

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 7 NOVEMBER 1876

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LEGISLATIVE ASSEMBLY.

Tuesday, 7 November, 1876.

Victoria Bridge Bill.—Postponement of Orders of the Day.

VICTORIA BRIDGE BILL.

The COLONIAL TREASURER moved—

That the Speaker leave the chair, and the House resolve itself into a Committee of the Whole for the purpose of considering this Bill in detail.

Question put and passed.

Mr. WALSH requested that the debate in committee should be reported in "Hansard," so that the speech which, no doubt, the Mayor of Brisbane would deliver, might be recorded.

After some discussion, it was suggested that, perhaps, the honorable the Speaker, who was in the House, would, upon the request of the committee, undertake, without the Chairman being moved out of the chair, to instruct the shorthand writers to report the debate.

The SPEAKER, accordingly said, as it was apparently the wish of the committee, he would give the necessary instructions for the reporting of the debate.

The preamble of the Bill was postponed.

The COLONIAL TREASURER, on moving clause 1, as follows:—

"1. That it shall be lawful for the Municipal Council of the city of Brisbane to assign and transfer to Her Majesty subject to the encumbrances affecting the same the several pieces or parcels of land mentioned in the first schedule of this Act,"

said that he wished to amend it by moving the insertion of the words "with the approval of the Governor in Council" after the word "Brisbane." His reason for doing so was, that otherwise, the moment the Bill was passed, the immediate transfer from the Municipal Council to the Government would take place; whereas there were several preliminary matters which would have to be arranged before the transfer was made.

Mr. PALMER said he did not mean to oppose the insertion of the words, but he could not agree with the honorable Treasurer that the moment the Bill was passed, the Council would immediately transfer the bridge. He did not know as yet whether the Mayor and the Council would consent to the transfer if the Bill did pass, and it did not follow that because the Bill said that "it shall be lawful," that the Council should do it. Before they went any further, he should like to know whether the Municipal Council had consented to the transfer.

Mr. BEATTIE took it that the Council were not the only persons to be consulted in the matter, but that the Government would have to place themselves in communication with the mortgagees, namely, with the Bank of Queensland; he did not know whether they had done so yet. So far as the Municipal Council were concerned, he did not think

there would be much difficulty about their agreeing to the transfer.

Mr. PALMER said he did not believe it was in the power of the Municipal Council to make the transfer to her Majesty, or that they had any right whatever to do so; because, if he understood rightly, the lands were mortgaged to the Queensland Bank.

The COLONIAL TREASURER said he would direct the attention of the honorable member for Port Curtis to the correspondence which had been laid on the table, in which there was a letter bearing date 7th September, 1875, from the then Mayor of Brisbane (Mr. James Swan), stating the terms on which the Council would be willing to hand over the bridge. That letter was as follows:—

"I have the honor to acknowledge the receipt of your letter of yesterday's date (1060-75), forwarding copy of certain resolutions of the Legislative Assembly upon the subject of the Brisbane or Victoria Bridge, and inquiring upon what terms the Corporation will be prepared to part with their interest in the bridge and bridge lands to the Government, on condition of the bridge being thereafter *free*.

"In reply thereto, I have the honor to acquaint you that the letter has been carefully considered by this Council, and I am authorised to submit the following for the consideration of the Government:—

"(1.) That the Government become liable for the payment of the debentures issued by the Corporation under '*The Brisbane Bridge Debenture Act*,' amounting to (£121,250) one hundred and twenty-one thousand two hundred and fifty pounds, and the interest accruing thereon.

"(2.) That the Government undertake that no claim shall be made upon the city rates or revenues for or in respect of such debentures or such interest.

"(3.) That the Government satisfy all the provisions of '*The Brisbane Bridge Act*.'

"I would draw your attention to the fact that the Council, being cognizant of the advantage of a free bridge to the city, forego a claim against the bridge now amounting to over (£20,000) twenty thousand pounds, cash advanced."

Mr. PALMER said he had pointed out, on the occasion of the second reading of the Bill, that an offer made by the Mayor and Corporation of the previous year was in no way binding upon the Corporation of the present year, any more than the present Government were bound by the acts of their predecessors.

Mr. WALSH wished to know if the Government were attempting to carry out an agreement on the basis of the letter which had just been read by the honorable Treasurer, because they had never yet heard the grounds upon which the Government intended to take over the bridge, except that it had always been stated that it was not intended that they should pay for all the blunders and extravagances committed by the Corporation in connection with the construction of the bridge. They now heard that an

overture had been made by the Corporation, and hence the agreement that the Government were apparently willing to carry out.

The COLONIAL TREASURER said that there were certain encumbrances on the bridge remaining, to cover which £121,000 would have to be provided. With regard to the remarks of the honorable member for Port Curtis, he might inform the honorable member that during the present year the Council had been informed of the proceedings of the Government in introducing the present Bill, and also that the matter had been pressed upon their attention in many ways by the inhabitants of Brisbane. Even if the Corporation objected to hand over the bridge, matters would not be in any way the worse condition by passing the Bill than they now were.

Mr. PALMER said he should like to know if there had been any communication from the Municipal Council, or the Bank of Queensland, or the debenture-holders during the present year. It was all very well for the Colonial Treasurer to say that they would not be in a worse position by passing the Bill; but if that were all, then he would say that it was of no use their wasting their time at that late period of the session, in passing such a measure.

The ATTORNEY-GENERAL said that a Bill like the one before them could not be made compulsory; for although it was said that an Act of Parliament could do anything, it was not usual to take property from any person or corporation without their consent; therefore a Bill like the present must be optional on the parties. It might happen that the Corporation said that they were now making a profit on the bridge, and would not part with it, and if they did so, the legislature could not compel them to transfer it; but it was well known that the Corporation would not do anything of the kind. It was known that the Corporation had made an offer to transfer the bridge, and that it was binding upon them, although made two years ago by another Corporation; and certainly there was not that want of continuity between corporations that there was between governments; the Corporation proposed to transfer certain burdens to the Government, who, in return, were to take the bridge.

The COLONIAL SECRETARY said, in regard to the Bank of Queensland, he would read a letter from Mr. George Harris, the liquidator of that bank, dated 16 June, 1874, and addressed to the then Colonial Secretary:—

"I have the honor to acknowledge receipt of your letter of even date, and in reply thereto to state that I am prepared, on behalf of the Bank of Queensland (Limited), and Messrs. Brassey and Co., to accept Government debentures bearing interest at four (4) per cent. per annum, at par, in exchange for all the Corporation debentures five (5) per cent., to which they are entitled on the completion of the Victoria (Bris-

bane) Bridge. Such interest to commence from the time of the completion of the bridge.

"I have, &c.,

"GEORGE HARRIS,

"Official Liquidator, Bank of Queensland
"(Limited)."

To that the following answer was sent:—

"Colonial Secretary's Office,

"Brisbane, 23rd June, 1874.

"SIR,—In acknowledging the receipt of your letter of 16th June, in reference to a former communication of 15th instant, in which you state that you are prepared, as Official Liquidator of the Bank of Queensland, on behalf of the bank and Messrs. Brassey and Co., to accept Government debentures bearing interest at 4 per cent. per annum, at par, in exchange for all the Corporation debentures (five per cent.) to which they are entitled on the completion of the Victoria (Brisbane) Bridge, with the understanding that such interest is to commence from the time of the completion of the bridge, I am directed to inform you that the Government are prepared to accept the proposal made to them, subject to the approval of Parliament.

"The Corporation of Brisbane have not, however, as yet finally determined to press this matter on the attention of the Government.

"I have, &c.,

"H. H. MASSIE,

"Under Colonial Secretary.

"The Honorable George Harris, Esquire,
"Brisbane."

The present Bill was the outcome of that correspondence. The matter was entered into by the previous Government, and the present Government had introduced it in the form of the Bill now before them for the approval of Parliament. There was not the slightest doubt, that if the Bill was carried there would be no objection to hand over the bridge.

Mr. PALMER said he was not making any factious opposition to the Bill, but he considered it was the duty of the Government, before they brought in such a measure, to be first of all sure of their premises; they should have been able to show the committee that they had the consent of the Corporation, and the consent of the Bank of Queensland as mortgagees. They should have been, in fact, altogether better prepared to state the basis on which the Bill was founded—at any rate to give the committee something more than they had heard yet.

The COLONIAL TREASURER said that the consent of the Corporation was most certainly obtained before the Bill was introduced, and, as regarded the consent of the debenture-holders and the Bank of Queensland, he admitted that it would have simplified matters if they had been obtained. He thought, however, that the three methods proposed in clause four of the Bill would meet the circumstances of the case. The Bill had been framed upon the basis of information the Government had obtained.

Mr. BELL would like to know when the debentures would fall due?

The COLONIAL TREASURER: On the 1st November, 1891, bearing five per cent. interest.

Mr. BELL said he should like to ask the honorable member if he thought there was any hope of buying up the debentures? because, if not, although he understood the present Bill to be a permissive measure altogether, if the honorable gentleman had no way of buying the debentures, he did not know what expectations the Government could have of getting them, as they were in the English market, and in all probability, in a great many hands. He thought they were shorter dated than it appeared they were.

The ATTORNEY-GENERAL said that the bridge was mortgaged to the Bank of Queensland, and that the mortgage was not only secured by the bridge lands, but also by debentures, and not one bit of the land could be released without buying up the debentures. If the Government attempted to negotiate with all the debenture-holders, they might not be able to get the debentures into their hands until 1891, as some of the debenture-holders might be children, for instance. The only thing they could do was, to get rid of the mortgage of the bank, which the bank could release on any terms they thought proper, without breaking faith with the debenture-holders, as they would hold security from the Government. By either of the means proposed in clause four the majority of the debenture-holders might consent to the bridge lands being released. Of course one plan would be to borrow money and pay it to the bank; but then, although it was not likely, that money might not be properly applied, and the Government would still be liable.

Mr. WALSH said the affairs of the bank were in liquidation, and, consequently, it was not known how far that might affect the transfer. He should like to know how much the country was to be asked to spend in taking over the bridge, for that was a most important matter for the committee to understand.

The COLONIAL TREASURER said that the total sum the country would be asked to provide was £120,945, but from that would be deducted the value of the bridge lands when sold. He did not wish to mislead the committee as to the value of those lands, but he would say that although some years ago they were estimated to be worth from £50,000 to £54,000, he had no hesitation in stating that the mere fact of making the bridge free would increase the value of property on the south side of the river, and cause an increased demand for land. At present £120,495 would have to be provided to remove the claims on the bridge and make it free.

Mr. WALSH wished to know whether, after those lands reverted to the Crown again, any portion would go to the municipality?

The COLONIAL TREASURER: No.

Mr. WALSH said he was sorry to see so little attention paid by honorable members on his side of the committee to the Bill, and it was because they did not do their duty that he had to rise so frequently in that chamber. That had been a duty forced upon him too often by honorable members on both sides. They had not heard one word yet from the honorable member for South Brisbane or the honorable member for Bandanba, or other honorable members, who, it was well known, were deeply interested in the bridge being made free; and yet he doubted very much whether those honorable members had seen one half of the intricacies which the Government were involving themselves in the matter, or whether they had taken into consideration that it might be twenty years before the Government got possession of all the debentures. What he should like to know was the amount of those debentures?

The COLONIAL TREASURER: £121,250.

Mr. WALSH said that he would then ask honorable members, if they saw all the difficulties surrounding the collection of those debentures? In the first place, an expensive commission would have to be appointed, and he had no doubt that there were already two or three persons in the field waiting to be appointed members of that commission. He would ask, if the Government had considered their position, and the difficulties with which it was surrounded? They would have to apply to the Bank of Queensland, which was defunct; they would have to apply to the trustees of that bank, at any rate, and then to the debenture-holders, and, of course, those gentlemen would do the very best they could; and then there was the interest to pay. Had the honorable Treasurer given that subject his consideration? They found that the Bill said that the Colonial Treasurer was to pay—

“from moneys standing to the credit of the public account a sum not exceeding one hundred and twenty thousand nine hundred and forty-five pounds to the credit of a special account to be called ‘The Brisbane Bridge Account’ which shall be opened in the books of the Treasury for that purpose and shall be credited with all interest which may from time to time accrue thereon or on any part thereof.”

But they had no idea what that interest might be; it might be £5,000, or it might be £50,000.

Mr. KINGSFORD said he might inform the honorable member that the interest was paid to date.

Mr. WALSH said he was perfectly certain from the crude form in which the Bill was introduced, that if it was passed the bridge would cost the country £200,000, and that it would take ten or fifteen years to conclude the bargain, during which time some commissioners would have to be appointed at highly remunerative rates to do the work.

However, as honorable members did not seem inclined to interest themselves in the matter, he should not do so.

Mr. BELL said he did not know what would be the state of things if all honorable members were to form the same idea of doing their duty that the honorable member seemed to form of his duty: he thought they would overdo it. Although he did not speak as often as the honorable member spoke, he thought he could satisfy his conscience as to how he performed his duty in that House. If he understood the question rightly, he could not discover the necessity of taking up the debentures at all, nor could he see why they should not allow them to mature. They could not borrow money at a less rate, and as the Government had no money themselves to invest, they would have to borrow. Then again, he did not see the necessity of having commissioners.

Mr. PALMER: None whatever.

Mr. BELL said he trusted the Government would not appoint commissioners. It was a perfectly good financial transaction, as it was only a change of proprietorship, and why have commissioners?

Mr. KINGSFORD: To transfer the mortgage.

Mr. BELL thought the Bank of Queensland would accept the security of the Government of Queensland. If he understood rightly, the Government had no objection to pay off the amount of £120,000 at once, but could not do so because the debentures were so distributed that they could not get at them; therefore, he said, let the debentures remain, and let the Bank of Queensland be negotiated with to accept the change of ownership.

The COLONIAL TREASURER thought honorable members were anticipating the fourth clause, which referred to the appointment of the commissioners. There was no doubt that if the Bank of Queensland, by their liquidator, would release the mortgage and accept the Government guarantee, the matter would be much simplified; but it was possible that the bank might say that until the debentures were all taken up, they would not hand over the lands, and if so, then with whom should the money be lodged? Therefore it was that the appointment of commissioners was proposed. Of course, if they could negotiate with the bank, direct, it would be a much more simple process. In regard to the probable expense of the commissioners, which was referred to by the honorable member for the Warrego, he might state that one of those gentlemen might be the Treasurer for the time being, and the other a nominee of the bank, and he did not see that any expense need be incurred.

Mr. BELL said that was exactly the point. He only desired to give permissive authority to the Government to deal with the bank, and nothing more; and if the bank refused to negotiate in the matter, let it drop.

Mr. IVORY said he was quite as much opposed to the Bill as the honorable member for Warrego; but, when he knew the general feeling of the House was decidedly against him, he did not believe in kicking against a stone wall, and taking up the time of the House unnecessarily, because it was bound to be carried by the will of the majority. He could not see why a bridge of this description, which had cost such a large amount of money, should be made free any more than a railway should be free. He had persistently opposed the large expenditure of money upon roads in the neighborhood of Brisbane and other towns which were favored by the Government, because he could not see why the whole country should be charged for it; and if he could, he would throw out this Bill.

The COLONIAL SECRETARY said if the honorable member's remarks were carried out to their conclusion, they meant that there should be tolls placed on every road in the colony, and he (the Colonial Secretary) did not think that committee, or any section of community, was prepared to go to that extent. The reason why it was necessary that there should be larger expenditure on roads near towns and municipalities was, that there was considerable traffic, and they could not be kept in order so easily as where there was only a small amount of traffic.

Mr. DE SATGE said he did not wish to offer any factious opposition to the Bill, but it appeared to him that it had come before the House in a very unripe shape. The Government could not promise that the passage of the Bill would conclude the matter, and that seemed to be the great objection to it. Before the Bill was introduced, the mortgagees ought to have been consulted as to whether it was in such a shape that the bridge could be taken over; but, as far as he could understand from the speeches that had been made on the subject, if the Bill were passed now, they did not know the amount of liability that would be incurred, or anything definite. If the measure were postponed until another session, the Government could by that time make it ripe for passing through the House, and he thought there would then be no objection to it. The objection now was, that they were not in a position to deal with the matter with any degree of finality.

The SECRETARY FOR PUBLIC LANDS said the second reading of the Bill had already been affirmed, and he thought they had now sufficient information before them to proceed with it in detail. He was not at all obliged to the honorable member for Warrego for having brought out the facts he had. It appeared to him that the liability of the Government was strictly limited under this Bill, and they were not likely to be involved in any liabilities beyond what were distinctly described in it. He did not think there were any grounds for charging the Government with wishing to obscure anything. The Bill

simply provided for the various contingencies that were likely to arise; and when they came to clause 4, they could discuss it in an amicable way, and decide whether it was desirable not to go beyond the simple question of dealing with the Bank of Queensland, or whether they should go further and deal with the debenture-holders.

Mr. PALMER said this was the first Bill of the session upon which they had four Ministers of the Crown speaking within so short a time, and that showed clearly that they were a Queen-street Ministry. He was only astonished that the honorable the Premier had not opened his mouth, but he supposed as member for Ipswich he (the Premier) was too cautious to do so on this Bill, and he had left the House. He (Mr. Palmer) did not think the matter was at all so clear as the honorable the Minister for Lands had tried to make out. Any information they had got they had actually to drag from the Government, and the information given by the honorable the Colonial Secretary amounted to nothing. The Corporation had not consented to the transfer; and the honorable gentleman had shown nothing from the Bank of Queensland, except some letter from the official liquidator, which did not bind the bank in any way that he (Mr. Palmer) could see. Unfortunately, the gentleman holding that position was now insolvent, and he (Mr. Palmer) should like to know whether that gentleman's letter bound the bank in any way? It was the duty of the Government, before bringing in a Bill of this sort, to have obtained further information. They had had plenty of time to do so since they had been in office, and to ascertain from the bank whether they would release the mortgage. He was quite certain there was no necessity for appointing commissioners; it was only opening the way for a job. He knew a little about the English money market, and he ventured to say, that the moment it became known that the Government had accepted the responsibility of those debentures, they would go up five per cent. He knew some of the holders of those debentures, and he knew that was the feeling at home—that directly the Government gave the guarantee, they would go up five per cent. The last he heard of them, some were sold at 94; and while the Government were borrowing at four per cent., those debentures bore five per cent. interest, and the honorable the Treasurer had studiously kept that in the background. He was not opposed to the principle of the measure, because he believed it was time the bridge was made free; but he would move certain amendments in the Bill, particularly in the second, fourth, and eighth clauses. He could not see why they should buy the bridge, and relieve the Corporation of the responsibility, and then give it back to them. That seemed to him perfectly ridiculous; and if they did take over the bridge, the Government should be bound to keep it for

the country at large. He considered the sum mentioned was a great deal more than the value of the bridge. He believed £80,000 would be the extreme price to pay for it, and now they were asking the country to pay £40,000 in addition, according to his estimate.

The SECRETARY FOR PUBLIC LANDS: You get the bridge lands.

Mr. PALMER said he did not believe in the estimate of £54,000 for the bridge lands. The Corporation had not built the bridge with the lands, and that did not in any way add to the value of the bridge. He should not, however, object to the amount proposed, although he considered it very excessive indeed. He knew there had been a great deal of bad management, and that the Corporation were put to considerable extra expense in connection with the swing bridge; and upon that ground, and also upon the ground of making the bridge a public highway, he was prepared to vote for the Bill with amendments. He hoped the committee would not consent to the appointment of commissioners, for whom there was no necessity whatever, and whether the honorable the Treasurer accepted his amendments or not, he should move them. If the honorable the Premier was going to oppose the Bill, he wondered how the Colonial Secretary had brought it in, and he should like to hear some explanation from the Premier.

The ATTORNEY-GENERAL said the honorable member did not appear to understand the object of the commissioners. The whole of this land was now mortgaged to the Bank of Queensland, and nothing could be done with it until the bank executed a release, and the only way in which they could make them execute a release was to pay the amount of the mortgage in cash; but they were not going to hand over to the official liquidator, or anybody else, £121,000, without some guarantee that he would pay the debentures. Instead of paying cash, there were two ways in which they might get a release. One was, that if the bank took the guarantee of the Government and gave the release, there would be an end to all the difficulty; but they might not do so, and it would be useless to bring in a Bill which might turn out to be inoperative, and which would necessitate the bringing in of another. Supposing the bank would not accept the guarantee of the Government, they would have to place the money in trust and pay the interest in the meantime. If the bank accepted that alternative, the money would be placed in trust—he supposed to the credit of the official liquidator and the Treasurer or Under Secretary of the Treasury. They would be simply two persons holding the money in trust for the due payment of the debentures, and they would have no duty to perform and no salary to get. That was all the commissioners were to be appointed for. The third alternative provided that, in the event of the bank refusing to do anything of

the kind, the simplest way of getting rid of the debentures as soon as possible was to buy them in as they could. The object was to realise the land, and so reduce the liability of the country as soon as possible. If the bank refused to do anything, they would leave the Government in the position of having to pay interest on the debentures up to 1891, and it was with a view to meet that contingency that the third alternative was inserted.

Mr. PALMER said if the Bank of Queensland had issued the debentures, he could understand the argument of the honorable the Attorney-General; but the Corporation of Brisbane had issued them, and the Bank of Queensland was in no way responsible for them.

The ATTORNEY-GENERAL: It is bound by the mortgage to see that they are paid.

Mr. PALMER said he had no doubt the bank would be very glad to get rid of the responsibility, and there was no necessity for raising difficulties to knock them down again. With the additional information they had received on the subject, he liked the Bill a great deal less than before. The second clause provided—

“upon such assignment and transfer”—

that was merely the transfer of the Municipal Council—

“being duly made all the rights and liabilities of the said Council under the said mortgage of the sixth day of April one thousand eight hundred and seventy-one shall vest in Her Majesty and thereupon the Governor in Council shall indemnify and keep indemnified the said Municipal Council from and against all claims and demands that may be made upon them for and in respect of any sums of money which may become payable as interest upon the said debentures or otherwise under the provisions of the said mortgage.”

Now, as he read the Bill, immediately it passed, and the Municipal Council made a transfer to the Government, the country became responsible for the whole of the debt, and the Corporation had not the slightest power to transfer the land. They would be completely at the mercy of the Bank of Queensland. They were to absolutely indemnify the Corporation without getting the transfer of the mortgage or one acre of the land. Where was there any clause providing that they should get a release of the mortgage from the Bank of Queensland? The Government were to pay over £120,000, to be responsible for the interest on the debentures, and to relieve the Corporation of all their liabilities, without getting anything whatever from them.

The ATTORNEY-GENERAL said the Corporation were authorised to transfer the land so far as they could; that was subject to the mortgage, and as soon as the release was obtained, the lands could be sold by auction or in any other way. The Corporation had the equity of redemption, and the Bank of Queensland had the mortgage, and they must

be dealt with separately. They could not compel either of them to do anything they did not like, and they could not compel the English debenture-holders to give up any of their rights. There was no other way of dealing with the matter than that proposed in the Bill.

Mr. DE SATGE said the honorable the Attorney-General had at last explained the matter properly to the House, and he had also made it perfectly clear that the measure was premature. Even if the Bill were passed, they had not the consent of the Bank of Queensland to the transfer of the mortgage, and it was only wasting the time of the House to bring forward such a measure before that consent had been obtained.

Mr. BELL said the honorable member for Normanby had anticipated, to some extent, what he was about to say. The Bill, according to the statement of the honorable the Attorney-General, anticipated a difficulty that should never have been thought of. The whole matter should be a simple question between the Government and the Bank of Queensland; and he was rather surprised that the honorable member for South Brisbane had not taken the business precaution, before the Bill was introduced, of getting the authority of the bank or its representatives to deal with the matter when it passed the legislature. If he had done so there would be no difficulty in the way, and the matter would be settled at once. He hoped the honorable the Attorney-General would be prepared to so alter the Bill that it would be merely a matter between the Bank of Queensland and the Government, because they had no right to anticipate the difficulties that had been referred to; and if the Government could not get the consent of the bank, the matter should drop. It was so clearly to the advantage of the bank to get the security of the Government in place of that of the Corporation, that he believed they would make no objection.

The ATTORNEY-GENERAL explained that one object of the Bill was to have the bridge made free to the public, and the other was to do so in the way that was least likely to result in loss to the country.

Mr. PALMER said the honorable the Attorney-General had referred to the mortgage, and he (Mr. Palmer) must say he never saw a mortgage with so many blanks in it.

The ATTORNEY-GENERAL: It is a copy.

Mr. PALMER: Is it a good mortgage?

The ATTORNEY-GENERAL: Yes.

Mr. PALMER said if this mortgage was in the usual form, he presumed that on payment of the money, the Bank was bound to release the property.

The ATTORNEY-GENERAL: Hear, hear.

Mr. PALMER said then what difficulty was there in the Government taking the position of the Corporation?

The COLONIAL TREASURER: There are the debentures.

Mr. PALMER said the farther they went into the matter the more muddled it got. They were absolutely pledging the whole revenue of the colony for what they did not know anything about. The only thing that was clear was that the Corporation got out of all the difficulty, and what did the country gain by it? The mortgagees could put a toll on to-morrow.

The ATTORNEY-GENERAL: No; the bridge is not mortgaged.

Mr. PALMER said the whole of the tolls and rates of the municipality were mortgaged, and they could put on an extra rate. It seemed to him that the matter got worse and worse the more it was sifted.

Mr. IVORY thought, after the *exposé* of the matter that had taken place, the Government had better withdraw the Bill for this session. The House was certainly asked to legislate very much in the dark with regard to the question, and he thought, at that late period of the session, when everybody was anxious to get away, it would be advisable to withdraw the Bill. There was a great want of information in connection with the affair—information which ought to be in the possession of the committee, and which might be easily furnished before next session.

The SECRETARY FOR PUBLIC LANDS said, with regard to the argument that an arrangement should have been come to between the Corporation and the Bank of Queensland, that could hardly be done, because it could scarcely be expected that they would agree to a contingency, of which they could not predicate the consequences. They would say, "Let us see what Parliament is likely to do first." The object to be effected was a great public *desideratum*; and, as the honorable the Attorney-General had pointed out, the mode of carrying that object out was subordinate to it. The bank would be justified in withholding, under the circumstances referred to, the terms they would accept; but if the House laid down the terms they were willing to accept, and the bank did not accept them, then the matter fell through, as far as they were concerned.

Mr. PALMER did not think it was of much consequence to let the first clause go, but in the second clause he should move an amendment—that after the word "made," in the 9th line, the following words be inserted:—

"and the execution by the said bank of a release of the said several mortgages and the lands comprised therein."

He thought that would meet the case, and that there could be no objection to it. The country would then be secured, because, if they did not get the release from the bank, they would not pay the money or assume any responsibility; without that he thought it would be little less than a public robbery.

The proposed amendment in clause 1 was then agreed to, and the clause, as amended, was put and passed.

The COLONIAL TREASURER moved clause 2. Mr. PALMER then moved the amendment he had expressed his intention to move.

The ATTORNEY-GENERAL said the effect of the amendment would be this:—That the Bank of Queensland would have the right to levy tolls on the bridge, and he did not think they should place any such power in the hands of a foreign corporation. The Bill, as it stood now, proposed that the Corporation should transfer all their rights to the Government, and that the Government should take all their liabilities in exchange; but what the honorable member for Port Curtis proposed was this:—That the Corporation should transfer all their rights to the Government, and retain all their liabilities. They would be liable to have all the tolls and rates of the city taken from them, to be deprived of the revenue of the bridge, which was a great deal more than the interest, and to still be liable for the interest; and the Government were not to indemnify them unless the bank chose to agree. That was the effect of it—that a foreign corporation would have the right to say whether the bridge was to be free or not. He thought it was only fair that if the Corporation gave up their rights they should be indemnified.

Mr. PALMER said the amendment would have no such effect. The effect of it would be, that the country would not be compelled to take over those liabilities, for which they were to receive nothing, until they had a release of the mortgage from the bank; and the effect of it would be that the bank would be a great deal more likely to come to terms. It would absolutely strengthen the hands of the Government in making terms with the bank. As the Bill now stood, they would get nothing whatever for taking over those liabilities except the pleasure of making the bridge free. The Corporation were not compelled in any way by clause 1 to transfer, and it was a one-sided Bill from beginning to end. The first clause gave the Corporation power to transfer or not as they pleased, and the second made the revenue of the colony responsible for the whole of their liabilities, and they got no release of the mortgage; they did not get the land, and the country got no security whatever.

Mr. BELL said, as he followed the remarks of the honorable the Attorney-General, if the bank transferred the mortgage, they would have no hold whatever on the bridge as to tolls or otherwise. He did not think it made the position of the bank a bit better.

The ATTORNEY-GENERAL said the Corporation were authorised to transfer the bridge lands.

Mr. PALMER: Which they cannot do.

The ATTORNEY-GENERAL said they could do so, and what was the consideration to be given to them for doing so? According to the honorable member for Port Curtis, the tolls on the bridge were to be abolished, and the Corporation were to remain liable to the

bank for the mortgage debt. If the bank chose to give a release, the matter was settled; but if they did not, the bridge would remain under toll and not be free; and therefore the making of the bridge free depended on the Bank of Queensland.

Mr. THOMPSON said it was hard to understand the Bill; but put in ordinary language, he thought it meant this:—That by clause 2, the Government stepped into the shoes of the Brisbane Corporation, and simply assumed their liabilities and rights. So far, it was plain sailing; but by clause 3 it seemed to him that they proposed to do an act that they had no right to do—to make the bridge free. That was part of their security, and he did not think they could pass that clause, unless they made it so as to depend on the consent of the Bank of Queensland.

Mr. PALMER said the remarks of the honorable member carried out exactly what he had said. There was no doubt that the consent of a foreign corporation must be obtained to make the bridge free.

The ATTORNEY-GENERAL: Where is that?

Mr. PALMER said it was in the mortgage; the tolls of the bridge were mortgaged.

The ATTORNEY-GENERAL: I cannot find it.

Mr. PALMER: The words were:—

“The said Municipal Council mortgaged to the corporation of the Bank of Queensland (Limited) certain lands therein mentioned as well as the rates of the said municipality of Brisbane and the tolls and revenues to be derived from the said bridge on the completion thereof.”

It therefore depended on the bank whether the bridge was made free or not, unless the Bill was passed as he proposed to amend it.

Mr. IVORY said it was clear the Bill would occupy the attention of the House a long time. There were amendments upon amendments, and after all it was nothing more than a private Bill for the Brisbane Corporation. It was not a Government Bill at all, and it was perfectly absurd, at this late period of the session, to force upon the House a measure which the country generally cared nothing about.

Mr. MACROSSAN thought the Attorney-General had been told a most important fact of which he was not previously aware, and the Government also had been told it; and the best thing the honorable gentleman could do was to withdraw the Bill, and bring it forward in a better shape.

Mr. BELL said there was no occasion to withdraw the Bill, if the Government would accept the simple proposition offered by that side of the House, and deal only with the Bank of Queensland; otherwise there was a complication that might jeopardise the passing of the measure.

Mr. THOMPSON referred the Attorney-General to a recital in the 3rd page:—

“And whereas under and in pursuance of the said lastly recited Act the said Council has issued debentures in the form and for the total sum thereby authorised the due payment whereof and

the interest thereon is secured by a mortgage bearing date the sixth day of April one thousand eight hundred and seventy-one of the said several pieces or parcels of land and of the rates of the said municipality and the tolls and revenues of the said bridge a copy of which said mortgage and of the several endorsements thereon as the same are now respectively registered in the office of the Registrar-General under '*The Real Property Act of 1861*' is set forth in the second schedule to this Act."

The ATTORNEY-GENERAL: Yes, that is an erroneous recital.

Mr. PALMER: If it is, it is recited twice over. Besides, we are not responsible for the recitals.

The ATTORNEY-GENERAL: The mortgage of 1871 recites an earlier mortgage, the first being a mortgage of tolls, and the second not. It is no doubt an erroneous recital.

Mr. PALMER: Well, it is a very curious kind of false recital. That is all I have to say, for it is in the Act as well as in the mortgage.

The ATTORNEY-GENERAL: Although there is a mistake in the recital, there is no doubt the earlier mortgage did mortgage the tolls, and that being so, I shall recommend my honorable colleague to agree to the amendment of the honorable member for Port Curtis.

Mr. WALSH said he was not opposed to taking over the bridge and making it free. But it was his duty to step in to prevent the committee, and the House of Legislature, from making an egregious blunder. Towards the conclusion of the mortgage it was plainly seen what was the position in which the Government would be placed:—

"Tenthly and it is hereby agreed and declared that the said bill of mortgage of the fifteenth day of October one thousand eight hundred and sixty-four and these presents shall not be construed or interpreted to secure in the aggregate any greater amount than the said sum of one hundred and twenty-one thousand two hundred and fifty pounds and the interest thereon payable as aforesaid and other the sums to be advanced by the said bank as therein mentioned. And for the better securing to the said bank its successors and assigns the repayment in manner aforesaid of the said principal sum of one hundred and twenty-one thousand two hundred and fifty pounds and all other the moneys to be advanced by the said bank for such repairs costs and expenses as aforesaid and interest the said Council hereby mortgage to the said bank their successors and assigns all their estate and interest in the said land above described."

The Corporation had given no accounts; let them as business men produce the last account rendered to the Corporation by the Bank of Queensland; let the House be shown what was the actual state of indebtedness of the Corporation to the Bank.

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

In answer to Mr. MACROSSAN, upon the proposal—

That the clause as amended stand part of the Bill,

The ATTORNEY-GENERAL said, unfortunately the debentures were not payable until 1891, and there was no reference in the debentures to the mortgage. The drawing up of the document was most clumsily done, whoever did it.

Question put and passed.

Clause 3 passed with verbal amendment.

Upon clause 4—

Mr. PALMER moved the omission of the words after "Governor and Council," namely:—

"to do any one of the acts following, that is to say—

"Upon the execution by the said bank of a release of the said several mortgages and the lands comprised therein by Order in Council to guarantee the due payment of the principal and interest secured by the said several mortgages and by the said debentures

"Upon the execution by the said bank of such release as last aforesaid to authorise the Colonial Treasurer to pay from moneys standing to the credit of the public account a sum not exceeding one hundred and twenty thousand nine hundred and forty-five pounds to two commissioners of whom one shall be nominated by the Governor in Council and the other by the said bank and who shall hold the same upon trust for the due payment of the moneys secured by the said debentures and the interest thereon under and subject to such conditions as may be agreed upon by the Governor in Council and the said bank."

The words he proposed to omit were mere surplusage. He did not know how the interest was to accrue, and how any interest that the Government would get would pay the interest of the debentures, which was five per cent. He advised the Colonial Treasurer to withdraw the Bill at once and have the amendments properly inserted, else they would make a precious muddle of it. He could not see the use of the Colonial Treasurer having two commissioners. They would be paid, of course. There were a few Government servants who had worked without pay; Mr. Macdonnell did for nine years, and Mr. Barron did for 10 years, but he knew of no other instances. The Under-Colonial Treasurer, the Under Secretary for Works, and the Under Secretary for Lands had been paid for extra work, and no doubt these commissioners would be paid. It was not likely anyone would take the position without.

Mr. IVORY said there were amendments upon amendments, and that when the Bill came out of committee its own parent would not know it. Some of the amendments, as far as he could see, involved every

subsequent clause, and rendered it an act of necessity that the Bill should be withdrawn until the amendments were reduced to something like a comprehensive form, and there was another Bill ready for members. To go on with the Bill under its altered conditions would be simply preposterous.

Mr. WALSH said if they were compelled to pass this Bill with all its absurdities, it would be in a state of the utmost confusion until the third reading. All through the session the House had been engaged in making and considering amendments, and the present was the worst of all confusions.

Mr. PALMER said he would propose at present to omit the third line only—"to do any one of the acts following that is to say."

Mr. PECHAY said he was inclined to recommend that the town of Ipswich ought to be taxed to pay the expenditure consequent upon the taking over of this bridge, and which would be a burden to the colony if the Bill were passed. Again, he had been inclined to think that it was only the respectable people who ought to be taxed; but he had finally come to the conclusion that the colony must accept some of the burdens necessitated by the mistakes of previous Governments—burdens which were none the less burdens because they were not intentional. On the whole, he thought the colony at large would not complain in accepting the burden which the Bill would lay upon it.

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

Mr. PALMER moved the omission of the second sub-section, namely:—

"Upon the execution by the said bank of such release as last aforesaid to authorise the Colonial Treasurer to pay from moneys standing to the credit of the Public Account a sum not exceeding one hundred and twenty thousand nine hundred and forty-five pounds to two commissioners of whom one shall be nominated by the Governor in Council and the other by the said bank and who shall hold the same upon trust for the due payment of the moneys secured by the said debentures and the interest thereon under and subject to such conditions as may be agreed upon by the Governor in Council and the said bank."

Question put and passed.

Mr. WALSH asked, with respect to sub-section 3, from what fund the Colonial Treasurer proposed to pay the money? The proposition was to authorise the Colonial Treasurer to pay from moneys standing to the credit of the Public Account, a sum not exceeding one hundred and twenty thousand nine hundred and forty-five pounds to the credit of a special account to be called "The Brisbane Bridge Account," which should be opened in the books of the Treasury for that purpose, and should be credited with all interest which might from time to time accrue thereon, or any part thereof. According to the present ways and means, he was sure there was no arrangement by

which this could be paid out of the Consolidated Revenue. Was it to be met by a loan?

The COLONIAL TREASURER: The money will be provided for out of loan, and the details will be found in section 7.

Mr. BELL had understood that the Government intended to dispense with this portion of their Bill. Surely it was not their intention to raise the money to pay off the debt. He understood the Colonial Treasurer accepted the proposition emanating from that side of the House, that they would take authority to deal only with the Queensland Bank. It would be much better if the Colonial Treasurer would withdraw the Bill, and re-draft it on that understanding, otherwise they would get into even more unnecessary complications.

Mr. IVORY said this Brisbane Queen-street Ministry had taken more interest in the Bill than in any other that had come before the House, and they were wasting the time of the country over a matter that did not interest them a bit. There were none but the Attorney-General and the member for Port Curtis who understood the Bill, and they must know that so many blunders had been discovered, that the whole thing ought to be recast.

The ATTORNEY-GENERAL said the amendment proposed was only verbal, although no doubt it was important, but it made no difference to the other clauses. It was all nonsense to talk about so many alterations being made.

The PREMIER explained that the sale of the land would go on concurrently with the buying of the debentures; the transaction would not, of course, be completed in a day. His opinion was, that if the land in South Brisbane were wisely sold, it would realise as much as £120,000. It would, in fact, bring twice as much as most members thought it would bring. No one could deny that this great highway of the colony ought to be free. The Ipswich bridge had been free for the last fifteen or sixteen years, although it cost the country an enormous amount of money, and Brisbane ought not to be an exception, especially when it was remembered that the lands in South Brisbane would yield so much to the Treasury.

Mr. WALSH said it was not a question of the value of the land, which, however, he believed would not fetch anything like the sum mentioned by the Premier, but whether it was prudent to go on with the Bill.

Mr. PALMER could not accept the Premier's valuation of the land in South Brisbane. Why were they to do that which the honorable member for Warrego had pointed out in the third sub-section? They were not likely to get the debentures at par; the four per cents were up to 93 and 94, and the five per cents would be over par immediately they were guaranteed by the Government. If they guaranteed the principal and interest

they wanted no more. He therefore moved the omission of sub-section 3.

The COLONIAL TREASURER said that in view of the suggestions which had been made by the honorable member for Port Curtis, he thought it would be better to omit sub-section 3 of the clause, and he would move an amendment to that effect.

The question—That the words proposed to be omitted stand part of the Bill—was put and negatived.

The clause, as amended, was agreed to.

The ATTORNEY-GENERAL moved that clause 5 be negatived, in order that it might be re-inserted with some alterations after clause 7.

Question put and passed.

The COLONIAL TREASURER moved that clause 6, as follows, stand part of the Bill :—

“6. All debentures which may be purchased under the provisions of this Act shall forthwith be cancelled and shall as soon thereafter as practicable be destroyed in the presence of the Auditor-General and the Under Secretary of the Treasury.”

Question put and passed.

The ATTORNEY-GENERAL said that as it had been agreed that the proceeds of the land as sold should be applied to the buying up of debentures at their nominal value, he would move the following new clause :—

“The said lands may after the same shall have become vested in Her Majesty free from encumbrances be sold and otherwise disposed of under the provisions of the laws in force for the time being relating to the alienation of Crown lands and the proceeds thereof shall be placed by the Treasurer to the credit of the special account of “The Brisbane Bridge Account” according as the sum aforesaid shall have been paid to commissioners or placed to the credit of “The Brisbane Bridge Account” as hereinbefore provided and any deficiency that may exist after the whole of such land shall have been sold and the proceeds applied as aforesaid shall be repaid to the Public Account out of any moneys which may be appropriated by Parliament for that purpose.

Mr. IVORY said he should like to know from the honorable member, whether, pending the arrangements contemplated by the Bill being completed, the expenses of keeping the bridge in repair and collecting the tolls would have to be paid by the Government or by the Corporation?

The ATTORNEY-GENERAL replied, that until the bridge was transferred to the Government the expenses would have to be borne by the Corporation; but as soon as the bridge was transferred, power would be given, as provided by the eighth section, to the Government to vest the bridge and approaches in the Municipal Council.

The question was put and passed.

Mr. IVORY wished to know whether the honorable Attorney-General still maintained that no material alteration had been made in the Bill since it was introduced into that chamber; it appeared to him that its head

was becoming its tail, and that some of its appurtenances were disappearing altogether.

The ATTORNEY-GENERAL moved the adoption of the following new clause :—

“The Colonial Treasurer may from time to time in accordance with regulations in that behalf to be approved by the Governor in Council apply the moneys standing to the credit of “The Brisbane Bridge Account” in the purchase of the whole or any portion of the said debentures and in the payment of interest from time to time accruing due thereon or on any part thereof Provided that the price to be paid for any debentures so purchased shall not exceed the nominal amount thereof.”

That would have the effect of diminishing the burden gradually.

Mr. WALSH would like to know what was the meaning of all those amendments. He doubted whether any honorable member, even the honorable member for South Brisbane, could tell him; it was turning the whole thing into ridicule. He should like to know why a Bill which affected so small a portion of the community, should, with all its intricacies, be allowed, at that period of the session, to interfere with the great affairs which affected the interests of the whole country. He should like to know why honorable members should be called upon to consider a Bill, in all the clauses of which, the Government were making most important alterations. Not an honorable member representing Brisbane interests got up to explain the details of the Bill, because, as he firmly believed, they did not understand them; he was certain that if the amendments were put before any one honorable member, he would be unable to explain them. There appeared to be a general disposition to stifle the bridge question, and to relieve the Corporation from the incubus that they were almost overwhelmed with; but at the same time, to prevent the country being involved in a mass of difficulties that it would take a number of years to extricate itself from, he would warn honorable members opposite that they should agree with honorable members on his side of the committee, and urge upon the Government the advisability of postponing any further consideration of the Bill until they understood it, and until the citizens of Brisbane understood it. If they passed the Bill with all its amendments, especially with the legally and ambiguously constructed clause just proposed by the honorable Attorney-General, there would not be one member of that committee who would know one particle of its object. The honorable Treasurer, at the commencement of the discussion, appeared to be the only one who knew anything about it; he, however, got so confused, that he was relieved by his colleague the honorable Minister for Lands; and now both of those honorable members had been completely snuffed out by the honorable the Attorney-General, who had introduced a clause that made the Bill ten thousand times worse confounded. The

question was, whether the country should be committed to an expenditure of from £120,000 to £200,000 by a Bill which was perfectly incomprehensible to any member of the committee.

Mr. IVORY said that the Bill appeared to him at the present time to be in such a state of confusion, that he thought it was due to the committee that they should have it as it was amended, and with other proposed amendments inserted in it, put before them in a fresh form, and with that object he would move—

That the Chairman report progress, and ask leave to sit again.

The ATTORNEY-GENERAL said the object of the amendment was that the proceeds of the land when sold should be applied to the purchase of the debentures at their nominal value.

Mr. IVORY said it was utterly impossible to follow the amendments that had been made in the Bill. He had some idea of the Bill when it was introduced, but its form had been changed entirely, and he now knew nothing whatever about it. He should not withdraw his motion.

Question—That the Chairman leave the chair, report progress, and ask leave to sit again—put.

The Committee divided:—

AYES, 8.

Messrs. Thompson, Macrossan, Ivory, De Satgé, O'Sullivan, McIlwraith, Foote, and Walsh.

NOES, 22.

Messrs. Palmer, Griffith, Stewart, Douglas, Dickson, Fraser, Fryar, Buzacott, Graham, Beattie, Bailey, Edmondstone, Tyrel, Lord, Groom, Murphy, Low, Pechey, J. Scott, Amhurst, Kingsford, and Thorn.

Question—That the new clause, as read, be inserted after clause 5—put.

Mr. WALSH wished to have explained what was the meaning of the words "the nominal value thereof." Did it mean the price the debentures were quoted at in the current lists of the day, or was it the amount of £100?

The COLONIAL TREASURER said the nominal value was the declared amount of the debentures.

Mr. IVORY said the moment the debentures became a Government security, as they would on the passing of this Bill, they would, as the committee had been told by the honorable member for Port Curtis, be at a premium, so that the Government would be precluded from buying the debentures, because by this clause they were limited to paying the nominal value, and the debentures would run on until 1891.

The COLONIAL TREASURER said the clause was merely directory as to the manner in which the proceeds of the land should be appropriated.

The new clause was then put and passed.

Clause 6 was agreed to without discussion.

Clause 7 was omitted, the Colonial Treasurer explaining that it was unnecessary after the insertions that had been made in previous parts of the Bill.

The COLONIAL TREASURER, in moving clause 8, said he thought it was necessary, so that the cost of the maintenance of the bridge should devolve upon the Corporation. Of course, if the bridge were vested in the Corporation it should be free; there should be no power to impose tolls.

Mr. IVORY said that was one of the very principles he contended for, that they should have power to impose tolls. If the speculation turned out a bad one, he thought it was the bounden duty of the Government to impose tolls for the protection of the public. It was ridiculous that they should be bound to make this a free bridge.

Mr. WALSH said he had a new clause to introduce before clause 8, which he was sure would commend itself to every member of the House and every citizen of Brisbane, and he would ask the honorable the Colonial Treasurer to withdraw clause 8 in order to enable him to do so. He had a right to ask that.

HONORABLE MEMBERS on the Ministerial benches: Read the clause.

Mr. WALSH said it was this:—

"From and after the abrogation of the tolls now levied upon the traffic over the aforesaid Victoria Bridge it shall be the duty of the Corporation to provide free carriage for all passengers and other fares at all the ferries within the municipality."

The object of it was that equal justice should be done to all residents within the Municipality of Brisbane. He should ask the honorable the Colonial Treasurer to allow this motion to supersede his.

The COLONIAL TREASURER said the clause the honorable member proposed to introduce was totally foreign to that under consideration, and if he wished to introduce it he would have an opportunity of doing so after clause 8 was disposed of.

Mr. WALSH said it was always usual whenever a member had an amendment on a clause to move, which came prior to one that had been moved, for the member who had moved it to give way; but on this occasion, when the honorable the Colonial Treasurer would dare to do right, he was prompted by the honorable the Attorney-General, who was really afraid of free discussion, not to do so. He considered that equal justice should be done to the citizens of Brisbane generally—to the inhabitants of Kangaroo Point and those in the vicinity of Edward street and the Custom House, as well as those who were living in the immediate neighborhood of the Victoria Bridge—and that they would not have if the clause he proposed were not carried.

Mr. DE SATGÉ said he had great objection to the clause before the House, because the Corporation of Brisbane had shown them-

selves utterly incompetent to manage the affairs of the municipality. They had brought the bridge into its present position, and he contended that if the Government took it over, they should retain it in their own hands, and not trust it to a Corporation who had shown themselves—not now, but for years past—to be quite unable to keep the city in decent cleanliness or order, or in any shape worthy of the name of the metropolis of Queensland. Let them first prove themselves worthy of being entrusted with the expenditure of public money. They had proved themselves a scandalous municipal body. Every little township throughout the colony had shown itself better able to manage its affairs and to keep the town in a decent state of cleanliness than the city of Brisbane. They were totally unable to conduct their affairs, and he challenged any member of the House or any citizen of Brisbane to say it was not so. And now, when the House offered to take this matter up, and to make them solvent, and to relieve them of this debt, they were asked by this clause to place the bridge under their control. He thought they would do well to take example from the Municipality of Rockhampton, where the Municipal Council had gone earnestly to work, and had made that town a credit to the colony. His remarks might appear a little hard, but they were not so. It was the talk, not only of residents of the colony who came to Brisbane, but of strangers, that it was the most ill-drained and unhealthy town in the whole of the colonies. He was not influenced in saying this by any ill-feeling of the North against the South, or anything of that kind; but he was decidedly opposed to placing the control of the bridge in the hands of the Corporation, and he hoped the clause would be struck out.

The COLONIAL SECRETARY said the honorable member for Normanby had given expression to a great deal of virtuous indignation with regard to the Brisbane Municipal Council, and had referred to the town of Rockhampton as an example they should follow; but, if they had command of the same means as the Rockhampton Council, they would not be in the bankrupt condition the honorable member had mentioned, or be referred to in the terms he had used. It was the action of previous Governments that had brought this heavy expenditure on the Corporation. He found by the correspondence that a threat was held out by the Government, that if the Corporation did not accede to their request, they would have the temporary bridge removed, which would have put them in an equally bad position as complying with the request. The Municipal Council of Rockhampton had a large extent of river frontage, and claimed wharfage rates on everything landed in the municipality, and if the Corporation of Brisbane had the same source of revenue, they would be able to carry out all the public works in con-

nection with the town, and still have funds in hand. He thought the citizens of Brisbane ought to be obliged to the honorable member for endeavoring to reject this clause, because it would cost about £500 every second or third year for painting the bridge. He was sure that if the amendment which the honorable member for Warrego intended to propose were carried, the effect would be that the Bill would never come into operation, because the Corporation would never consent to such a provision, and it would be a very bad bargain for the city. No doubt that was the intention of the honorable member—that the Bill should not come into operation.

MR. BELL thought it would be much better if all reference to the original transactions in connection with the construction of the bridge were left out. He denied that the Government of the day were the cause of the difficulties that had arisen any more than the Corporation, who were parties to all the transactions, whatever they were. It involved a breach of the principle of a free bridge. There was some principle in that; it was a main thoroughfare, or once was, and ought to have been originally made by the country. No doubt the honorable member for Warrego would say it was no longer a main thoroughfare since there had been a railway, but that did not break through the principle which the colony in its younger days settled upon, namely, that all main thoroughfares were to be made at the expense of the country generally. To extend that principle to the ferries, however, would not have a happy result, and he was sure the honorable member for Warrego would not be successful if he proposed that amendment, and it would be well to come without more loss of time to a division.

MR. PALMER said he objected to the clause in its present shape. There was nothing in the Bill to prevent the mortgage of the bridge again. It was all very well as long as it was the property of Her Majesty, but as soon as it got into the hands of the Corporation there was nothing to prevent them mortgaging it again if they were so disposed.

MR. KINGSFORD: Then add a clause to prevent it.

MR. PALMER said his amendment would do that. He proposed to insert the words "care of" after the word "transfer" in the 23rd line. But if the clause was to be inserted at all, he would rather give it a direct negative. The effect would be that the money paid to the Council would be lost, because the Government would become responsible for their debts. The Corporation having got the bridge into their hands again, would get into debt again, and the bridge would be mortgaged. He hoped the Government would give him the assurance that the clause should be withdrawn; else he must oppose it. He had a great objection to the Corporation making a regulation that he should walk his horse over the bridge. There was not a bridge in the country that he could

not trot across, and this was a bridge strong enough to run a railway train over at full speed. There were some persons, to his knowledge, who did not carry out this regulation, and persons, too, connected with the Government, and it was perfect nonsense that the Corporation should be allowed to make the regulation. He would rather at any time cross the river in a punt than drive across the bridge, on account of that regulation. After he had left the House this evening, he learned that the Mayor had prevented the Board of Waterworks from carrying pipes across the bridge. He did not know whether the report was true, but if it was, it was too bad that the Mayor, by an arbitrary exercise of his power, should prevent the people of South Brisbane from having the Enoggera water. To be sure, at the present moment it would be better for them that they should not have it, but the Mayor ought not to have the power. Would it not be an utter absurdity to let the Corporation have the bridge again, if this were the manner in which they proposed to act?

Mr. KINGSFORD said it was scarcely necessary to haul the Mayor over the coals for what he had done in his official capacity in the Corporation. But he would explain. He did stop the workmen in connection with the Board of Waterworks, yesterday, from proceeding further with their work; he had good reason for doing so, and he should do it again if necessary. He was supposed to take care of the bridge, and be responsible for it, and when he saw anything occurring which was likely to damage it, he felt bound to stop it—not, however, to prevent the inhabitants of South Brisbane from getting water, because he was well aware they were starving for it at the present moment, and not that they would be any the better for getting Enoggera water just now: in fact they had better not have it. The fact was, he found the approaches to the bridge were being damaged, and he should do the same as he had done before, so long as he held the position he did hold in the Brisbane Council—not from any factious motive nor to prevent the supply of pure water, but to do his duty in protecting the bridge.

Mr. PALMER said the streets were being rooted up in all directions by the Board of Waterworks, but the mere fact of carrying the pipes across the bridge could not damage it. The Mayor had not explained what damage the carrying across of these pipes would do.

Mr. KINGSFORD: The pipes are not on the bridge, and there would probably be no damage if a reasonable course was taken.

Mr. WALSH said the Mayor allowed the Waterworks Board to root up the main street down to the very verge of the bridge, and then for a reason which he would not explain, suddenly stopped it, and prevented the people in South Brisbane from getting a supply of

water. What was the object? It was to coerce the passage of the Bill.

Mr. KINGSFORD: It is not so.

Mr. WALSH said he had no doubt it was. The Mayor allowed the Board of Waterworks to go to immense expense in bringing down this new water supply for South Brisbane until it got to the edge of the bridge, and then he suddenly shut it up, and his belief was it was in connection with the taking over from the Corporation of this bridge, and no argument would induce him to think otherwise. He had had good experience of the dodges of the Brisbane people in carrying out their plans. Honorable members could not see it because they would not see it. The House was wandering away from the question. He maintained that they should be allowed the courtesy that was never refused before of introducing a new clause at this stage of the proceedings, a clause which should precede that proposed by the Government. He saw that he should not carry it, but his sense of duty compelled him to urge the matter to a division, and throw the responsibility upon members on the other side.

The COLONIAL TREASURER said, if the honorable member had introduced his new clause before the question was put, he should have considered himself bound to have let it take precedence; but it would only unnecessarily delay the proceedings if this were done now. He confessed that he foresaw some of the difficulties pointed out by the honorable member for Port Curtis, and he was inclined to think that it would be simpler that the clause should be omitted.

Question—That clause 8, as read, stand part of the Bill—put and negatived.

Mr. WALSH begged leave to propose a new clause, which he said ought to have preceded the last:—

“From and after the abrogation of the tolls now levied upon the traffic over the aforesaid Victoria Bridge it shall be the duty of the Corporation to provide free carriage for all passengers and other fares at all other ferries within the municipality.”

His honorable friend the member for Port Curtis told him he did not go half far enough, but he was so much frightened at the supporters of the Government that he did not like to go further. He did not make this motion at his own instigation, but because it had been suggested to him by individuals who, to a great extent, he believed, really represented the feelings of the inhabitants of the city. He did not hesitate to say, that to make the Victoria Bridge free would affect only a tithe of the inhabitants of Brisbane, as compared with his motion. He wanted to know why the inhabitants of Fortitude Valley, Edward street, the lower end of Queen street, Kangaroo Point, Tingalpa, and Bulimba, who were directly interested in the question, had not their interests taken into consideration by the Government? The inhabitants of

Tingalpa used the Kangaroo Point ferry, and the majority of the inhabitants of Kangaroo Point used the middle ferry; and why taxpayers out of the municipality should be called upon to pay this tax which was so odious, he could not comprehend. The whole argument for making the bridge free was, that it was an irksome tax upon the people, but the people who crossed the ferries had an equally irksome tax to pay, and if there was any justice or consistency whatever in the representatives of the municipality of Brisbane, or the people at large, they should vote for this resolution, which he intended to press to a division.

Mr. IVORY argued that it was a very fair proposition, on the principle that they should not make fish of one and flesh of another.

Mr. PALMER said that one of the main reasons for freeing the bridge was, that it was one of the chief thoroughfares in the country; but why, because the Victoria Bridge was free, the Corporation or anybody else should be bound to provide free carriage over every part of the river, he altogether failed to see. If that was to be the principle, let the Government at once make a free railway to Ipswich. If the honorable member for Warrego went to a division, he should have to vote against him, because there was no justice in his proposition.

Mr. IVORY said the Government spent large sums of money in making bye-roads to all the farms around Brisbane, and upon the same principle they should make all the ferries free. The principle was the same.

Mr. DE SATGE said this was one of the impracticable motions which could not be carried out, but a great improvement might be made in the present ferries. He could not see why the Government should not put down a steam ferry at Kangaroo Point. Whether the bridge was on the best site for the benefit of the south side of the river generally was a question he should not at present enter into; but the motion of the honorable member for Warrego was, on the face of it, contrary to common sense, because they would be obliged to apply the same principle to Maryborough, Rockhampton, and other towns.

Mr. IVORY said the Government had promised the people of Townsville, and other places, that when the Brisbane bridge was made free, their bridges would be similarly treated, and that was the way in which the Government had been getting support.

Mr. BELL said that when the conduct of the bridge was in the hands of the Government, he hoped the funeral pace insisted upon in crossing the bridge would not be required. No greater humbug could be perpetrated than to compel people to walk across the bridge in hot weather, when there was not the slightest necessity for the regulation. The engineer who had constructed the bridge told him that the regulation was perfect humbug, and that a train could cross the

bridge. He hoped, therefore, the Government would not take the same view as the Corporation. In the first instance, when the bridge had a slippery surface, there might have been some reason for it, but there was none whatever now.

Mr. PALMER said the regulation was never observed by some members of the Government, and the bye-law was so beautifully worded, insisting that persons should cross the bridge "at a pace not faster than a walk," that he was always able to trot his ponies over.

Mr. MACROSSAN said that with regard to the new clause of the honorable member for Warrego, it was, in his opinion, one with which the committee was hardly competent to deal. They could not compel the Corporation to keep its ferries going; but if they were Government ferries, of course it would be different. He thought that when they considered that the country was going to be asked to pay £120,000 to make the Victoria Bridge free, it was high time that all Government ferries were made free also. Some few weeks ago he had asked for a bridge over the Burdekin, which was equally a highway with the Brisbane Bridge, and had then stated that his constituents would be prepared to pay a handsome toll; but that bridge was refused, and the people of the district were still obliged to pay, whenever the river was up, a toll of half-a-crown to cross in a crazy old boat which was not worth £50. He would ask if there was any consistency in such a thing—that the country should be on the one hand asked to pay £120,000 for a bridge in order to make it free, whilst on the other his constituents should have to pay half-a-crown to cross a river in a crazy boat not worth more than £50?

The ATTORNEY-GENERAL: Hear, hear.

Mr. MACROSSAN thought the honorable member should be the last to say "Hear, hear," after the manner in which the Bill before the committee had been drafted and introduced; why, it had been altered and amended in such a way as to be a disgrace to the honorable member. As to what had fallen from the honorable member for South Brisbane about the water-pipes crossing the bridge, that honorable member said that so far as the roads were concerned he had no control, because they were a main thoroughfare; but the very argument which had been used for making the bridge free was that it was a highway.

Mr. KINGSFORD wished to explain, as it was evident the honorable member had misunderstood him. What he had stated was, that he had no right to prevent the Board of Waterworks from tearing up the streets, but that with the bridge it was different, as the responsibility of keeping the bridge in good order was invested in him.

Mr. MACROSSAN said he had allowed the honorable member as a matter of courtesy to interrupt him, but the honorable gentleman had not made the case much better. He

wished to refer to what the honorable Colonial Secretary had said, and the comparison he had drawn between the way in which the Brisbane Corporation and the Rockhampton Corporation had been treated. The honorable member said that Rockhampton possessed a water frontage which Brisbane did not, as she had been deprived of it by the Government. He was quite willing to admit that that was a grievance, and the committee which sat last year decided that it was, and recommended how it could be avoided; but the honorable member forgot that the same grievance was felt in other parts of the country. He would ask, how it was that Government had not given Cooktown a water frontage if one was claimed by the citizens of Brisbane? If it was an injustice to Brisbane that it had been deprived of its water frontage, surely, it was equally so to the inhabitants of Cooktown. If he was rightly informed, the honorable Premier had promised that the people of Cooktown should have a water frontage, and they ought to have it. He was not prepared to vote for the clause of the honorable member for the Warrego, as he thought they had no right to compel the Corporation of Brisbane to act in such a way; but he thought they had a right to demand that all Government ferries should be made free if the present Bill was passed.

Mr. MURPHY said, in reference to the remarks of the last speaker, that there had been some correspondence with the Government about the water frontage at Cooktown, and he hoped that in a few days that frontage would be handed over to the Corporation of that place. At all events he had claimed it, and as it had not been refused by the Government he hoped it would be conceded to the people of Cooktown.

Mr. WALSH thought some honorable members of the committee misunderstood the nature of his amendment, and that if they would reconsider the matter they would see what would be the effect of making the bridge free. The Corporation would not be able to command lessees, and the ferries would be abandoned; the consequence of which would be that the public living on either side of the river, some little distance from the bridge, would be handed over to the caprice and the exorbitant charges of private individuals. He thought that in their anxiety to get rid of the debt on the bridge they had not provided for other requirements of the town. He wished also to refer to a statement made by the honorable member for South Brisbane, whom he understood to say that the reason he could not stop the Board of Waterworks from tearing up the main street was, because he could not help himself, but that the reason why he stopped the Board from taking the pipes over the bridge was because he had the power to do so, as he was responsible for the bridge. But if honorable members would refer to the eighth clause of

the Board of Waterworks Act, they would find that no distinction was made between a bridge and a street, and he did not think the honorable member could say that the bridge was not a thoroughfare. Hence he disputed the right of the honorable member to interrupt the action of the Board of Waterworks; and he did not hesitate to say that he thought the honorable member had been influenced in his action by a desire to give a sort of scenic effect to the Bill now before the committee.

Mr. KINGSFORD said that, notwithstanding the faith of the honorable member in the clause just read, it did not affect the action taken by him in any way.

The question—That the new clause stand part of the Bill—was put, and the House divided.

There being no tellers for the "Ayes,"

The question was resolved in the negative.

Clause 9—Existing rights saved—was agreed to.

Clause 10—Short title—was agreed to.

The schedules were agreed to.

On the preamble of the Bill being read,

The ATTORNEY-GENERAL moved the omission of the following words in lines 45 and 46, page 3:—

"and of the rates of the said Municipality and of the tolls and revenues of the said bridge."

Mr. THOMPSON said he thought the omission of the words was unnecessary.

Mr. PALMER said he did not think the words should be omitted, as all the mortgages contained the words; but if the honorable Attorney-General said they were not necessary he must take the responsibility. There was no doubt that the rates were mortgaged.

The question—That the words proposed to be omitted stand part of the Bill—was put and negatived.

The preamble, as amended, was agreed to.

The House resumed, and the Chairman reported the Bill with amendments.

The COLONIAL TREASURER moved—

That the report of the committee be now adopted.

Question put and passed.

POSTPONEMENT OF ORDERS OF THE DAY.

The PREMIER moved that the remaining Orders of the Day be postponed until after the notices of motion.

Mr. THOMPSON contended that the House should have had some notice that the Government intended to proceed with the notices of motion.

Mr. IVORY said he had been informed by the honorable the Colonial Treasurer, in the early part of the session, that the Government would proceed with the business in the order in which it was on the paper, but this evening the notices of motion had been postponed until after the Orders of the Day, and

now the Government proposed to go back to the notices of motion. Honorable members were, therefore, taken by surprise; and it was neither more nor less than playing tricks with the House.

Mr. PALMER said this was hardly a fair proceeding on the part of the Government. He had given the Government measures fair consideration, as a rule, and to-night he had assisted them to put a Bill, which would certainly not have been assented to by the Governor in the shape in which it was introduced, into something like the form it ought to be. This might be a very nice trick on the part of the honorable the Premier; it was of a piece with his character, and if he (Mr. Palmer) had to talk for three hours he should not carry these notices of motion to-night. It was a trick that the Government ought to be ashamed of, and it should not succeed. The notices of motion had been postponed until after the Orders of the Day, and, of course, honorable members knew it would not be possible to get through the Orders of the Day, and it was never supposed that the notices of motion would come on to-night.

The PREMIER said, in answer to the honorable member for Port Curtis, he might state that he expected the Brisbane Bridge Bill would have been disposed of in half-an-hour, and it would have been if the honorable gentleman at the head of the Opposition had kept some of his team in order, such as the honorable members for Burnett and Warrego. He had merely postponed the notices of motion until the Order of the Day for the consideration of the Victoria Bridge Bill in committee had been disposed of, and he then intended to proceed with them. He intended no trick, and he was aware that honorable members opposite knew he intended to proceed with the motions for the approval of the plans and sections of the proposed railways to-night. At the same time, the Government were prepared to go on with the Estimates or other business. The Opposition had wasted hours in discussing the Victoria Bridge Bill, to which he had expected there would not be the least opposition.

The SPEAKER: In answer to the honorable the Premier, I may say, that as the Orders of the Day have been postponed until after the notices of motion, I do not see how we can go back to the Orders of the Day until the notices of motion have been disposed of.

Mr. THOMPSON, in reply to the remark of the honorable the Premier that the Opposition had wasted time, denied that they had done anything of the kind, and pointed out that it was in consequence of the imperfect way in which the Victoria Bridge Bill had been introduced that so many amendments were necessary. In point of fact, the honorable member for Port Curtis had redrawn the Bill entirely for the Government. He moved—

That this House do now adjourn.

Mr. WALSH said he never heard a more extraordinary statement in his life than that of the honorable the Premier—that a most complicated Bill, involving the expenditure of £120,000 or £150,000, should have been disposed of in half-an-hour. If that was the way in which that honorable gentleman would conduct the business of the House, it was only equalled by the manner in which supporters of the Government were compelled mutely to support Government measures.

Mr. PALMER said he had heard many extraordinary statements made by the honorable the Premier during the present session, but the most extraordinary ever he had heard him make was the one he had just uttered—that if it had not been for the obstruction of the Victoria Bridge Bill by the Opposition, it would have been passed in half-an-hour. There was no great objection to the Bill by the majority of members on that side of the House, but it was so badly drawn that if it had passed in the shape it was brought in, it would have been impossible for the Governor to have assented to it; and although they were assured by the honorable the Attorney-General that these mortgages on the tolls did not exist, he was obliged to confess, after reference to both the preamble and the second schedule, that they did exist and were in full force, and, consequently, without the transfer from the Bank of Queensland, it would be impossible to declare the bridge free. He (Mr. Palmer) had no knowledge that these notices of motion, in reference to the proposed railways, were coming on to-night, and he said it was a trick; and he believed the honorable the Premier was capable of any trick to carry anything he wanted—any electioneering dodge, or anything of that kind—through the House. The Bill that had been under discussion was utterly unworkable, and could not be passed in its original shape, and after honorable members on that side of the House had endeavored to make it a good Bill, and one that His Excellency could assent to, which he believed they had, they were told they had been wasting the time of the House. It was contemptible to hear such assertions made. He believed that as the notices of motion had been postponed until after the Orders of the Day, it was not competent to go back to them until the Orders of the Day were disposed of.

The ATTORNEY-GENERAL said it was generally supposed that where there was smoke there was some fire, but he could not see any fire for all the smoke and steam that had been let off. He pointed out that the amendments that had been made in the Victoria Bridge Bill consisted in merely transposing certain clauses and making verbal alterations rendered necessary by such transpositions, and putting in a condition that the bank should execute a release before the Government took the responsibility. He had no hesitation in saying that the Bill could

have been assented to as introduced, and that there was nothing to prevent the Corporation making the bridge free. He thought a great deal of fuss had been made about nothing at all.

Mr. AMHURST contended that it was most unfair that honorable members on that side of the House, who had tried their best to pass the measure referred to in something like proper form, should be accused of factious opposition. The Bill had been very badly drawn, and if it had passed in its original shape, he was sure the Mayor would be very much disappointed with it when it came to be carried into operation.

Mr. IVORY said the Bill was a very bad one when introduced, but he believed it had been very much improved by the Opposition. Although he opposed the Bill on the second reading, he was not inclined to offer further opposition to it in committee, but when he found that honorable members did not understand it, he thought it was a very good opportunity for him, holding the views he did, to object to it *in toto*; but he denied that he had offered factious opposition to it. All his actions were perfectly justified by intricacy of the Bill, and the amendments, and the utter confusion into which it got, and the utter ignorance exhibited by the honorable the Attorney-General of even the contents of the Bill. Under those circumstances he contended he was perfectly entitled to take what he considered legitimate means to get the measure withdrawn. With reference to the remark of the honorable the Premier, that the leader of the Opposition should have kept his team in order, he did not understand that this was to be a party question. However, honorable members on that side of the House were not such a set of "dumb dogs" as those on the Government side of the House; they were prepared to express their views, and it would be a great deal better for the country if honorable members opposite exercised a little more independence with regard to measures brought before the House.

The SECRETARY FOR PUBLIC LANDS said it was evident that they would not be able to proceed with the notices of motion to-night, but they might go on with some other business.

Question—That this House do now adjourn—put and negatived.

Mr. PALMER asked for the Speaker's ruling, whether the notices of motion having been postponed until after the Orders of the Day, they could be taken until the Orders of the day had been disposed of?

The SPEAKER: The Orders of the Day have been disposed of by postponement.

On the motion of the PREMIER, the notices of motion were then postponed until tomorrow, and the Orders of the Day were proceeded with.