Corporation, there would be a great improvement in the city, and they would get rid of many of the nuisances that were justly complained of at the present time. He hoped honorable members would see their way to mete out the small modicum of justice proposed by this Bill, so that they would be able to close up this very obnoxious and unhealthy open drain. The city of Brisbane had not, as the honorable member for Port Curtis had said, been fairly treated. He found that the amount of money received from sales of Government land in Brisbane was £39,000; and, under the Municipalities Act, the city would have been entitled to half of that amount, which would have gone a long way in initiating a proper system of sewerage; but, unfortunately, the Act passed in 1864, taking away the whole of the land of the Corporation, put that completely out of the power of the Government, so that the action of the Legislature had tended very materially to place the city in its present position. As far as sewerage was concerned, he hoped honorable members would see their way to strike it out of this Bill.

Mr. HODGKINSON thought any one residing in Brisbane must fully recognise the truth of the remarks of the honorable member for Normanby. He did not think, however, that the entire proportion of the increase in the death-rate of the city was to be attributed to the deficiency of drainage, although that might have some effect in that direction, because, as had been before remarked, the whole of Australia was now suffering from an epidemic, and he thought they might congratulate themselves that it had shown itself in a very mild form in Brisbane; and, if the city were in the very bad state depicted, the death-rate would be much higher. What he wished particularly to call attention to was, that he did not see why Brisbane should be treated, in this respect, differently from any other towns of the colony. Take, for instance, the much-abused town of Rockhampton. They had a Corporation there who had infinitely less facilities for raising money than the Corporation of the metropolis had; they certainly could not boast of any excessive amount of Government patronage, and yet, they found them carrying on the whole of their business, and they kept their town in such a manner that it would be a practical lesson which would be of great advantage to the aldermen of this city if they paid a visit to Rockhampton to learn the rudiments of their duties. He did not think the country

should be called upon to make up the deficiency caused by gentlemen who were unworthy, or unfit, to discharge the duties they undertook. He thought, if money were advanced for such purposes, it should be secured on the property possessed by the community to whom it was advanced, and that it should not be advanced at the expense of other portions of the colony. He also thought a great deal of skill had been displayed in establishing these perpetual claims on behalf of the city of Brisbane, at the expense of the funds of the colony. They all knew it held a position of a precarious nature as the capital of the colony. It was only the temporary capital, and no man with the slightest forecast of the future, could doubt that every additional vote to the city of Brisbane was an additional difficulty in the way of the removal of the capital. And while he trusted that no one, however opposed he might be to the recognition of the place as the permanent capital of the colony, would carry his opposition so far as to refuse to lend his vote to the remedying of any special grievance, still he should be very sorry to see a comprehensive measure introduced for the sewerage and drainage of this city at the expense of the entire colony. The rapid extension of population in the North, and its prosperity, was becoming every day a stronger argument for the removal of the capital; and if they made Brisbane the central sponge to suck up the entire resources of the colony, they would find it very difficult to get out of the position in which they would place themselves.

Mr. BUZACOTT said he thought any one who resided in Brisbane for any time must come to the conclusion that it was a sadly, abused city; and he had felt for a very long time that a great injury had been done, not only to Brisbane, but to the whole of the colony, by making it the capital. Had a more central site been selected for the seat of Government, he had no doubt the House would have escaped these continued complaints of the ill-treatment of Brisbane. He was not one of those who would deny Brisbane anything it could fairly ask for; but he could not close his eyes to the things he saw going on around him, and it was only the other day he observed that a deputation, headed by some honorable members of that House, waited upon the honorable the Colonial Treasurer and other members of the Ministry, to ask for a concession, which it was well known a majority of that House was not prepared to accord. If the honorable members representing Brisbane and the surrounding districts would ask for any reasonable concession which would tend to preserve them from the evils of the serious epidemics they were suffering from, he, for one, would be quite prepared to go a very long way in giving them what they required; but he could not help saying, that the more they gave them, the more they demanded, and the more complaints they would be sure to have.

He believed Maryborough was suffering considerably from the epidemic referred to, but he had not heard that it had extended so far north as Rockhampton; and he believed the healthfulness of that town arose solely from the efforts of its Corporation, who had exerted themselves in no ordinary way to keep the town wholesome; and he was proud to say they had been so successful, that it was, without exception, the most healthy town in Queensland. He was sure that if a comprehensive scheme had been introduced for the drainage and sewerage of Brisbane, no honorable member on that side of the House would have complained if there had been £100,000 or £150,000 voted for the purpose, provided that the interest on the outlay was paid by Brisbane. He thought they might very safely consent, on these terms, to granting even £200,000, or any reasonable amount that might be required to make the city pure and wholesome. At the same time, he maintained that if the Health Act were properly enforced, and if the municipal authorities were to exert themselves by insisting on the emptying of cesspools, and seeing that the earth-closet system was effectively carried out, they would find that a great deal of the evil would be removed. The objection he had to the Bill was, that it provided that the proceeds of certain Crown lands to be handed over to the Corporation of Brisbane for sewerage and drainage purposes; and, from the experience they had had of that body, he felt it would be unsafe to place such a large sum at their disposal. For that reason, when the House came to a division, he should consider it his duty to record his vote in opposition to it.

Mr. DICKSON said he could hardly understand the objection that had been raised to this small measure by the honorable members for Rockhampton and Burke, unless he inferred from their speeches that there was to be a very large drain on the resources of the country for the purpose of benefiting the city of Brisbane. Now, he took it, that the matter resolved itself into this:—There were certain allotments of land, half of which originally belonged to the city, the proceeds of which should have found their way into the funds of the Corporation to be expended for local purposes; and it was proposed to sell these lands, and apply the proceeds to draining primarily a large extent of land that belonged to the Government, or that had been appropriated to public institutions for the benefit of the public, and from which the Corporation received no revenue. He agreed with the honorable member for Port Curtis, that it was a very small measure, and not at all sufficiently comprehensive, and he could assure the House that it was simply under the apprehension that he feared nothing at all would be got if he voted against it, that he should support it. He did not think it was such a measure as ought to emanate from a Government who were desirous of establish-

ing a proper system of drainage and sewerage in Brisbane; but still, if he were to agree with those honorable members who contended for the introduction of a comprehensive measure, any small benefit that was likely to accrue from the passing of the Bill might be postponed *ad infinitum*, and he, therefore, thought it better to accept it. And besides that, he believed it would, to a certain extent, bind the House to the confirmation of the principle of introducing a system of drainage in all large centres of population. He maintained it was the duty of the Government to see that such epidemics as that which now prevailed, should be alleviated, and, if possible, prevented, by a proper system of drainage, where large masses of population were assembled. A good deal had been said about the benefit accruing to Brisbane from the Waterworks, and one would imagine from the arguments that had been brought forward, that no payment was made by those who derived advantages from that work; but he would point out that they contributed largely to it. He was informed on very good authority, that the return at the present time, to the Board of Waterworks was eight or nine per cent., and although the interest did not appear in the shape of a direct payment to the Treasury, it was expended by the Government in extending mains, and otherwise improving their property. He thought, in the absence of a more comprehensive measure, this Bill should not be defeated; and more especially should he feel inclined to vote for it, because he felt it would direct attention to the desirability of establishing a complete system of drainage, and, ultimately, sewerage; and he thought an extensive and important work of that character should remain in the hands of the Government, and not be entrusted to the Corporation. He should, for these reasons, support the Bill.

Mr. MOREHEAD said he was rather surprised at some of the remarks of the last speaker. He first stated he was opposed to the principle of allowing this matter to be carried out by the Brisbane Corporation, and he would much rather that a grand comprehensive scheme should be introduced by the Government; and then he went on to say, on this occasion he would waive the greater principle in order that this small Bill, as he called it, might be allowed to pass. He thought the honorable member was wrong in admitting the thin end of the wedge; and he also thought it would be a very great mistake if the Government were authorised, as proposed by this Bill, to sell these valuable lands, which would become largely increased in value, for the carrying out of this work, instead of providing for it out of loan. He was not inclined to vote for any measure which would allow the Corporation of Brisbane to carry out any system of drainage for the city, because he thought

House must agree with him, that the Corporation of Brisbane, ever since separation, had been incompetent to deal with any large expenditure. They found that body had plunged the city almost irredeemably in debt. There was the South Brisbane Bridge—a great national work!—which, he supposed, they were coming down directly to ask the House to take off their hands, and he thought they should not be entrusted with the expenditure of money in the way proposed. It might be said that, under the third clause, the Corporation would not have direct control of the money; but it might come to pass, that aldermen of this city might aspire to seats in the Cabinet, and then the whole of this £10,000, and goodness knew how many more thousands, before it was all over, would have to be filtered through the Minister to the Corporation. He did not say this was probable, but it was possible. He did not see why, if the money was to be spent, it should not be placed in the hands of a commissioner outside the Government and the Corporation, so that there might be no collusion between them. He should vote against the second reading of the Bill as it stood, and he trusted the Government would see fit to amend it, so that the drainage of the city, and of all great centres of population, would be fully and properly attended to, and that the Corporation of Brisbane should have no control over moneys provided for such purposes. He thought it would be far better that the Government should deal with the question involved in the Bill by obtaining a loan, which he did not think would be opposed by any member of the House, than by the sale of these lands; and the interest on such loan could be levied on those residents of the city who derived benefit from the works carried out. It had been said that the death-rate had been very much greater than it would have been if the Corporation had attended to their duties properly, and in reply to that, it had been said the Board of Health had interfered in the performance of those duties; but he thought that was a very paltry defence. They had not heard any great outcry outside about the clashing of the Corporation with the Board of Health, and if there had been anything of the kind, the Corporation ought to have protested against it months ago, and he thought the time had now gone by. He would urge upon the Government, seeing that the feeling of the House was in favor of the drainage of Brisbane, to accept the proposal that it should be done by means of loan, and that the money should be placed in the hands of a commissioner, who would be responsible to the Government. There would be then some chance of the money being properly applied, and of the work being remunerative, either directly or indirectly, by the diminution in the present dreadful death-rate.

Mr. MACROSSAN said he was under the impression, when the Bill was introduced, that it would be allowed to pass with very

little debate. Some honorable members appeared to be under the impression that it was a Bill for borrowing money which the Corporation of Brisbane was to expend; but it was no such thing. It was a measure simply to empower the Government to sell certain land, the proceeds of which were to be specially applied by the Corporation for the purpose of carrying out drainage in the city. If it were a Bill for borrowing money for such a purpose, he should certainly oppose it, because he did not think Brisbane should be placed on a different footing to any other town in the colony. He was not aware what the proceedings of the Corporation of Brisbane were in times past, but still he thought some uncalled-for disparaging remarks had been made in comparing Brisbane with Rockhampton. He thought Rockhampton had been comparatively well treated in comparison with Brisbane. It had a large endowment of land, and it had also the proceeds from the wharves, which Brisbane had not; and besides that, Rockhampton had great natural facilities for drainage, being situated on a level plain, with just sufficient fall to allow the water to run off in almost any kind of a drain. He thought, therefore, it was rather unfair to draw a comparison without having considered the natural configuration of the land on which the two cities were built. He was inclined to agree with the honorable member for Burke, with regard to Brisbane being the temporary capital of Queensland. He hoped, for the purpose of preventing that which seemed looming in the distance—the separation of the North from the South—the capital would be removed at some future day, which might be done without detriment to the citizens of Brisbane, to some more central and convenient part of the colony. He considered, however, that that was beside the question, and seeing that the Bill was simply for the sale of certain lands, he thought it might be allowed to pass. A comprehensive measure could be brought in next session, and, in the meantime, they would have a competent engineer here, who could prepare all the necessary plans for the drainage of the city. He should vote for the second reading of the Bill, and he hoped the money would be properly applied, and that the work would tend to alleviate in a certain degree that extreme state of stench which the honorable member for Normanby reprobated so much.

Mr. J. SCOTT said he did not consider Brisbane an unhealthy town, but, on the contrary, it was generally very healthy, although no one could deny that it had been unhealthy during the last few months. The death-rate had increased in an alarming degree, and he thought it was quite time something was done to remedy this, if possible. The objection he had to the Bill was, that it tended altogether to shelve anything being done during the present session for the proper drainage of the city. He was satisfied,

if it were passed, no other Bill would be brought forward for the purpose of establishing a complete system of drainage this session; and, if it were withdrawn, it would be competent for the Government to bring in a new Bill, which would be calculated to do some real good. As far as he understood the Bill, it simply proposed to extend the present useless drain which formed only a very small part of the drainage of the city, further up Adelaide street, and it would not at all affect the question of sewerage. He was sure that, bad as that locality was, there were much worse places in the city which the Bill did not appear to touch at all; and, he had no doubt, if it passed as it stood, they would hear no more about the drainage of Brisbane for a long time to come. He also objected to the work being left in the hands of the Corporation; because, any one who had resided in Brisbane for any time, must know that the municipal body managed their affairs very badly, as was evidenced by the shameful and, in some places, dangerous state of the streets.

The SECRETARY FOR PUBLIC LANDS thought, in dealing with this question, it should be borne in mind that the rate of mortality was increasing in an alarming degree. During last year it had increased considerably on the previous year; during the past five months of the present year there was a still greater increase, the rate being about 100 a month; and, worse than all, during the last month it doubled the rate of the same month last year, and had arrived at 150 a month. It was increasing in geometrical ratio, and they saw no sign at present of it slackening off at all. At the same time, he perfectly agreed with honorable members that, if this Bill were passed, or if it were withdrawn, it was not likely another measure dealing with the question would be introduced this session, because, as had been pointed out by the honorable the Minister for Works, there was no time to prepare the plans for an extensive system of drainage. The relative advantages and disadvantages of Brisbane and Rockhampton had been pointed out; but there was one matter which, he thought, had not been pointed out. A large portion of the lands of the Corporation had been taken away from them, and the proceeds applied to Government buildings, which were the property, and for the use of the whole colony. These buildings not only yielded no rental to the Corporation, but they occupied large frontage to the streets, amounting to some two or three miles, which had to be kept in repair by the Corporation, so that he thought Brisbane would receive nothing more than its due if the land proposed by this Bill to be alienated were sold, and the money was handed over to recoup them for the losses they had already sustained. He thought the sooner the matter of drainage was taken in hand the better, and he hoped the Bill would pass.

Mr. MILES said he could not support this Bill, or any other Bill of the kind that might

be introduced. He had no objection to the city of Brisbane having proper drainage, and the health of the inhabitants being properly attended to, but he did object to the introduction of such a paltry Bill as this, proposing the sale of a few allotments of land. The thing was perfectly absurd! Why did not the Government ask for a loan for the purpose of establishing a thorough system of drainage in Brisbane, and levy a tax on the inhabitants to pay the interest on the borrowed money? He presumed that they introduced this peddling paltry little Bill to save the pockets of the citizens of Brisbane, and it was like the Government—perfectly worthless and unreliable. When he read the Bill, he presumed the land was to be disposed of for the purpose of defraying the cost of the drainage of the city of Brisbane, but the object appeared to be to construct a drain at the back of Queen street; and, for that purpose, land in Fortitude Valley was to be sold, and that he decidedly objected to. He should oppose the Bill at every stage, and he hoped it would be kicked out, and the honorable member who introduced it with it.

Mr. MACDONALD thought, in view of the amount of sickness that prevailed in Brisbane, and the great increase in the death-rate, which was still increasing, some measures should be immediately taken to drain the city, and he considered this Bill a step towards that. It was not a comprehensive measure, and it had been said a large scheme ought to have been introduced, and that the Government should have asked for a loan of £100,000, or £200,000 if necessary, to carry out a comprehensive system; but he, for one, objected to these loans, seeing that if the work were done, and the country went further into debt for the purpose, the Corporation would, perhaps, ignore it, as they had done in connection with other large works. For that reason, he thought the present measure was one they ought to accept. It was calculated, at all events, to benefit the town to some extent, and as it was proposed that the work should be carried out by the sale of Corporation lands, he could not see what objection there could be to it.

Mr. FRASER thought it was very gratifying to find that there was but one opinion prevailing on both sides of the House upon the important sanitary question which was involved in having a proper system of drainage in our towns. To those who knew something of what had been the cost in some of the larger towns in the old country, through a neglect of attention to that subject, and the mortality which had, in consequence, followed in those towns, it must have been gratifying to hear the expression of opinion, that evening, in the House. He was sure it must have often struck visitors from the old country to this colony to observe the total indifference apparently manifested by those in authority to the sanitary conditions of the different townships. It had been brought as a charge

against the Bill now before the House, that it was not sufficiently comprehensive, and he confessed that, if they were to regard it as the commencement of a complete system of drainage for Brisbane, it had not much of that character about it; but it had been introduced apparently to meet a specific case, and, on the principle of half a loaf being better than no bread, he was disposed to support it. Allusion had been made to the great mortality unfortunately prevailing in the city at the present time, and it could not be denied that it had been assuming very formidable proportions—more so than was ever known here before; but he questioned very much whether it was to be mainly attributed to defective drainage so much as to the large population that was now centred in Brisbane, which, in the very nature of things, made it more exposed to disease than any other town in the colony. He did not state that as an excuse for the neglect which had been shown of sanitary matters, but to show that the whole mortality was not due to that cause. He believed that the mortality in the South had been greater even than here; and that, in the province of Auckland, recently, the death-rate had been something like two deaths for every birth. This colony had not arrived at that yet; but, at the same time, it had arrived at a sufficiently large death-rate to stir people up to endeavor to find the source of the evil amongst them. A great deal had been said about the Brisbane Corporation; and there was no doubt that, like other young Corporations, they had made some great mistakes, but he did not think that many of those could be charged against the present body of aldermen, as he thought that, under the circumstances in which they found themselves, they were proving to be fully equal to the occasion. He was sorry that some honorable members had been dragging into the debate the unfitness of Brisbane as a capital, and the money that had been spent upon it; and he did not agree with much that had been said about the unsuitability of its situation, inasmuch as, wherever a large population assembled, it was necessary to insist upon sanitary laws being enforced. He was quite certain that there was no member for the district of Brisbane who would ever oppose a measure of the present description, if it was required for another locality, and he thought that, when discussing matters like the present, they should endeavor to prevent little feelings of jealousy constantly cropping out. It should be remembered that a large population, whether it be in the capital or not, must be the centre of disease; and, from Brisbane being a sea port town, it was more liable to infections of every kind. That being the case, he thought it would be well to ask for such a comprehensive scheme as that mentioned by the honorable member for Port Curtis, and that the citizens would be only asking for that to which they were entitled; he

would ask, also, whether the attention of the Government should not be seriously directed to the question before it was too late. He thought that raising a loan for such a purpose was perfectly legitimate; and he would state, at the same time, that neither for that purpose nor for any other, would the people of Brisbane ask for a gift from the country, but that, when asking for a loan, it would be with the view of repaying it, and with interest. As regarded the Waterworks, he could say, that so far from their being a gift, the people of Brisbane were paying very heavily for them. In the very nature of things, as the population of the city increased, those works had to be extended, and all the profits that could accrue were necessarily absorbed in making those extensions. There was no question at all, that when the mains were extended to a limit, as they would shortly be, in course of time they would pay for all the expenditure incurred in connection with them. As to removing the capital, if Brisbane was not to be it, the next question would be where should it be? He had no doubt that there would be as great a difference of opinion existing about that as about other things. He did not think it would interfere very much with Brisbane if the capital was removed—if it were to be taken, for instance, to Stanthorpe; at any rate, there might then be an end to a great deal of heart-burning. With regard to the Bill, whilst he said that he should gladly hail a more comprehensive measure, he considered that that was no reason why the House should not accept the measure now before it as a first instalment, and for that reason, and because it would be a small improvement, he should support the second reading of the Bill. As to vesting the matter in the hands of a commission outside of the Corporation and the Government, he might be permitted to observe that the ratepayers of Brisbane would object to such a proceeding, for, whatever money was spent upon works in the city the ratepayers would have to pay interest, and it was contrary to the principles of taxation that those who paid the taxes should have no voice on the subject.

Mr. GROOM said he had not had the privilege of hearing the early part of the debate on the Bill, but he had previously given the subject some consideration, and he must express his regret that the measure now before them was of the very small character which it purported to be. He considered that it would be the duty, if not of the Government, of the honorable members for Brisbane, to test the feelings of the House upon some general system of sewerage at some early date. It was now thirteen or fourteen years since he had had the honor of a seat in that House, and the very same question had been brought forward in some form or other every session. Notwithstanding that, there had never been a Brisbane member strong enough in his own opinion, to come down with a Bill on the subject. Whether it was

the knowledge that the name of Brisbane had the same effect with some honorable members as holding a red blanket before a bull, he could not say; but, so far as he was concerned, he, as a country member, was disposed to take the same view towards Brisbane as any one would towards the capital of his country elsewhere, whether it was London, Paris, or St. Petersburg. No opposition was ever offered to the beautification or improvement of those cities, and he was extremely surprised that so much obstruction should be offered to Brisbane by some of the country members whenever it was proposed to expend any money upon its improvement. He had been much struck with a paragraph which appeared in the *Courier* newspaper of the previous day, in which the great mortality which had occurred lately was attributed mainly to the proceedings of the Board of Health. He took exception to that statement, for, long before the Board of Health came into existence, there were what had been termed "stink pots." For a very long time also, the Corporation had allowed another thing to take place under their very noses, which he considered was, to a great extent, the cause of the evil, namely, that a person having a half-acre allotment subdivided it into half-a-dozen allotments, each of which was built upon, and had a closet. That evil was not confined to Brisbane, for he was sorry to say that the same system was being pursued along the line of railway, he having noticed that several small allotments were being cut up with the view to induce people to buy the land. He thought the sooner the Brisbane members took action in that respect the better. He could assure the honorable members for Brisbane that country members had a horror of coming to the city at that very moment, and it was pretty generally understood that families had left Brisbane because of its unhealthiness and had gone on to the Downs, and that people who had to go through Brisbane rushed through the place as quickly as possible to Sydney or elsewhere. It was within the power of the Corporation, and of the honorable members for the city, to bring about a different state of things to that. Whether the present measure was an instalment of a more comprehensive Bill, he was not prepared to say, as there were no plans before the House; but he contended that it was not fair for Brisbane to have its lands taken away, as there had already been an Act passed, very properly called the "Spoliation" Act, by which much of their land had been taken by the Government for erecting certain public buildings. He considered that Brisbane, as the capital of the colony, was entitled to every consideration, and if the Government asked for a loan of £100,000, or even £200,000 or £300,000, to carry out a comprehensive scheme of drainage, he for one should not object to it. In Sydney, a very comprehensive system had been carried out, but even that was now found to be insufficient, and

that it would be necessary for the Government of New South Wales to relieve the city from its very large debt and enable it to extend its system of sewerage. And, looking at the increased population of Brisbane, and its probable increase within the next ten years, he repeated that it was the duty of the Government to do the proposed work, and that he was surprised that no Brisbane member had had the courage to come forward and ventilate the subject—as at present, when visitors came, they were invited to a city of stinks. The proposal now before the House had followed an interview of a deputation of the citizens with the honorable the Minister for Works, with a view to prevent the flooding of certain properties in Queen street, but he contended that that was a half system only, and that if the Government wished to carry out any system of drainage for the capital, they should come forward with some comprehensive scheme. He should vote for the second reading of the Bill upon the principle that self-preservation was the first law of nature; but, and he spoke on behalf of the outside public who were likely to visit the city, it was the duty of the Government to come down with some comprehensive scheme, and he trusted that another session would not pass without some such scheme being brought forward.

Mr. THOMPSON did not think the Bill was properly intitled a Bill for the drainage of the city of Brisbane, as it appeared, from the remarks of honorable members representing the city, that it was only introduced to do away with an evil not connected with it in any way; so that if it had not been for the remarks which had been made, it would have gone forth to the world that it was a Bill for the drainage of Brisbane.

AN HONORABLE MEMBER: So it is.

Mr. THOMPSON: It was a Bill to drain only a certain locality, and, however straightforward it might appear to other honorable members, it would not appear to him to be so, for it proposed to deal merely with a certain district. Now, the very idea of an honorable member on the Opposition side of the House offering to assist the Government with any comprehensive scheme should have been sufficient to show that his side of the House was anxious that something should be done to remedy the evils which now existed; but it was said that a comprehensive scheme could not be carried out, as the plans were not ready. He was authorised, however, on behalf of several honorable members, to state that, if the Government asked for a loan, on account, on the distinct understanding that the plans would be laid on the table next session, and the matter put into proper hands and thoroughly gone into, no opposition would be offered. He should, however, fully expect that the same consideration would be shown to other towns in the colony, both as regarded waterworks and drainage. The drought of last year had

showed distinctly that, if they were to keep a large population in the colony, there must be very extensive provisions made for the storage of water. Indeed, the settlers of Rosewood Scrub had to go several miles for water last year, and the people of Ipswich suffered greatly from the absence of any proper water supply, and also of proper drainage: to have proper drainage there must be a good water supply, as it was necessary to flush the drains periodically. With regard to the Brisbane Board of Health, he might say that he quite approved of a certain system adopted by them at a certain time of the year; but they had gone wrongly to work, as the earth which was used was in a damp state, in which it formed, in connection with other matter, a most noxious gas. What the *Courier* newspaper had stated about the smells, as quoted by the honorable member for Toowoomba, was perfectly right; but it was not on account of the earth-closet system, but owing to the stupid way in which it was carried out. What was required was to have proper calcining furnaces for drying the earth; that was done elsewhere, and the earth-closets were found to be a great improvement on the old system. In regard to the Creek street Bill, he might state that it was brought forward to make that particular drain, and it was done at the instance of the Corporation and of the people of Brisbane; but the present Bill was brought forward to provide for the drainage of the city of Brisbane, although it would be more justly intitled if it was made to say that it provided only for the making of a certain drain. The Continental Railway scheme came down to be a Roma scheme, and the Brisbane Drainage Bill came down to be a Bill for making a certain drain. He did not think there would be any great opposition from any part of the House to a proper and comprehensive system of drainage for the city.

The question was put, and the House divided, with the following result:—

AYES, 24.

Messrs. Macalister, Hemmant, Griffith, Fryar, King, McDonald, W. Scott, Dickson, Edmondstone, Douglas, W. Graham, Beattie, Lord, Black, H. Thorn, Hodgkinson, Macrossan, Groom, Pechey, Fraser, Low, Morgan, Stewart, and Kingsford.

NOES, 10.

Messrs. Palmer, Morehead, Thompson, C. J. Graham, Ivory, Royds, McIlwraith, Miles, Amhurst, and J. Scott.

QUINQUENNIAL CENSUS BILL.

The ATTORNEY-GENERAL, who said he had been requested to move the second reading of the above Bill in the absence, through indisposition, of the honorable the Premier, stated that in doing so, very few words would be necessary to convince the House that it was a necessary measure; and he believed it

was not usual to have much discussion on a Census Bill. It was a work which was generally carried on at regular intervals, but in this colony the intervals hitherto had been somewhat irregular—for instance, in 1864, 1868, and 1871. The Bill for taking the census in 1868 was assented to in 1867, and the time fixed for taking it was the 2nd March, 1868; the next was in 1871, and was taken on the 1st September. Bearing in mind that it was the practice of the Imperial Government to take the census of the United Kingdom in the first year of every decade, it seemed desirable to assimilate the practice of the colony as far as possible with that; but he thought, in a young colony like Queensland, an interval of five years was quite long enough. The Census Bills were all of the same shape, except that this was to be a perpetual Act, the last being a copy of that of 1868, and the present being a copy of it, the only important variation being, that in the Bill of 1868 the 1st of March was the day fixed, whereas, in the Bill of 1871, it was September 1st. On referring to the Imperial Act, he found the census was taken on the 2nd April—why it should not have been on the 1st he did not know, but he supposed for some good reason. He did not know that there was any particular necessity for the time of the House being occupied every five years in passing a Census Bill, whilst there were good reasons for making the Bill perpetual. That the time had arrived for taking another census, he thought would be granted by the House, as, if the Bill was passed, and the census was taken on March 1st, 1876, a longer time would have elapsed than before. He would not take up the time of the House any longer, but would move—

That the Bill be now read a second time.

Mr. PALMER thought the Bill was another of those measures which the Government might very well have spared the House until after the disposal of some of their large Bills, especially as he could not see the necessity for such a Bill in its present shape; nor why a census of the population should be taken every five years. He thought that if the honorable member had referred to some home correspondence, he would have found that it was considered very desirable that all the colonies should take a census at the same time, and he thought that once in ten years would be quite sufficient; as at the time the last census was taken, the difference between figures thus arrived at, and the returns of the Registrar-General, was found to be very slight indeed. He would remind the honorable member, that the census of 1871 was taken for a specific purpose, namely, for forming the basis of a redistribution of the electorates, and so as to have the tables before the House at the time the redistribution of electorates was under the consideration of the Parliament; but that was no reason why there should

be a census every five years, or that the benefit derived therefrom would at all compensate for the very great expense that was incurred; he had forgotten the exact amount, but he knew it was considerable. Besides, they had not heard anything from the honorable member to show them why the colony should be put to so much expense, when it could ill afford it, to gain so very little. Of course, if a majority of the House decided that the Bill should be read a second time, he should defer any further remarks until the Bill was in committee; but he would point out one thing, namely, that it was proposed that the census should be taken on the first of March, during which month, he would defy any one to take it, as the country in the North was impassable from floods. The main objection, however, that he had, was, that the expense incurred would not in any way be compensated for, unless there was some specific object in view, such as another redistribution of electorates.

Mr. DOUGLAS thought that there was, at any rate, one good feature in the Bill, and that was, that it would fix a period at which the census was to be taken in future. As had been remarked, previous censuses had always been taken at irregular periods; whereas, if he understood rightly, they would in future be taken at the same time as in the neighboring colonies, namely, every five years. He thought that ten years, especially in a comparatively new colony, would be too long an interval; moreover, they were always liable to changes in their representative system, and he considered for that reason it was desirable that they should know the state of the population. He had not addressed the House on the second reading of the Cook Representation Bill, but he would take the present opportunity of saying that he thought it would be much better that representation should be based upon population rather than upon any particular view of a locality; and in regard to that measure, he would much rather have seen it treated in some more comprehensive way. If the present Census Bill was passed, it would enable the House to do so in regard to the creation of any future electorate, and then would be found the use of quinquennial census returns. The present Bill would also bring matters more in harmony with those of the mother country. With regard to the remarks of the honorable member for Port Curtis, as to the impossibility of taking a census on first of March, he thought there was something in them, as there were parts of the country which it would then be very difficult to traverse, although in March, as a rule, it was beginning to dry up.

Mr. FRASER said he merely rose to give notice that, if the Bill went into committee, he should move for an omission from the schedule of the "religion" column, as he considered that the House had no right to take cognizance of such a matter.

Mr. ROYDS thought the remarks of the last honorable speaker were made with the view that if the Education Bill was brought forward it would be carried; otherwise, if that Bill was not carried, it was very desirable that the column should be retained, as had hitherto been the case.

Mr. GROOM said the honorable member for Bandanba had taken exception to the religious part of the return in schedule A, and he thought, if honorable members would examine that in connection with other parts of the return, they would have no reason to complain of attention having been called to it, because the honorable member had thereby pointed out that it was rather a valuable appendage to the schedule, inasmuch as it pointed out that a member of the Church of England possessed the distinguished ability of being able to "read and write;" an "Independent," he noticed, could "read only;" a "Roman Catholic," it said, "cannot read;" and, a little further down, it said, a "Baptist (General)" was an "M.A., Trinity College, Dublin." Further on, they were informed, a "Lutheran" could "read and write;" a "Primitive Methodist" could "read only;" and he thought, taking one with another, they might just leave them as they were. As far as the Bill itself was concerned, although he should not oppose the second reading, he was inclined to agree with the remarks of the honorable member for Port Curtis, with regard to the expense. Although he thought it was necessary that they should take the census of the colony, with a view to establishing the representation of the country on a fair and equitable basis, yet, unless there was some special end—unless they contemplated some change in the representation, he did not see why the country should be put to the large expense that would necessarily be incurred; and, from the speech of the honorable the Attorney-General, it was not foreshadowed that they were going to have a redistribution of the representative system. If it were so, he could quite understand what the object was in preparing the census on the present occasion; but he thought there were much more important measures on the paper which ought to engage their attention in preference to the small Bills that had been brought forward. He looked upon this as a small measure, which might very well be disposed of on some other day; but as it had been placed before them, he supposed they must accept it. He would point out to the honorable member for Port Curtis that there was this distinction between this Bill and the one he introduced some time ago. When that honorable member proposed to take the census, it was at a time when the great bulk of the industrial population of the colony were engaged in shearing and sheep-washing, and no accurate account could then be taken to enable a fair distribution of representation to be established, and he thought that was shown by the fact that two petitions had been

presented asking for a reorganization of the present representation. The honorable member for the Kennedy had asked for that electorate to be placed on a better footing; and, as far as his own electorate was concerned, it bore no comparison to other electorates. From the calculation he had made, it appeared that he represented as many electors as six honorable members on the other side of the House, and he believed the honorable member for the Kennedy was in a somewhat similar position. Consequently, it could not be said their representation was founded on an equitable basis. It might, however, as pointed out by the honorable member for Maryborough, be wise to take an occasional account of the population of the colony, in order to guide honorable members as to the representation on which that House was based, and for that reason he was prepared to vote for the second reading of the Bill; but, at the same time, he regretted that at that early period of the session more important measures for the benefit of the colony were not brought forward for consideration.

Question put and passed.

GOLD-MINING COMPANIES BILL.

The SECRETARY FOR PUBLIC WORKS, in moving the second reading of this Bill, said it was a measure that had been for some time looked for by the mining community of Queensland. It was a short measure, prepared to meet certain complaints that had been frequently made, with respect to the working of the Companies Act of 1863, as connected with the formation of gold mining companies; and, first of all, he would say a few words as to why it was made applicable solely to gold-mining companies, and not to mining companies in general. The reason was, that men working on a gold field were compelled, from the nature of their occupation, to work in small companies, and they could not get the time which was allowed to persons who took up land for other mining purposes, to go through all the forms of registering themselves in the Supreme Court, at Brisbane, on account of the great distance at which their operations were carried on. A man taking up a section of land for copper mining paid five shillings an acre deposit, and then he had twelve months, during which he was allowed to have the use of the land and test its productiveness, and at the expiration of that period, he had to pay the balance of the purchase money. But if a gold miner took up a piece of ground he might think worth exploring, he was compelled to work it from the day he took it up, and it was, therefore, considered that these men should be allowed some extra facilities for the purpose of registering small mining companies. The grievance complained of in the Act of 1863 was, in the first place, that the registration had to be done in Brisbane; and, owing to the necessity of employing agents for this

purpose, the charges were very much increased. The miners were not only hindered from carrying on operations, sometimes for months before they could get the registration of a company, which might be done in forty-eight hours if local facilities were provided, but they had also to pay a very largely increased amount for obtaining that registration; because, besides the fees of court, they had to pay agents' charges, which, he believed, sometimes amounted to more than the fees themselves. The object of the Bill was, therefore, to meet this complaint by allowing that mining companies should be registered on the gold fields, with the Registrar of the District Court within which district the gold field on which they were working was situated. For instance, a gold-mining company started at Gympie or Charters Towers, would be able to obtain registration by simply going to the Registrar of the District Court, at Gympie or Charters Towers, and depositing with that officer an application for registration, and all the necessary papers, and paying the fees to him. The registration would then be as complete as if it had been effected in Brisbane, and one of the duplicate sets of papers would be forwarded to the Registrar of the Supreme Court in Brisbane, so that the registration might be properly recorded there. By that means, miners would be able to register their companies easily, and without unnecessary expense, on the gold field where they were at work. There were also somewhat similar facilities provided for winding up companies. Application for winding up had to be made to the Supreme Court, because it might happen that the District Court had just closed its visit to the district in which the company was registered, and if application had to be made to the District Court to obtain an order for winding up, it would have to remain hanging over the head of the company until the next District Court came round. It was, therefore, provided that when the winding up order was obtained in the Supreme Court, all the subsequent proceedings might be conducted in the District Court. He believed these provisions would meet most of the complaints made against the working of the Companies Act of 1863, with reference to gold-mining companies. There were several honorable members in the House connected with mining pursuits, who, he had no doubt, would give them some information on the discussion of the Bill in committee, which would enable them to see precisely how it would afford the relief required. He moved—

That the Bill be now read a second time.

Mr. THOMPSON said the most important feature of the Bill—that dealing with the principle of “no liability companies”—had not been touched upon at all by the honorable member who had just introduced it. That principle was entirely new, and required some explanation. This Bill was one

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that had been agitated for for several years, and from time to time it had assumed different shapes, and ultimately it had got into this shape. In the first place, it appeared on the face of it to be tampering with the Companies Act of 1863—a thing which he thought was extremely undesirable, inasmuch as it was a well-considered measure, and every one understood the working of it. This “no liability” principle, which he did not hear the honorable the Minister for Works refer to, was the most important part of the Bill.

The SECRETARY FOR PUBLIC WORKS: I forgot it.

Mr. THOMPSON: If the honorable member would consent to strike that out, he (Mr. Thompson) would probably say no more about it. The honorable member made no reply, and he should, therefore, oppose the Bill. He certainly thought they should not allow a Bill to pass containing such a provision, without hearing some very strong reasons in support of it. It appeared to him to be a vicious principle altogether, and liable to lead to jobbery and cover any amount of fraud. With regard to the winding up of companies, he did not see much difficulty, although he did not think the District Court would be likely to give satisfaction in such matters. It had not been found so in the working of the Insolvency Act, and he had his doubts that it would be found a fit tribunal for winding up. If it were, no one would be more glad than himself to give the power, because he believed, as a rule, the District Courts were very satisfactory in their operation, and it would be a step in the right direction of law reform. That part he would not object to, even as an experiment; but the part which tampered with the Companies Act of 1863, he did object to, and he still more strongly objected to the introduction of the “no-liability” principle. These objections might, however, be met by explanation.

The ATTORNEY-GENERAL said, as his honorable friend and colleague, the Minister for Works, had forgotten to refer to the question of “no-liability” companies, he would say a few words on the subject. He thought the honorable member for Bremer, when he said the Act of 1863 was well known and understood, gave the strongest reason that could be adduced for bringing in a Bill of this kind—to alter it slightly in some respects, instead of bringing in a Bill of some forty or fifty pages, which would be merely a reprint of the Act with a few verbal amendments, and one or two new clauses; because they would have one system well understood and another not understood, and which would, probably, take as many years as the other did to be understood. It seemed to him, when they had a system like that, and they wanted to make alterations, it was better to introduce a Bill saying what these alterations were, than to reprint the whole Act and re-enact it, and put the alterations in

parts where they would be difficult to discover. In reality, this was the same Bill that had been introduced on previous occasions; but, instead of re-introducing the Companies Act, with the variations, the variations were simply stated. With respect to registration in the District Court, that explained itself, and no possible difficulty could arise. With reference to "no-liability" companies, the first he heard of such companies was, that they were in force in Victoria. He was not prepared to say how long they had been in force; but the present Act was passed in 1871, and he believed that was a re-enactment. The nature of a no-liability company was this:—It was a company that did not get credit; at least, a company that ought not to get credit, and any one who gave credit would not be entitled to recover anything, so that the natural result would be, credit would not be given, and they would have to deal for cash. He did not see why a number of individuals, if they had cash and were desirous of doing so, should not associate themselves together on that principle, in a company, no member of which would be entitled to pledge the credit of another. He was informed, by gentlemen who had the best means of knowing, that the system had worked with the greatest benefit at Sandhurst, in Victoria, in developing the mining resources of the district; and it was confidently expected by many persons in this colony that a similar provision would prove of equal benefit here in the same respect. Any one who had watched the history of gold-mining, must have seen prospectuses issued containing promises which bound no one, and in which it was announced that calls would be not more than one shilling per share a month, and calls had gone on month after month, until all the capital was paid up, and the dividends never came. People had, therefore, taken warning by experience, and were rather chary of going into mining companies. There was a provision in the Companies Act of 1863 by which shareholders had power to surrender their shares when they were not inclined to pay the calls then due; but that system was not completely operative, and it certainly did not give the warning to the outside public that would be given if the company announced that it was a no-liability company, and was not entitled to credit. He had no experience in the working of the system, but from what he had heard of it *a priori*, he could understand that many persons would be willing to go into companies on this principle, by which they could contribute as long as they pleased, and not be liable to be called upon at the option of two or three directors, in whom they might feel no confidence, and who, possibly, might be holders of fully paid-up shares, to pay up. He believed the principle had worked well, and there was a probability that it would work well here, and prove of benefit to a large section of the community.

Mr. PALMER said there was hardly any subject that ever came before the House that he was more anxious to legislate—and legislate properly—upon than matters connected with the gold fields of the colony, and he believed that feeling was shared by almost every member of the House. At the same time, he thought they had been more unfortunate in legislating for their gold fields than for any other interest in the colony. They had succeeded, so far as his experience went, in pleasing nobody; and he must confess that he had not sufficient information on the matter to know whether this was really a good Bill or not. They were told by the honorable the Minister for Works it was, and the honorable the Attorney-General had followed suit; but for himself, he must say he did not thoroughly understand it. The no-liability company system was certainly an innovation on anything he had known before, and it would require some very serious consideration before it was passed by that House. And, altogether, he thought there was a want of information on the subject of the Bill which he should like to have, and he thought it would be much better to refer it to a Select Committee. He had no wish to shelve the Bill, and the honorable the Colonial Secretary need not favor him with that ingenuous smile of his. He had no doubt that honorable gentleman would get up in his usual style, and say this was another attempt to get rid of the question; but referring the Bill to a Select Committee need not delay it a week, because all the evidence could be got in that time. They need not go to the gold fields for evidence; there were plenty of experienced miners, well acquainted with the working of the Gold Fields Act, in Brisbane, who could give all necessary information. Therefore, with a view to passing a Bill which would be really useful to the gold-mining community, he moved, as an amendment—

That the Bill be referred to a Select Committee.

Mr. HODGKINSON said the interest evinced by the House, when the legislation proposed was for the benefit of the gold fields, did not present half the feeling that it did when the measure before it was one referring to the city of Brisbane. He thought this particular Bill could only be objected to by honorable members from the fact that sufficient time had not been given to enable them to exactly comprehend it. He thought it contained only two amendments on the Act already in existence. One was, the local registration of companies, and he was sure no honorable member could object to that. As had been pointed out by the honorable the Minister for Works, and as any honorable member could see for himself, if he referred to the Acts in force, a very tedious process was required now even to initiate a company before it possessed legal existence. The Bill proposed

to provide for that difficulty by making every District Court Registrar a central official for the purposes of registration; in other words, any company proposing to work a claim on a gold field could at once give itself legal existence, without the delay of referring to Brisbane. He was sure no one knew so well as country members how difficult it was, at times, even to communicate with Brisbane; and, in reference to the extreme northern districts, such as Charters Towers, the Etheridge, and the Palmer, he might point out that communication with Brisbane was absolutely delayed four months; and still the Act strictly enjoined that, directly a man pegged out a claim, it should be represented by labor. He need hardly point out the still greater difficulties which existed in this respect, with regard to any associated form of industry. He knew that on the diggings there had been a long expressed wish for something of this kind, by which the power of the central official in Brisbane might be transferred to local deputies, who, from local knowledge, were much better qualified to discharge the duties connected with the formation and registration of companies. He thought, therefore, that was a very necessary portion of the Bill. The new feature of no-liability companies, he thought, explained itself. For instance, any man taking a share, or a number of shares, in a limited company could only be held liable to the amount specified in the articles of association; that was to say, if he subscribed his name for fifty £5-shares, he became liable for £250, no matter what might be the fortunes of the company. Although the company might be evidently worthless at an early period of its existence, yet every shareholder was liable and at the mercy of the directors for the full payment of his shares. The no-liability principle was, he believed, intended to enable a class of men who did not possess a great amount of capital, and who did not wish to invest more of that capital than they could see a prospect of investing profitably, to form themselves into associated companies. That was to say: supposing a man took a no-liability share, the nominal value of which was £5, if he had reason to believe he had taken it up under fraudulent representations, or that the ground did not bear the indications he expected, or that the management of the directors was improper, he could at once cease all connection with the company by declining to pay his calls, and, after a lapse of fourteen days, he would be no longer a member of the company. It was open to him to preserve his interest by the payment of the calls, and also to forfeit his interest by non-payment; and, consequently, any person having paid a small per-centage on the nominal value of his share, could protect himself from further outlay or future loss by simply declining to pay his calls. As had been observed, this no-liability principle had

in Victoria been the main agent in promoting to a great extent the prosperity of Stawell and Sandhurst. Companies were originally formed there, as in New South Wales and this colony, and men went into them, as they did here, with expectations such as did not exist with regard to any other industry, and looked for fabulous returns on the outlay. In nearly every instance they were disappointed, and the very name of a gold-mining company became offensive to the ears of the capitalist. Consequently, the development of the gold-fields depended on the residents on those fields, and these men, being a class not in the possession of any accumulated capital, associated themselves together under the form of no-liability companies, and the system had worked very successfully. The clauses of the Bill providing for local registration were a necessary corollary to the establishment of that system in this colony. The Bill was, in fact, simply intended to make, as far as possible, the formation and winding up of mining companies a local matter, and it would not only facilitate their formation and diminish the expenses, but it would also diminish the loss which, under the present system, arose in the course of winding up. It would be necessary in committee to make some slight alterations; and he hoped it would not be referred to a Select Committee, because it would have the effect of postponing it for perhaps a considerable time, and ultimately it would have to go through the same ordeal it had to go through now.

Mr. MILES said he thought the House ought to feel obliged to the honorable member for Burke, for he had thrown more light on the subject than the honorable the Minister for Works or even the honorable the Attorney-General; and he thought it would be well if the Government placed the Bill in the hands of that honorable member. His object in rising was to state that he was very desirous and anxious to give every possible facility to gold miners, but, at the same time, he wanted to know why they should legislate for that class specially? He found the first clause said:—

“This Act shall extend and apply to companies formed for gold-mining purposes only.”

He should like to know why tin-mining should not be included in it? There were companies formed for tin-mining and for mining copper and coal, and he should like to know why it was necessary that a Bill should be brought into that House to legislate especially for one class of the people? The honorable member for Burke had not explained that, and in the absence of any reason on that point, he should vote with the honorable member for Port Curtis to refer the Bill to a Select Committee to report. He did not see why there should be any exception made in favor of gold-mining; but still, if the honorable the Minister for Works, or, perhaps, the honorable member for the Kennedy, who

thoroughly understood everything connected with these matters, or the honorable member for Gympie, could convince him that the Bill was necessary, he should vote for it.

Mr. McILWRAITH said the honorable the Minister for Works had admitted that in introducing the Bill, he omitted to call attention to the most important provision in it—the no-liability clauses; and now that he had an opportunity of speaking to the amendment, he (Mr. McIlwraith) hoped he would give the House some information with respect to these clauses. For himself, he saw a great deal of good in it, in one way; but in the only point to which the honorable the Attorney-General directed attention, he saw a great deal of evil that might arise from it. He would like to have some information from the honorable the Minister for Works, who, he had no doubt, would be prepared to say where the principle had been tried, and with what success. He had heard from the honorable member for Burke, that the success of some of the Victorian gold fields, had been attributed to the operation of the no-liability system; but, he had never heard of it being a feature of gold-mining in that colony, and he was satisfied it was not. He knew that in Sandhurst, the great complaint was against the Act which provided for limited liability. He had never heard that the principle had been tried down there, and found to be a good one. It was quite possible that he might be ignorant of the fact, but he was satisfied that it was not a marked feature in connection with the gold-mining companies, or the success which had attended gold-mining in that colony. There was no doubt the provision by which a shareholder might be freed from liability, if he desired it, was a good principle, but there was another feature they must look at. By means of these no-liability clauses, a door would be opened to the wholesale defrauding of absent shareholders. He could quite see, that if the directors of a company were to be men on the gold field, they could work it, so as to throw all the expense on the shareholders in town, and, by means of reports, they might be led to have so little faith in the undertaking, that they would cease payments, and the result would be, that the parties on the field would work the mine into their own hands. It was open to that objection, and, he did not see how it was to be answered. He would like to hear some explanation from the honorable the Minister for Works.

The SECRETARY FOR PUBLIC WORKS said he must confess he did not expect they would get through the previous Bills so fast, and when the second reading of this Bill was called, he had not refreshed his memory by looking over it before he rose to speak, and he forgot to refer to the no-liability clauses, which formed one of the most important parts of it. With regard to the remarks of the honorable member for Maranoa, he might state that these clauses were taken from the Vic-

torian Act, passed in 1871; and, although he had not been in Victoria, he had been assured by gentlemen who were good authorities on the subject, that this system had been very successful there in assisting mining enterprise. He did not see how a liability company could have means of defrauding individuals, because the words, "no-liability," must be added to the name of the company, and any tradesman, or other person dealing with them, would be perfectly aware that he could have no security, except the actual property of the company—that the shareholders had no liability whatever. He believed the no-liability system would, in a great measure, tend to prevent bubble companies, because companies were frequently launched with little or no capital, the shareholders could not get rid of their shares, and the directors were able, if they thought fit, to keep making calls, even when they were paying dividends. He had seen, in the *Brisbane Courier*, notices for payment of calls, and, also, notices of dividends in the same companies; and under this Bill, when the shareholders found themselves in a trap, they would simply have to forfeit their shares, and they would have no further liability. With reference to the other remark of the honorable member for Maranoa, which he took to mean that shareholders might lose their shares through not receiving notice of a call about the time for payment, of course, it was possible they might lose them in that way; but any man taking up a share in a no-liability company would be aware that his shares would be liable to forfeiture for non-payment of calls, and he would make arrangements with some bank or agent on the field for the regular payment of calls, until such time as he gave notice of his intention to pay no longer. He believed, if the Bill passed, the no-liability system would prove of great benefit to Queensland. It would enable people who were anxious to assist miners in developing mines of which they had a high opinion, to do so without taking more liability than they wished to take on their own shoulders. Nothing had tended to prevent the development of the mining industry so much as the fact that a man could not go into it without taking a liability greater than he wished to take. In fact, many companies were launched, and a man who went into them scarcely knew where his liability would end; but if this Bill were passed, any persons wishing to assist those who were engaged in mining, would be able to do so by taking up shares, and they would have the absolute certainty that, as soon as they wished, they might forfeit their shares and be subject to no further liability.

Mr. LORD said he could not understand what objection there could be to the Bill. In the first place it simply provided to relieve miners from some of the difficulties they labored under at present. They had now not only to employ a lawyer to draw up the articles of association for different companies,

but they had to employ agents in Brisbane to get them registered; and he might inform honorable members that the cost of registering anything like a £15,000 or a £20,000 capital company was something like £60 or £70, with the fees charged by the agent and solicitor; whereas, he believed it could be done on the field for about £10 or £12. With regard to no-liability companies, he must say he had never seen them worked, but he believed they gave great satisfaction, and tended to increase the confidence of persons desirous of investing in mining shares. In order to meet, in some way, the difficulty which this Bill was intended to provide for, they had in Gympie inserted a clause to the effect that those who objected to being liable beyond a certain extent, would be allowed to surrender; that was, that if they did not wish to keep in the company—if it did not turn out so good as they expected when they took up the shares, they would have power to give them up. Many persons did not go into mining because they did not know where the liability might end, and it might be their ruin; whereas, if they had power to forfeit their shares, at any time, and be free from all liability, as they would under this system, they would do so. One thing that appeared to have been forgotten was, that five per cent. of the capital must be paid up before the registration of any no-liability company, so that, before the company could commence operations, there must be a certain amount of cash to start it upon. There was another matter that would require some attention. It was proposed in sub-section 4 of clause 8:—

“Any share upon which a call shall at the expiration of fourteen days after the day appointed for its payment be unpaid shall thereupon be absolutely forfeited without any resolution of directors or other proceeding. The share when forfeited shall be sold by public auction advertised in the *Gazette* and a local newspaper.”

He thought fourteen days, in a large colony like this, where in many instances a company might be working so far away as to prevent any communication with shareholders for a considerable period, was too short a time. The provision for the sale of the forfeited share by auction to the highest bidder would be a security to the shareholder that he was not being “done” out of it, because he would have the option of buying it himself. With regard to the winding-up clauses, he believed, under the Bill, the whole of the winding would take place in the Supreme Court, because he did not think the lawyers were likely to let it go into the District Court. It provided:—

In any case in which the Supreme Court makes an order for the winding-up of a company under the principal Act it may at any time if it thinks fit direct all subsequent proceedings to be held in a District Court,”

and he thought the word ought to be “shall” instead of “may.”

Mr. MACROSSAN said, he must confess he was laboring under the same disadvantage as the majority of honorable members, inasmuch as he had not had the Bill in his hands before to-night. As far as the registration clauses went, he thought the measure would be a decided advantage to the gold fields. The no-liability principle, which the honorable the Minister for Works said had been in operation in Victoria since 1871, was a principle which he never heard of until that evening; he had been in Victoria lately, and he never heard of it being applied to gold mining companies. Now, he thought there was scarcely any industry at present in the colonies which had been more subjected to swindles and to dishonesty of different kinds, than the industry of gold mining; and he was inclined to think that this no-liability principle would lead still more to such practices. They had been free from these things in Queensland, so far; but he thought, if the principle of no-liability, as it seemed to stand in the Bill, were carried to the extreme, it might produce that very undesirable result, and he would show how. Supposing a company of twenty men was formed, half of whom were not resident on the gold field—supposing ten of them were resident in Brisbane, and each put £10 to form the company—and the other ten, who were residents on the gold field, expended the whole of the money, and during the time they were working, and the money was being expended, they found a good deposit of gold; these ten men could easily conspire amongst themselves to keep the deposit secret. Then the shareholders resident in Brisbane, finding the whole of the money invested in the company had been spent, would naturally refuse to pay their calls; and those resident on the field would be able to buy up the forfeited shares at auction, at a very nominal figure. As to the system of “no liability,” as far as regarded storekeepers or merchants giving credit, it was a matter of little importance, because merchants generally knew how much or how little the persons had to whom they gave credit; but he thought it was a matter of great importance to the credit of the colony, which had hitherto been free from the dishonesty in connection with gold mining that had taken place in every other gold producing colony, that the House should give the most serious consideration to these clauses before they were passed. He should like to look into the question further, but he could easily see, from his own experience on gold fields, how the system could be worked so as to deceive persons who were at even a very short distance from the gold field, and it would be much more easy to deceive those who were at a great distance. He hardly knew whether to vote for the amendment of the honorable member for Port Curtis or not. He would sooner vote for the second reading, if the honorable member in charge of the Bill would promise not to put it into committee

before a week, so as to allow members, and members representing gold mining constituencies especially, an opportunity to try and understand that portion to which he had referred. If the honorable member would not do that, he (Mr. Macrossan) should vote for the amendment.

Mr. DE SATGE said he was not fortunate enough to hear the remarks of the honorable the Minister for Works, but he did not think a more unfortunate time could have been chosen to introduce this Bill. They had learned by the latest telegrams from Sydney that the difficulties in which many firms in that colony had become involved had been caused by their dabbling in gold mining companies and matters they did not understand, and which the trading of the day enabled them to go into. And now, at this early period of the session, when there were other important measures which ought to be brought before them, they were asked to pass this Bill to facilitate the formation of similar companies, and to encourage by every means in their power this dabbling—indeed it was neither more nor less than gambling—in mining speculations on the part of respectable merchants. He perfectly agreed with the remarks of the honorable member for Ravenswood that they ought to make the liability as great as they possibly could, and that they should in no way encourage that spirit of gambling in gold mining that seemed to take possession of people at odd times. He thought, if they had no other measures to occupy their attention, they ought to go on with the Estimates. It appeared to him that everything was done to keep country members down here to tire them out. He heard some weeks since that the Government intended to bring in the Estimates as soon as they finished the precious Continental Western Roma Railway Bill; and why did they not do so, in place of occupying the time of the House with these paltry trumpery little Bills? That was his feeling with regard to the Gold Mining Companies Bill.

The SPEAKER said he might inform honorable members that it would be competent for the honorable member for Port Curtis to withdraw his amendment; and, upon the motion being made to go into Committee of the Whole to consider it, then the amendment could be moved that it be referred to a Select Committee.

The COLONIAL TREASURER said one of the strongest charges always brought against the Government of the day, ever since he had been in the House, had been a desire to rush through the Estimates; and the honorable member for Normanby might be sure he (the Colonial Treasurer) was more anxious to get them through than he was. As far as he could understand from honorable members, he believed, when the Estimates were brought forward, they would go through very rapidly. There was nothing in their character to provoke criticism; he believed

even the honorable member for Carnarvon was favorably disposed to them, and no doubt they would take only a very short time.

Mr. PALMER said, before withdrawing his amendment, he would like to make a few remarks. He thought, if the honorable Minister for Works had given him the information which had been since obtained from honorable members representing the gold fields, he should never have moved the amendment. Having got that information, he was of the firm belief that the Bill was a complete swindle. He should now, with the permission of the House, withdraw his amendment, and oppose the Bill when in committee, especially the “no-liability” portion of it, unless he had a great deal more information on the subject.

The amendment was, by leave of the House, withdrawn.

The question was put and carried, and the Bill was read a second time.

IMMIGRATION ACT AMENDMENT BILL.

The COLONIAL TREASURER said that the Bill, the second reading of which he was about to move, was a very short, simple, and comprehensive measure—sufficiently so, he thought, to suit the honorable member for Port Curtis. It proposed to sweep away everything connected with land orders. He thought that every honorable member would acknowledge that the land-order system had been the means of bringing to our shores many valuable colonists, but it had now been played out. It had given rise to a great deal of discontent, as immigrants who had founded great expectations on receiving land orders, often found, on their arrival, that they were unsaleable for months, that they could not make use of them, and that when they did sell them, it was at a great discount. The revenue had also suffered from the system, as the undertakings given under the Act were never paid, unless it was to the disadvantage of the Treasury that they should be. During the first two or three years of the system, a great many immigrants came out at their own expense; and it was evident that they did not come out for the land orders, which were introduced at a time when land had very little value, and, it was thought, could be given away in any quantity. He should not have brought forward the Bill that night, in the absence of the honorable the Premier, but he had ascertained that there was a general feeling in favor of its provisions. He might state that, if passed, the Bill would come into operation on the 1st October, as then there would be sufficient time to give notice to the agents at home. It was simply a repealing Bill, repealing those portions of the Act of 1872 which had any reference to the issue of land orders and undertakings. That was the whole of it, and he would now move—

That the Bill be now read a second time.

Mr. PALMER thought the millenium must be approaching, for he had very great pleasure in seconding the motion of the honorable the Treasurer, inasmuch as he believed the Bill would do a great deal of good. If the land-order system had been carried out as originally intended, it would have been of use; but, as it was, it was of no use now. He had been rather astonished a few days ago by reading an observation made by a gentleman outside of that House, when proposing that £2,500 worth of land orders should be given to a certain person, to the effect that they were not cash. He maintained, however, that when presented at the Treasury, they were to all intents and purposes cash as far as the Treasury was concerned. The Bill, he noticed, left all other things intact, and he thought that if fair notice of its passing was given to the Agent-General, all was done that was sufficient. He did not think the first of October would be long enough notice, for he remembered that when the last change in the immigration laws was made, a great many persons had made arrangements for leaving home before it was made known to them, and they were consequently disappointed. He thought, therefore, that whatever little damage might be done to our finances, it would be better to fix a later date, say the first of January, so as to give ample time; and when the Bill was in committee he should move an amendment to that effect.

The question was put and passed, and the Bill was read a second time.

SHERIFF'S BILL.

The ATTORNEY-GENERAL, amid cries of "Adjourn, adjourn," rose to move the second reading of the above Bill, and, in doing so, said that it had been before honorable members ever since April last, so that they had had ample opportunities of ascertaining the object of it. It was a Bill to redress a grievance which had been long felt in the colony, and which had been complained of as a system of centralisation by various Chambers of Commerce. The complaint had been, that it was practically impossible, at the present time, to procure the execution of processes of the Supreme Court in places distant from Brisbane. He believed the arm of the law, in that matter, did not extend beyond Dalby, Toowoomba, and Warwick, in the west, and Bowen in the north, and beyond those places it was impossible to do anything under the present Act: a hardship which had been represented to himself, and also to his predecessor in office, Mr. Bramston. The defect was partly owing to the nature of the colony, and partly to the Sheriff's office, as at present constituted. In England, there was a sheriff in every county, and it was considered a post of great honor, as there was great personal responsibility attached to it; that system had been adopted here, but the office was not accepted for the honor of it, whilst there was great responsibility attached

to it, as the Sheriff was accountable for the acts of those under him, and was not indemnified for any loss he might suffer through their mistakes. He believed that the only way to get over the difficulty was for the Government to undertake the execution of those processes themselves—

Mr. MOSHEAD called attention to the state of the House.

A quorum having been formed,

The ATTORNEY-GENERAL proceeded: It was quite impossible, when the Sheriff was personally responsible for the conduct of his officers, to appoint a bailiff in every part of the colony; and consequently, as he had said, the Government would have to execute legal processes themselves. The expense of that would be very little, for he did not apprehend that more than £200 a year would be required to execute legal processes all over the colony. For that purpose it was proposed, where necessary, to appoint officers called high bailiffs, who would, in fact, be deputy sheriffs, and he believed there would be no difficulty in getting competent persons, who were already in the employment of the Government, to undertake the office, and who would be personally responsible to the Government. If that was done there would be no difficulty in removing the reproach of centralization which, there was no doubt, there had hitherto been some ground for. That was the object of the measure, but advantage had also been taken of it to define, in the eighth clause, the relative duties and status of the Northern Sheriff. It might be said that relieving the Sheriff from present responsibility would not be fair to suitors, who should have some security; but it appeared to him that, as the other evil would remain, some such action should be taken as was proposed. He did not know whether the Bill would pass its second reading that evening or not, but he trusted that, if honorable members considered it would be a useful measure, they would allow it to do so. He would move—

That the Bill be now read a second time.

Mr. PALMER said he hardly thought the second reading was so much the question before the House at the present time as whether an arrangement made between the honorable the Colonial Treasurer, who, in the absence of the Premier, might be regarded the head of the Government, and a leading member of the Opposition, should be kept. For his own part, he did not care about an adjournment; but it had been understood by several honorable members that the honorable Colonial Treasurer had promised that there should be no more business done that night after the Immigration Bill. He thought the Government would find it better policy to keep to any arrangement made by one of themselves and a private member of the House, than to ignore it, as had been done by the Attorney-General. He was not aware of any objection to the Bill, but the question was, whether the Government should keep faith.

Mr. STEWART said that the Colonial Treasurer was not present, but he had heard him express himself to the effect that he had told the honorable member for Maranoa that he did not think he should go on with any more business that night after the Immigration Bill; he did not say he would not do so. He (Mr. Stewart) thought, however, that even with that implied promise, the Government should consent to adjourn.

Mr. GROOM said it was only fair to the honorable the Treasurer, to say that that honorable member expected that the debate on the Immigration Bill would last for the rest of the evening.

Mr. PALMER: It was impossible for the honorable Treasurer to have said that, as he knew from me that there would be no opposition from us.

Mr. C. J. GRAHAM thought, whether it was a breach of faith or not, there could be no difficulty in the honorable Colonial Treasurer telling the House whether he did say what had been alleged or not. If there was a misunderstanding, then there was nothing in it; but if there was an understanding between the honorable gentleman and a member of that House, and the whole thing had been repudiated by another honorable member of the Government, there was a great deal in it.

Mr. DE SATGE thought it was not so much the hour of the evening, as it was still early (half-past nine), but he considered that the Government should be satisfied with the work that had been done, as four Bills had been already read a second time. If the Immigration Bill had not caused any debate, as had been expected, it only showed the good taste of the Opposition, in not wasting the time of the House after their leader had expressed his approval of that measure. He considered that the word of the Government should be their bond.

The COLONIAL TREASURER wished to explain, that he was the only member of the Government who had spoken to the honorable member for Maranoa, who asked him if he thought there would be anything else done that night; he said he thought not, after the Immigration Bill. When he said that, it was without having consulted his colleagues, and he had since heard that several honorable members from the country were anxious to go on. Personally, he would have been glad of an adjournment; as, if he had been the head of the Government, he should have imagined that what he said, if not a promise, was, at any rate, an implied promise.

Mr. McILWRAITH said, that when he spoke to the honorable Colonial Treasurer, he thought he was speaking to him as the head of the Government, in the absence of the Premier; but at a subsequent period of the evening he was informed by the honorable Attorney-General, that he was not responsible for what his colleagues said.

The ATTORNEY-GENERAL said he had stated nothing of the kind. What he had said was,

that if his honorable colleague had made such an arrangement he would agree to it at once.

Mr. McILWRAITH would point out that he had called the honorable Treasurer's attention to the fact that they had gone through the second reading of four Bills, one of which had been discussed very minutely, and had asked him what fresh business the Government were going into. The honorable gentleman said, the Land Orders Bill, and the honorable member for Port Curtis afterwards told him there would be no opposition to that Bill. He had spoken to the honorable Treasurer, as the head of the Government for the time being; and he thought that the snappish way in which the honorable Attorney-General had interfered in the arrangement should meet with the treatment it deserved, as a breach of good faith.

The ATTORNEY-GENERAL thought, before an honorable member accused him of a breach of faith, there should be some better foundation than a mere assertion of his having stated what he had not said. He could only say that, if he had for a moment thought his honorable colleague had given any promise, he would not have attempted to proceed with any more business; but considering there had been no such promise, he was at a loss to understand how any one could accuse him of a breach of faith.

Mr. MOREHEAD said that, when he was coming to the Chamber, he met a supporter of the Government, who told him that the business was all over, and that an adjournment was immediate. Putting that and the statement of the honorable member for Maranoa together, he thought it was evident that the honorable Attorney-General had not been in full possession of the facts when he wished to proceed with another Bill. He thought the best thing was to adjourn.

Mr. DOUGLAS said he was one of those who called out "adjourn" when the honorable Attorney-General rose to move the second reading; and he had done so as he was not fully informed of the object of the Bill, no explanation having been made on the first reading, a practice which he thought was productive of much inconvenience and should be remedied. He would move—

That this debate be now adjourned.

The ATTORNEY-GENERAL said that there appeared to have been a misunderstanding entirely as to what had taken place, for there had been two versions of the conversation between his honorable colleague and the honorable member for Maranoa. He quite agreed that, when there was such a misunderstanding, the Government should adopt the view most against themselves, and he was glad, therefore, that the honorable member for Maryborough had moved the adjournment of the debate.

Mr. McILWRAITH denied that there had been any misunderstanding between the honorable Treasurer and himself, and said

that the honorable Attorney-General had insinuated that his honorable colleague was not the leader of the Government, and that he was not bound by any arrangement he had made.

Mr. PALMER said there could be no doubt that the honorable the Treasurer was next in seniority to the honorable the Premier: that position had always been acknowledged. He thought it was extremely unfortunate that the honorable Attorney-General had not recovered his temper a little sooner, as it was very desirable that a promise made by one side of the House to the other should be faithfully kept. He had, at any rate, always endeavored to do so himself. He had requested honorable members on his side of the House not to move the adjournment, out of courtesy to the honorable the Treasurer, who, he was sorry, had not been present to carry out what he had expressed to be his own private wish.

The question was put and passed.