Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 15 MAY 1878

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LEGISLATIVE ASSEMBLY.

Wednesday, 15 *May*, 1878.

Questions.—Formal Motions.—Personal Explanation.—Motion for Adjournment.—Drains and Sewers Bill.—Local Government Bill—second reading.—Drains and Sewers Bill.

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

QUESTIONS.

Mr. BAILEY asked the Secretary for Public Works—

1. When will the present contract for carriage of wool from the Brisbane terminus to the consignees terminate?

2. At the expiration of the term will the contract be open *bona fide* for public competition?

The MINISTER FOR WORKS (Mr. Miles) replied—

1. The contract is terminable at any time on either side giving three months' notice.

2. Yes.

Mr. THOMPSON asked the Attorney-General—

1. Is he aware that the court fees in the Supreme Court cases are unnecessarily heavy?

2. Is he prepared to take any steps to remedy the grievance?

The ATTORNEY-GENERAL replied—

1. The rules of Court establishing the scale of Court fees now collected in the Supreme Court were made under the Judicature Act, and were laid upon the tables of both Houses of Parliament as prescribed by that Act, but were not dissented from by either House. Under these circumstances the Government do not feel called upon to express an opinion whether these fees are unnecessarily heavy or not.

2. The Government are not prepared to take any action in the matter at present.

Mr. IVORY asked the Secretary for Public Works—

When is it likely that the plans of the Bundaberg and Mount Perry line will be completed, and tenders called for?

The MINISTER FOR WORKS replied—

It is considered the plans will be sufficiently forward so as to enable the Government to invite tenders in four months from the present time. The Chief Engineer considers it would be the best course to call for tenders to New Moonta in one section.

FORMAL MOTIONS.

The following formal motions were agreed to:—

By Mr. BAILEY—

That there be laid upon the table of this House,—

1. Copies of all papers, correspondence, and tenders in connection with the carriage of wool from the Brisbane railway terminus to the warehouses or wharves.

2. A statement of the reasons why the contract was first given to the present contractor privately, and why the tender of same contractor was afterwards preferred, and the lower tenders rejected.

By Mr. WALSH—

1. That there be laid upon the table of this House, a return showing the total amount of expenditure incurred, or liable for work done, on account of the Dry Dock at South Brisbane.

2. A statement showing when this great work will probably be completed.

PERSONAL EXPLANATION.

Mr. GROOM said that, before the business of the House was proceeded with, he would take advantage of that opportunity to make a personal explanation. On the second reading of the Health Act Amendment Bill, which took place on that day fortnight, reference was made by some members to the appointment of a Board to inquire into the causes of the outbreak of typhoid fever in Toowoomba, and the best means to be adopted for the suppression of it. The honourable the Colonial Secretary was then asked whether the members of that Board would be paid, and the answer given was not so satisfactory as it might have been. He simply stated that Dr. Thompson, being a professional man, would probably be paid. He (Mr. Groom) therefore took this opportunity of stating that when the honourable the Colonial Secretary did him the honour to ask him to take a seat on the Board, he (Mr. Groom) at once distinctly told him that he would accept no remuneration whatever. Both the Mayor of Toowoomba and himself had declined taking any remuneration for any services they rendered by sitting on the Board.

The PREMIER (Mr. Douglas): In reference ——

The SPEAKER: There is no question before the House. The honourable member for Toowoomba has made a personal explanation, on which no debate can arise.

The PREMIER said he thought he might be privileged to make a personal explanation in connection with this matter. He was glad to confirm what the honourable member for Toowoomba had stated. He (the Premier) had referred to the possibility of Dr. Thompson being paid, but he did not know whether the Mayor of Toowoomba might consider that his services also ought to be recognised in some direct form. He, therefore, spoke with some caution; but he could readily affirm what had been stated by the honourable member for Toowoomba—that at the time he (the Premier) mentioned the matter to him, he (Mr. Groom) said he had no desire, and, in fact, expressly objected to any proffer of payment for his services. He (the Premier) took this opportunity of stating, that he was very much indebted to the Board for their very full and excellent inquiry. Their report did justice to the subject, and served to indicate the groundwork of action in this matter in, probably, many other provincial towns.

MOTION FOR ADJOURNMENT.

Mr. WALSH said his intention in moving the adjournment of the House was to call the attention of the Government—he did not know whether it should be the Colonial Secretary or the Attorney-General—to the report of a murder that had taken place, he believed, in the district he represented, at a place called Bundaleer Plains, Cunnamulla. The statements made in the paper he held in his hands, the *Toowoomba Chronicle* of May 14, were of such an extraordinary nature, that he thought he was justified, not only in calling attention to them, but also in taking up the time of the House for a few minutes. It commenced thus:—

"We are indebted to M. C. Mason, Esq., of Headington Hill, for the subjoined particulars of the brutal murder of Mr. M. Fischer Macmichael at Bundaleer Plains, Cunnamulla, on the 24th April last. The conduct of the P.M. at Cunnamulla is of such an extraordinary character, and shows such total disregard of his duties and of the administration of justice that we refrain from comment until further particulars are known."

After describing the circumstances connected with the murder, which was perpetrated by a Chinaman, who suddenly attacked Mr. Macmichael with an axe, and inflicted wounds from which he afterwards died, Mr. Mason's correspondent went on to say:—

"We kept poor Macmichael till last night, but as the P.M. did not arrive, we had to put him into the coffin as the body was swelling very much and becoming offensive. This has cast a gloom over the whole station, as we all liked the poor fellow very much.

"The police sergeant has been here, and we have buried poor Macmichael, but the Police Magistrate never came, though he was in Cunnamulla, doing nothing, at the time he got my notice; so there has been no proper investigation made, and it has been a shameful neglect of his duty which I hope he will hear more of. The men at the grave expressed great indignation at it. I had some trouble to get them to go in with the sergeant to give their evidence, and he had no power to make them, so

through Mr. Norris' (the Police Magistrate) neglect of duty the case against the prisoner was nearly falling through."

He thought it his duty to call the attention of the Premier to the facts, and to ask him whether he would cause an investigation to be made into the circumstances. If the Police Magistrate had so far neglected his duty, the inhabitants of Cunnamulla and the surrounding districts would feel very dissatisfied with his conduct. He would conclude by moving the adjournment of the House.

The PREMIER said that in reference to the atrocious murder committed in the Warrego district in the neighbourhood of Cunnamulla, to which the honourable member had referred, he had no knowledge of the facts beyond what had been disclosed in the Press. As to the conduct of the Police Magistrate, Mr. Norris, he would certainly take an opportunity of inquiring why he was not present. In such a case he thought the immediate presence of the Police Magistrate was demanded, and he could assure the honourable gentleman that he would make full inquiries about the matter.

Mr. GROOM thought the honourable gentleman might go a little further. The report which had just been read by the honourable member for Warrego, was written by Mr. David Jolly, who was in charge of Mr. Davenport's station in the Warrego district. Telegrams with reference to the affair had been received in Toowoomba a whole week before the Brisbane police authorities heard one solitary word about it; in point of fact, the *Brisbane Courier* drew attention to the fact that they were indebted to a local paper for the information, and that on making inquiries of the police, they found that nothing was known by them about it. So there had been great neglect; and it was not the first time in the history of the colony, short as it was, that criminals had escaped justice on account of the absence of necessary medical testimony. Mr. Jolly intended to send for a medical man; but the unfortunate man died before the assistance arrived. It was the duty of the Police Magistrate to have gone down at once from Cunnamulla with a medical man, and make an examination of the body in order to be able to satisfy a judge and jury as to what the man had died of. It appeared, however, that nothing of the kind took place. He thought the subject was one which deserved inquiry, not only into the conduct of the Police Magistrate, but also to ascertain why a medical man did not proceed to the station immediately Mr. Jolly's messenger reached him.

The MINISTER FOR WORKS would take the opportunity to reply to some remarks which had been made on the previous day by the honourable member for Maranoa, with reference to the Maryborough railway. He was now in possession of the following information:—

"The supposed mistake arose through the fact of a slight deviation having been surveyed and adopted since the working plan was prepared, of which the district engineer (who had only recently taken charge of the works) was not aware. This deviation was chosen in lieu of the original line, as a considerable saving would be effected, and the work done by the contractors was upon it. No loss, has, therefore, accrued to the Government."

Mr. MCILWRAITH thought the fact of a mistake having been made, involving an expense of some £3,000, warranted a little further inquiry. It seemed to be admitted that a mistake had been made, for which the contractor should not be made responsible, and, therefore, he thought the loss must fall on the Government.

Mr. PALMER would take advantage of the motion for adjournment to trouble the House with a communication he had received from England in reference to a debate which took place last session on the subject of the "Groper" dredge. The Premier then said—

"If a comparison were to be instituted between Mr. Macalister's conduct and Mr. Daintree's, Mr. Macalister would come out very much better, because he (the Premier) could not conceive that these evils could have happened if there had not been some laxity on the part of Mr. Daintree as to the appointment of a superintending engineer. Certainly the colony's engineer had shown a most shameful disregard of his duties He did not say that Mr. Daintree was responsible in this respect for the defects of the engineer; but there was no doubt that the colony had been shamefully victimised. He did not impute any direct blame to Mr. Daintree, but he said that he had the misfortune to employ a man who, by the shameful way in which he had discharged his duties, had let the colony in for thousands of pounds. He hoped that at some future time, at any rate, the honourable member for Port Curtis would substantiate the serious allegations that he had made."

He (Mr. Palmer) was going to substantiate some of them now, so far as to show that Mr. Daintree took every precaution possible to prevent the colony being victimised, notwithstanding the assertion of the Premier. This was not a case of brutal murder, as was that upon which the honourable member for the Warrego moved the adjournment of the House, but a case of slow hunting to death of a good and faithful servant of the colony. Of Mr. Daintree's first letter to Mr. Deas, no copy was taken, and although Mr. Daintree had applied several times, he had not been able to get a copy. The correspondence which he (Mr. Palmer) would read would, however, sufficiently

explain itself. Mr. Deas' reply to Mr. Daintree's first letter was as follows :—

"Glasgow, 20th October, 1877.

"MY DEAR SIR—In answer to your favour of the 25th instant, received yesterday, I hasten to reply that as a matter of course, and as is the practice with Clyde builders, I got 2½ per cent. commission on the dredger "Groper," and this would have been paid me whether you had intrusted me with the inspection of its construction or not, and as things have gone, I would much rather it had been placed in other hands; so sure, however, was I that it would prove a success, that in my agreement with you for the inspection, I stipulated that in the event of its giving satisfaction, the Government should pay me £100 over the 2½ per cent. agreed on. I have acted in the best faith throughout. I did not demand the commission from Messrs. Wingate; they suggested it *before* sending their tender in, saying, as it was usual, I was entitled to it; and believing it was so, I had no hesitation in accepting. It was the first foreign order I ever had anything to do with, and I was guided by their better knowledge. Had I for a moment considered there was anything underhand in the transaction, I would never have consented to it. All contract business I had hitherto had to do with being for employers, whose officer I was, no such commission was ever previously received by me. As regards the inspection, a more rigid and thorough one I never was a party to. I paid a thoroughly qualified inspector 60s. per week, whose sole duty was to see that everything connected with it was of the best quality and workmanship, and I looked closely after the work myself. I can *prove* that the inspection was of the most thorough and uncompromising description, and I must unhesitatingly say a better dredger never left the Clyde. All the machinery was successfully tried on board under steam before the "Groper" left; it could not, however, be tried in dredging, as the bottom had to be closed up, and a false keel put on for the voyage out before it was launched. From what I have learned, I am satisfied that the dredger has been shamefully mismanaged, through the incompetency of those in charge of her, and that to shield themselves, they have brought the most unfair charges against myself and all those connected with her construction. The good name I have, thank God, preserved unblemished during my professional career of nearly thirty years, will, I humbly trust, successfully repel all the assaults that have been made against me in connection with this miserable business, and I look forward with confidence to justice being yet done me, and my detractors put to shame. Nearly the whole of the Tyne dredging plant was supplied by Messrs. Wingate, and as their honour and name for good work is likewise being called in question, I have handed your note and enclosures to them to reply to you direct should they consider it advisable to do so. I have never seen any printed correspondence; the only account of the performance of the dredger in print is that of its successful trial.

"(Signed) JAMES DEAS.

"To Richard Daintree, Esq."

He had nothing to say to that, but would leave the House to judge for itself. He would now read Mr. Daintree's reply to that, which would show the House fully and truly that Mr. Daintree, at least, was no party to the commission

"South France, October 26th, 1877.

"MY DEAR SIR,—I have your favour of the 20th instant, and note contents. You say that as a matter of course, and as is the practice with Clyde builders, you got 2½ per cent. commission on the dredger "Groper." You go on to say you acted on the best faith throughout, and did not demand the commission from Messrs. Wingate; but that they suggested it to you *before* sending their tender in, saying as it was usual, you were entitled to it. I confess I do not understand this—why you should be offered it before Messrs. Wingate's tender was sent in is incomprehensible to me. Acting as what?—were you to receive this commission? In the first instance as my consulting engineer, and afterwards as consulting and inspecting engineer for this dredger, I cannot understand how, either before or after Messrs. Wingate's tender was sent in, you, as a man of honour and a gentleman, could have listened to such overtures. With reference to your assertions that the dredger has been shamefully mismanaged through the incompetency of those in charge of her, I will point out that you were my professional adviser in the choice of the present Harbour Engineer for Queensland, who you assured me was a most competent man, and you congratulated me on having secured his services for the colony. If Messrs. Wingate can offer any more satisfactory reasons for the payment of 2½ per cent. to you than I have yet received, I shall be glad to hear from those gentlemen. Anticipating quite a different reply to my letter of the 15th instant, I did not keep a copy of the same; you will oblige me by sending one at your earliest convenience. You will observe that Mr. M'Ilwraith, himself an engineer, does not seem, in defending you in the Legislative Assembly, to have supposed that it was at all a matter of course or a usual thing for an inspecting engineer to receive commission from the contractor as well. All I can say is, that had I known Messrs. Wingate were capable of making, or you of listening to such a proposal, either before or after their tender was sent in, I should have neither accepted them as contractors or you as engineer to the Queensland Government.

"(Signed) RICHARD DAINTREE.

"James Deas, Esq."

He thought that would show pretty well that the colony had lost nothing by Mr. Daintree. He would now read what the contractors for the dredge wrote in reply to Mr. Daintree's letter received from Mr. Deas.

"Glasgow, 22nd October, 1877.

"DEAR SIR,—Mr. Deas has handed us your letter to him of the 15th instant, also newspaper slip, which we now return. We have to state, for our own credit, as well as that of Mr. Deas, that a more thoroughly inspected dredger never was built; our correspondence with him will prove this; in fact, he was *very exacting*, and his inspector was constantly about the work The

"Groper" was well and faithfully built, and at great trouble on account of the meagre specifications sent home. We may add that a number of similar dredges have gone abroad without the buckets being put on here, and have done well; so that everything points to those who have now charge of the "Groper" being unable to use such a machine. We have seen the engineers who went out to fit her up, and they speak of a most successful start, and satisfactory working for some time (six months, we think) till she got shamefully abused. Had any part been weak it would have given way at the very first. We were quite agreeable to replace any defective work during the period of maintenance, but to this time no application has been made to us to replace anything; we have merely seen the sweeping misstatements in the newspapers. With regard to the commission we paid Mr. Deas, it was included in our tender, not at his suggestion, but as a matter of common occurrence in tendering, and we have no doubt all the tenders included it, some of them, we understand, even allowed for a larger commission. The charge against Mr. Deas of bribery is most disgraceful, as it is utterly unfounded. Anyone will understand that a firm of our standing could not afford to stoop to such a course, nor would an engineer in his position receive a bribe. You can clearly see that our interest was to keep a good name for this class of work, so as to secure further orders. We have sent to the colonial newspapers a letter justifying ourselves, and we now enclose you a copy. We are glad to hear to-day that the engineer has written home, that the dredger has been working very well for some time since the accident. In conclusion, we may say that we have no objection to your making any use of this you choose.

"(Signed) THOMAS WINGATE AND CO.

"P.S.—For our own justification we may mention, that when we included the 2½ per cent. commission in our tender, we did not know that Mr. Deas was to be inspector."

"R. Daintree, Esq."

He thought it would be very advisable for the Government to send copies of that letter to the present Agent-General, that he might not be taken in with 2½ per cent. commissions. Mr. Daintree replied as follows:—

"27th October, 1877.

"GENTLEMEN,—I have your favour of the 22nd instant, with enclosures. With reference to the dredger "Groper," I will only say, that as the Government seem to have paid you the last instalment, which was, so far as I remember, only to be paid after the dredger had satisfied the colonial authorities six months after its arrival in the colony, there can be no reasonable complaint on that score against you or Mr. Deas. With regard to the commission you paid Mr. Deas, and which you state was included in your tender, and to which you object to the term of bribery being applied, I confess this does not seem an inappropriate phrase to me. If it is the custom to enhance tenders 2½ per cent. in order to pay that commission to the inspecting engineer, it seems to me that the engineer lends himself to the abstracting of so much money from his employers, and that the said employers can in the nature of things never hope for an honest and unbiassed professional opinion and superintendence, and the sooner such a custom is abolished the better for the credit of all contractors on the Clyde and elsewhere and the profession of engineers. In the case of the engineer it is like a barrister accepting a brief from both sides. I beg to inform you that, had I known that such a proposal had been made by you and entertained by Mr. Deas, the dredger "Groper" would not have been built by Messrs. Wingate or inspected by that gentleman. May I ask what Mr. Deas was paid the 2½ per cent. commission for?

"(Signed) RICHARD DAINTREE.

"Messrs. Wingate and Co."

Messrs. Wingate and Co. replied:—

"Glasgow, 30th October, 1877.

"DEAR SIR,—We are in receipt of your favour of 27th instant, but we fancy you do not understand our last letter. We stated distinctly that when we arranged to give Mr. Deas a commission, we were not aware he was to be Inspector. We agree with you in thinking his a false position, but this made him very particular and exacting with us. You are also wrong in assuming that we have got paid in full, as the last instalment, which was due in February, is not yet paid. You are also in error as to the inspection and passing of the dredge, as by the contract this was to be done in the Clyde. We think it proper to set you right as to these points.

"(Signed) THOMAS WINGATE AND CO.

"Richard Daintree, Esquire."

Mr. Daintree replied—

"November 3rd, 1877.

"GENTLEMEN,—

"I am in receipt of your favour of 30th October, and thank you for the information contained therein.

"You do not, however, give me any answer to the query in my previous letter, 'On what grounds you agreed to give Mr. Deas a commission, which, as you admit, to say the least of it, placed Mr. Deas in a false position?

"I shall feel obliged if you will give me a direct answer to this question.

"(Signed) RICHARD DAINTREE.

"Messrs. Wingate & Co."

Mr. Daintree had had no further answer. He (Mr. Palmer) thought the correspondence which he had read spoke for itself. It was a very curious custom to pay a superintending engineer a double commission—one by the party he was acting for, and another by the contractor. The letters satisfactorily showed that Mr. Daintree at least had nothing to do with it. He wrote in as strong language as one gentleman could use towards another, when he discovered from the debates in that House and from them alone that such a custom existed on the Clyde. In all probability he would never hear that those letters had been read in the House, as he was at that time very ill—so ill that he was hardly able to write the letter accompanying that correspondence. But in

justice to his memory, as well as to himself, he (Mr. Palmer) desired to put his conduct in a true light before the House and country.

HONOURABLE MEMBERS: Hear, hear.

The PREMIER said that the correspondence which had been read by the honourable member for Port Curtis was of such a character as did not tend to raise the opinion of honourable members with regard to commercial morality, or the principles of engineers at the present time practising in England. He did not think that anything he had said on the occasion referred to reflected in any way upon Mr. Daintree, further than an expression of opinion that he had been unfortunate in making the selection he had. He (the Premier) certainly thought the correspondence had proved what he then said; and he willingly acquitted Mr. Daintree of any charge that might have been made against him as to his having been in any way implicated with Mr. Deas. He hoped the honourable gentleman would lay the correspondence upon the table of the House, in order that it might be printed and become a record of the House. While it perfectly justifies Mr. Daintree, there was sufficient to satisfy them that the dredger was a very incomplete rough job, and would never be an effective machine. He would read, in reference to the correspondence, an extract from a letter which was received from Mr. Macalister dated January 3, 1877. Mr. Macalister then notified:—

"It would appear that Mr. Deas, as the engineer appointed to superintend the building of the dredger, had something to say in connection with the acceptance of Messrs. Wingate and Co.'s tender. This tender was by no means the lowest for the building of the dredger, but was specially recommended by Mr. Deas for acceptance. It would appear that after this acceptance, Mr. Deas demanded and obtained from Messrs. Wingate and Co. a commission equal to that made to him by the Queensland Government. An individual who holds out both hands, and receives from both sides of a contract a commission, is scarcely to be much relied on in offering an opinion to either side. In this case, had Mr. Deas been attending to his duty, and had he read and understood (as he ought to have done) the matter of the contract for the building of the dredger, he would have found that this contract did not permit of "any understanding" that was not reduced to writing. Since receiving the enclosed report from Wingate and Co., I have myself gone over the contract entered into between them and the Agent-General and find:—1st. That the contract expressly stipulated that the terms shall not be altered, except in writing. 2nd. That the dredger is to be delivered at Moreton Bay on arrival. 3rd. That the balance of the money was payable at the end of six months from the date of delivery. 4th. That there is no writing under the hands of Wingate and Co. undertaking to fit up the dredger after arrival."

In consequence of the action of Messrs. Wingate and Mr. Deas, the colony had been landed in a large expense through a very defective machine having been supplied. Everything that had been said on the subject confirmed the opinion which they arrived at on the information of Mr. Macalister, that Mr. Deas had acted in a manner unworthy of his reputation as a professional man. He must say that the excuses Mr. Deas made were very insufficient.

The ATTORNEY-GENERAL (Mr. Griffith) said the remarks of the honourable member for Maranoa, with reference to the deviation on the Maryborough railway, might cause a wrong impression, and he would therefore like to correct them. From the letter read that day, it appeared that the supposed mistake was a mistake of the Resident Engineer, in thinking that an error had been made. The work had been done on the right line, but the Resident Engineer was not aware of it until afterwards. No blame was attached to him, as he had only gone there recently. This was all about the matter.

Mr. WALSH would suggest to the Government that they should send home to the Chamber of Commerce at Glasgow at least a dozen copies of the correspondence read that day, for the edification of the Engineers' Institute, if there was one, and the public generally. He begged to withdraw the motion for adjournment.

Motion withdrawn.

DRAINS AND SEWERS BILL.

On the motion of the COLONIAL TREASURER (Mr. Dickson) the House went into committee, and affirmed the desirableness of introducing a Bill to make further provision for the construction of drains and sewers in the city of Brisbane.

On the House resuming, the resolution of the committee was adopted.

LOCAL GOVERNMENT BILL—SECOND READING.

The ATTORNEY-GENERAL said that on moving for leave to introduce this Bill in committee, he made a short explanation of its nature and objects. He did this chiefly with a view to suggest to honourable members what they should look for, and to direct their attention to the subject between that time and the motion for the second reading. He proposed now to address himself more fully to the matter. On the abstract question that it was desirable to have some better system of Local Government, there was, he thought, only one opinion held by both sides of the House and the country, but there might be differences of opinion as to the best mode of applying it. They had heard a great deal of late about the evils said to exist in the present Parliament; to

listen to some critics, one would think this was about the most corrupt Parliament which had ever sat in this or any of the other colonies, and that all the members were actuated by one desire—to plunder the Treasury. He did not know who started this doctrine, but he for one protested strongly against it. He believed this Parliament was no more dishonest, or more inclined to plunder the Treasury than any previous ones, assuming that such an accusation could be made against any of them. If that accusation was the only reason for introducing such a measure, it would not be sufficient, he thought. They had just as much right to make such an accusation and attribute the evil to the want of Local Self-Government, as they had for saying that the fault was that of the single electorate system. The cause lay somewhere else, and it could not be expected, therefore, that any measure dealing with the question of Local Self-Government would cure the evil any more than a measure dealing with the question of representation. It might be that the circumstances of the colony and the state of the law had compelled members to act too much as delegates in obtaining the expenditure of public money in their districts on public works. This was the cause, he thought, and not the other, of the evil about which they had read and heard so much of late. The evil might be regarded from different points of view. One was a very important one—that the time of the Parliament which ought to be devoted to legislation was, to a great extent, taken up in considering the wants of the different districts. Another point of view was, that the whole of the public works for the colony were placed under the charge of the Works Department; the department became overburdened in consequence, the evils of centralization were increased, and a much less efficient system of control was caused than would be attained by local authority. The probable result was, that they did not get much more than two-thirds value for their money—not owing to any fault of the Government officers, but simply owing to the difficulty of keeping up a sufficient staff at a reasonable expense. These were really some of the important evils which existed; but he did not propose to contend that the Bill before the House would remedy them all. It might remedy them as far as was possible. The question, however, that they had to consider in dealing with all new legislation was, what were the evils which existed, and what was the best mode of remedying them? From the evil that the expenditure for local public works, and the control of it was too much centralized in the Works' office, and not sufficiently in the hands of the districts, a consequent evil sprang. The practice had a tendency—he would not say that it had already done so—to make the people lose those habits of self-reliance, which were the distinguishing characteristics of colonists. He had no doubt that, if the present practice went on very much longer, and the different parts of the colony were taught for a few years longer to rely upon the Government, the tendency would be to make it more difficult to establish a system of Local Self-Government. The advantages of such a system had always been regarded as extending further and wider, than giving the right to the people to supervise the expenditure of public money. Many authorities had attributed the success of the English Parliamentary system of Government to the municipal institutions of the country, Whereever municipal institutions worked best, there, also, parliamentary institutions had worked best. In the neighbouring colony of New South Wales, they saw that municipal institutions had been, to a great extent, fields wherein future members of Parliament had attained experience and the knowledge how to transact public business. The question, however, as to which was the best mode of carrying out these objects was one upon which differences of opinion existed. How could the system be best carried out? In the first place, it was obvious that they could not have Local Government for the whole colony at present. In some of the Australian Colonies the system of Local Government, known as "shire councils," was established, but it was quite impossible to bring the whole of Queensland under the principle. The more sparsely-settled districts must for a time remain without government by formally constituted municipalities. The only approach to Local Government for them would be the system of nominated Road Boards adopted by the honourable member for Warrego when he held office as Minister for Works, and which, in some instances, worked very well. If it was expected by anyone that this Bill would be applicable to the whole colony, he must submit to be disappointed, for the circumstances of the colony did not allow it. The only system which could be applicable to sparsely-populated districts, was that of "Provincial Councils," which had been on their Statute Book for years, but had been a dead letter, while the experience of New Zealand had shown that they were a mistake. Beginning at the other end, they had towns in which municipal institutions had been and could be worked; they ought to be applied to all towns in which none existed. Their present municipal law provided nominally for the establishment of municipalties in country districts; but practically it was not applicable, and no attempt

had ever been made to introduce them except in towns. Between the two—town and sparsely-populated districts, there were the intermediate districts, such as East and West Moreton, nearly the whole of the Darling Downs, some parts of the Western district, nearly the whole of the Wide Bay, the coast districts, and some of the more thickly-settled districts of the interior, in which it was practicable to find men who could, without having to sacrifice much time and money by having great distances to travel, meet to undertake the supervision of local works. Beyond that it was not practicable to go, unless by adopting the system of Provincial Councils. There was one other question, which was not for legislation, however, but for public opinion—how to get the different parts of the colony to submit to such a scheme. He did not know that any Parliament could compel them to do that. Parliament reflected the opinion of the people generally, and if the people would not do a certain thing, it was useless attempting to compel them, for the edict of one Parliament, if objectionable to the people, would be repealed by the next. He did not think, though, that the people had arrived at the stage that they would not submit to Local Self-Government. He believed that in many parts of the colony the people were ashamed to look to Parliament for all their requirements. He had found, himself, in different parts, where the wants were greatest, that the people had admitted that a system which gave them the right to tax themselves and to be subsidised to the extent of their rates, with the privilege of supervising the expenditure of the money, was preferable. He believed that public opinion would see the system enforced; still, it was another matter to determine how a practical scheme such as he proposed should apply. In the past, the enforcement of the Municipal Act of 1864 had been voluntary; it could only be put in force upon petition from those willing to form themselves into municipalities. If left to act voluntarily, they must trust not to general, universal public opinion, but to the opinion of a majority in a particular district. It was necessary, therefore, that there should be some mode of enabling the law to be applied to a district even without the will of the inhabitants of that district. The only inducement to a district to come under an Act of this kind which could be devised was, to provide that the inhabitants of the district incorporated should have distinct advantages, and that districts which ought to but would not should be deprived of these advantages. But that must be a matter for this House and public opinion to deal with in another way. They must absolutely set their faces against granting any expenditure of public money to districts which would not take advantage of these provisions, if applicable to them. It would be, of course, useless to incorporate that in the Bill, because it could be overruled by a member moving that a sum of money be placed on the Estimates for such or such a purpose, and it could not be carried out unless supported by the weight of public opinion in the colony, wisely determining that where districts would not help themselves Parliament would not help them. But that was not a matter for express legislation. If Parliament determined that they would grant money for this and that district not constituted for Local Self-Government, the failure must be attributed, not to any Bill that might be introduced, but to the state of public opinion, which governed Parliament, and induced it to take such a step. In dealing with town and country municipalities, two courses were open—either to have a separate Bill for each, or to incorporate in one Bill the provisions appliable to both. It would be seen that an immense majority of the provisions must be equally appliable to both, such as the machinery for electing councillors, for preparing bye-laws, and for other general purposes. When there was, some time since, a desire to amend the present Municipalities Act in many points, it had seemed desirable rather to follow the example of Victoria than any of the other colonies, where the whole subject was, he believed, dealt with in one statute. In South Australia there were three different statutes dealing with the subject, namely, town municipalities, district councils, and what were called road boards, each Act being to a great extent analogous. In New South Wales there were two—the District Road Trusts Act, which was in operation in one or two places, and the Municipalities Act, which was unsatisfactory. In Tasmania the system was, he thought, similar to that of South Australia. But of all the systems—if the information before him was correct—that of Victoria worked the best. It worked well in country as well as in town, although both were governed by one statute. That appeared to be a good precedent, and the present measure had been framed on somewhat similar lines. He had entered into these few general remarks with a view of anticipating objections that might be made that the Bill did not meet this or that evil. No Bill was brought in as a panacea for all the evils of the body-politic. Each was an attempt to deal in a practical way with one evil, and that was what had been attempted in the framing of this measure. He would now say a word or two on the history of the Bill in its present form. In 1875, a Bill was introduced by Mr. Macalister, which, as far as he recollected, was to a great extent a transcript of the Victorian Act. In 1876, a Bill, some-

what analogous, was introduced by Mr. Thorn; and last year it was introduced again by Mr. Thorn in an altered form. The Bill now under discussion was framed on the lines of its predecessor, and it varied in many particulars, and especially in length, from the Bill of 1875. It had been carefully revised, and many alterations made. If the House passed the Bill, he trusted they would pass it because it was a good one, and not because it was like or unlike some other. He would now proceed to point out the nature of the provisions of the Bill. The first part, "Preliminary," required no criticism from him. It proposed to repeal the Act to provide for the making and repairing of parish roads in the colony of New South Wales, the Municipal Institutions Act of 1864, the Provincial Councils Act of 1864, and several subsequent municipal institution amendment Acts. These were all proposed to be repealed, without any effect upon liabilities already incurred. The Bill then dealt with existing municipalities, and provided for clearing up any doubts as to their being legally constituted. The 7th section dealt with the municipalities of Roma and Maryborough, which had become extinct by the act of the aldermen. The only means at present existing for reviving them was by reincorporation, and the whole question was in an extremely unsatisfactory state. It was suggested in some old book, that if a municipality became extinct, and another was subsequently created by Royal charter, having the same objects and with the same territorial jurisdiction, it might be said to be its successor. Whether that were law or not, it was impossible to say. There was no doubt that those two dissolved municipalities ought to be considered as succeeded in all respects by the existing ones, and it was proposed that that should be done. The name of another municipality, that of Townsville, had been omitted from the list. That municipality was in a singular position, the number of members having at one time been reduced to five, one of whom was the mayor who then resigned. If there was a mayor, he was also the returning officer, and could hold an election. If there was no mayor or returning officer, and no power of appointing one, the corporation ceased to exist. In Townsville there were only four aldermen—not a quorum—and they could neither meet to appoint a mayor, nor a returning officer; so that unless the late mayor was still mayor and returning officer, the corporation was extinct. A doubt had arisen in the matter owing to the envelope in which the mayor tendered his resignation not having been opened, and the whole affair had only lately come under the notice of the Government. If the Bill went into committee, it was proposed to insert the name of Townsville, for the purpose of clearing up the doubt as to whether it was an existing municipality or not. If the Bill did not become law, the proper mode would be to pass a Bill declaring that Townsville was a municipality. The Bill then treated of the constitution of municipalities. Two kinds of municipalities were proposed, country and town, the former to be composed of a chairman and councillors, and the latter of a mayor and aldermen. With regard to the number of councillors, the present law provided that it should be determined according to population. A little consideration, however, would show that that was hardly satisfactory. Under the existing system they might consist of an odd or an even number—if even, half had to go out of office every year, and if odd, one-third. It was proposed that they should consist uniformly of an even number, one-half to go out every year. It was also thought convenient that the number should be flexible, six, eight, ten, or twelve. In a large district, twelve might be a good number, while in other districts twelve men could not be found able to afford the necessary time, when eight might be more suitable. But that was a matter which ought to be left in the hands of the Governor in Council. There was a provision in clause 15 dealing with the consequences of the dissolution of a municipality, and the carrying on of a new one covering the same ground as its predecessor. Under the present measure no corporation could become extinct, except with the consent of the Governor in Council. The 16th section defined the general powers of the Governor in Council to constitute and alter the constitution of municipalities. These, he was aware, had been criticised; but a little consideration would show that they were all necessary. The first was to constitute a municipality, and the second to unite two or more. There could be no possible reason why that power should not exist. There were, for instance, the two municipalities of Clermont and Copperfield; he saw no reason why these two municipalities should not be united, if it was desirable to do so; and the same, under conceivable circumstances, might be the case with Drayton and Toowoomba. The third was to form a new municipality by separating a piece of another. Such a provision might or might not be necessary immediately, but if this Bill was going to be applied to country districts, it would certainly be required. Supposing his own district, Oxley, were to be constituted into a municipality, in the course of a few years it would have to be divided into two or more, or it might be convenient to cut off part of one and add it to some adjoining one. The fourth power was that of annexing to the municipal district of any municipality an outlying district forming one continuous area into such municipal

district. This had been objected to, but he failed to see on what ground. There were pieces of land not far from Brisbane which could not be formed into municipalties, so that unless this power were given they would remain isolated fragments like those "Liberties" which used to exist in England, which were exempted from other laws, and in which it was a certain advantage for people to live. The 5th was to subdivide or resubdivide any municipal district; the 6th to alter the boundaries or abolish existing subdivisions; the 7th to determine the number of councillors; the 8th to alter or adjust the boundaries of conterminous municipal districts—which was a thing that might need to be done—and the 9th to settle and adjust any rights and liabilities consequent on the foregoing. The 17th section provided how this should be carried out, and the 18th declared the consequences as to the exercise of those powers. He need not refer to them at length, for if the powers were given, these were necessary to give effect to them. They then came to an important subdivision relating to the procedure on the constitution of municipalities. Every petition for the constitution of a municipality should be signed by fifty householders; for a union of municipalities, by the councils themselves; for severance, by a majority of the ratepayers; for annexation, by a majority of the inhabitants wishing to be annexed; for subdividing and alteration of boundary, by one-fourth of the ratepayers; and for alteration in the number of councillors, by the Council itself. Then there was a provision, in force in New South Wales, providing for the publication and verification of petitions. At present there were no means of checking signatures, and it was impossible to say whether they were inhabitants, or had signed their names more than once. He now approached the subject of bringing the Bill into operation in places where the people themselves were not prepared to stir in the matter. This was a most difficult subject, and it could only be dealt with either by the Parliament directly, or by the Governor in Council—that is the Government acting as the delegates of Parliament. There was no reason why Parliament should undertake to decide upon the boundaries and divisions of municipalities; it must be left in the hands of the Government. In cases where it appeared to the Government that a petition ought to be presented, and was not, the Government should be in the same position as the inhabitants who ought to have petitioned. The initiative for incorporation might be taken either by the people or by the Government, but in either case fair warning should be given. In the case of a petition by the inhabitants, a counter-petition signed by more persons should be sufficient to counteract it. In the case of Government doing it, it should only be done after the inhabitants had refused, and after a fair warning had been given them. But no Government could attempt to put a particular Act in force unless they were supported by the House, or, in other words, by the public. There was a provision that no municipality should be constituted unless the area of the district contained 1,000 resident inhabitants. This was, perhaps, too large a number, and, no doubt, 500 would be a sufficient minimum. No objection, he thought, could be taken to clauses 16 and 27, when taken together. But a different opinion might be held by some persons as to giving all of those powers to the Government. The powers of severance might, perhaps, being of little consequence comparatively speaking, be left to the people themselves, but the power of constitution must be left with the Governor in Council. He did not think, however, that if all these powers were left to the Government as proposed, any Government would set itself in opposition to the wishes of a municipality in that respect. He next came to Part IV., which related to the qualification of councillors, the declarations they had to make, and the penalty in case of a councillor acting as such when incapacitated; and then followed provisions, referring to the retirement of councillors, stating when they should go out. It was proposed by the Bill that at the conclusion of every year one-half of the councillors should go out, and provision was also made for cases where two or more councillors had been elected at the same time. The difficulties attendant upon resignations were provided for in the following clause—clause 42, that any person might resign by writing to the municipal clerk, and that such "resignation shall be complete from the time of its being received by the municipal clerk." There was no doubt as to what that meant. Part V. referred to disputed elections. The provisions contained in it were rather brief, but were to the effect that, instead of the present mode by *quo warranto*, the Supreme Court might divide the matter in a simple and summary manner. That was a much better way than the ancient mode; it was inexpensive, and was at present the law in New South Wales, and he believed in Victoria; it was not the law in England, where the procedure was more cumbrous. Part VI. referred to the preparation of voters' rolls, and about that there might be some difference of opinion. By the omission of it there would be this advantage, that they would omit four or five pages of the Bill; but he would remark that when the Bill was first printed, in 1875, or rather the Bill of which the present was a descendant, copies were sent

to the various municipalities in the colonies and all the suggestions then made were taken into consideration when framing the Bill of 1877. This provision was, he believed, then generally approved of. All persons who had paid rates when payable three months before the 1st day of November in each year would be entitled to have their names placed on the voters' roll. However, he need not go into that part of the Bill, as it was almost a transcript of the provisions for compiling the electoral roll; he was not in a position to say from memory in what respect it varied from it—if it varied at all, it did so very slightly. Part VII. related to the election of councillors, to the time of holding the first election, namely within three months after the constitution of a municipality, and also to the return of councillors at the annual election. In the latter case, unless special provision was otherwise made, one half of the whole number should be returned. Then the date was fixed for holding an election to fill an extraordinary vacancy, and provision was made that when an extraordinary vacancy was not filled within one month before any annual election the previous occupant of the seat should be reckoned as one of the councillors going out of office at such election. Clause 78 provided—

"Every municipal election shall be held before the chairman of the municipality or in case there is no chairman or the chairman is absent incapable of acting or refuses to act such person as the council of the municipality or in their default or in case there is no council the Governor in Council may appoint

"And such chairman or other person shall be the returning officer at such election."

He might mention that that clause was inserted to provide for cases against the probable extinction of any municipality, by reason of the impossibility of holding an election. The next clause provided that no person who acted as returning officer at any election should become a candidate for any office at such election. It had been the practice in this colony, very often, for returning officers to do that, but in England it had been held to be unlawful, and therefore it was considered necessary to make that provision. The Bill, from clauses 80 to 119, was as nearly as possible a transcript of the Elections Act of 1874. The question had been raised whether it was desirable to put those clauses into the Bill at all; but considering that the Bill, if passed, should be regarded as a kind of text-book or code governing municipalities, it was thought advisable that they should be inserted instead of referring to the Elections Act. Section 120 made general provisions for exceptional vacancies, and provided that the Governor in Council might fill up vacancies that could not otherwise be filled. That was a very necessary provision in the case of a council committing suicide or trying to destroy itself. Part VIII. referred to the election and privileges of chairmen of municipalties, and mentioned the various forms to be observed in reference thereto. At the present time, several difficulties had been found to exist—many, in fact, had come under his own knowledge, and therefore it was necessary that the mode of election should be laid down. Clause 127 provided that the chairman of a municipality, during his tenure of office, should be a justice of the peace for the colony; but not entitled to sit as such outside of the municipal district. He might remark, in reference to that, that when the Bill was first introduced, as also in every other draft put before that House, it was proposed that the chairman or mayor should be elected not by members of the council, but by people outside of it, namely, the ratepayers generally; but although there were several arguments in favour of that proposition, there were more against it; for instance, it would be found that a man who wished to be mayor or chairman would avoid becoming a councillor, and again it was considered that the position of mayor or chairman should be one of honour to be sought by, and conferred upon members of a council by themselves. Part IX. referred to the election of auditors, and gave power to the Governor in Council to appoint them where vacancies could not otherwise be filled. It also gave the Governor in Council power to remove any auditor, and to appoint one inspection of the ordinary auditors, and considering how great a proportion of the municipal revenues was derived from the Government, it was quite necessary that such authority should be given. Part X. referred to the proceedings of the council, to the mode of conducting meetings, to rescinding resolutions, &c. Clause 140 related to special orders. There were several matters of very great importance which it was provided could only be done by special orders, which meant that a meeting was to be convened by special notice, that the results of the meeting should be advertised and made public, and then whatever was done at such meeting was to be confirmed at a subsequent meeting. Part XI. related to the keeping and auditing of accounts; it provided that the accounts should be kept and audited, and might be inspected by any person interested—also that the half-yearly statements when audited should be kept open for inspection, and that there should be an examination and settlement of accounts by the Council. So far, there was no variation from the old practice, but if there was anything wrong in the accounts, there was power given to appoint special auditors who were, in fact, to be a special tribunal, having power to call witnesses and adjudicate upon the matter. Their de-

cision would be final, and any person found guilty of misapplication of moneys would be personally responsible. That, at any rate, would be a provision against any manipulation of the accounts. Part XII. had formed part of municipal laws for years past, and referred to contracts and the mode into which they might be entered into on behalf of councils. Part XIII. dealt with the appointment and salaries of officers, and the power of the chairman to suspend them; that he thought it would be granted was a a necessary provision. Part XIV. dealt with the bye-laws of municipalities, some of which would be applicable to towns only, and others to all municipalities. The most important relating to towns were those regulating the construction of buildings, the preventing and extinguishing of fires, suppressing nuisances, regulating places of amusement, licensing carriers, &c., regulating market dues, and other matters which it was necessary to enumerate in the Bill as causing difficulties which arose every day, and, as to which the question arose whether they came within the powers of the Council under the present Act. Then again, the provisions concerning the making of bye-laws were very important. They were to be passed by special order to begin with, were to be exhibited to the ratepayers before passed, and then, if sanctioned by the Governor in Council, to be published in the *Government Gazette*. Power was also given in clause 172 to the Governor in Council to repeal any bye-law, which was very necessary, as sometimes bye-laws became very objectionable to the people, or it might happen that one might have become law inadvertently; at any rate, that was a more convenient way of getting rid of the difficulty than by applying to the Supreme Court. Clause 173 provided that a penalty not exceeding fifty pounds should be inflicted upon any person committing a breach of a bye-law; at present the maximum penalty was £20. Clause 175 gave summary mode of appeal to the Supreme Court, upon the petition of a ratepayer, as to the validity of any bye-law. At present, their was no appeal from the Attorney-General if he vetoed a bye-law, while if he approved of its validity, could only be tried by an expensive litigation. Part XV. related to the ordinary revenue and municipal fund, stating what the ordinary revenue should consist of, and how the municipal fund should be applied. Part XVI. defined what should be rateable property, and the mode of making valuations; at present the law was indefinite in that respect, but in the Bill distinct provision was made, and owners of property were also to have right of appeal to justices in the event of incorrectness. Clause 188 provided that no general rate should exceed one shilling in the pound of rateable property; but in the following clause, power was given to levy special rates for lighting and so forth, of which special accounts had to be kept. The provisions for the recovery of rates did not vary much from those at present in force. Part XVII. referred to loans, and no doubt some difference of opinion would exist in regard to that portion of the Bill. The scheme was, that before a council borrowed money they must submit plans showing for what the money was required, and must give notice in the *Government Gazette* three months before, stating what the money was wanted for, and where the plans could be seen. Provision was also made that in cases where the interest on loans was not paid regularly, the Colonial Treasurer should be empowered to withhold the payment of the Government endowment which was referred to in Part XVIII. Part XIX. related to the general powers and duties of municipalities. Among others conferred were powers over roads, bridges, ferries, and culverts, for repairing and establishing streets, drainage, and so forth. He now wished to advert to section 249, which contained power to carry a drain through land outside the jurisdiction of the council on compensation being made by the municipality. So that if a boundary that a drain or sewer ran out of was not a river or sea, it was proposed to give the municipality power to carry it beyond the municipal limits to a proper outlet. Part XX. referred to the prevention of fire, and was substantially the same as the present law; but doubts had arisen as to the meaning of the law, and as to what constituted the external wall of any building, the magistrates in different parts holding different opinions upon the subject, and those doubts were now cleared up. Part XXI. related to legal proceedings—how they were to be taken, and so forth—but did not demand particular attention. He hoped the observations he (the Attorney-General) had made would show, that although this Bill was long, those matters which formed the essence of it were few, but that it was necessary, nevertheless, to have all the clauses brought in. He also thought that the differences of opinion on the real provisions of the Bill would be few. He wished to mention, however, that the Bill did not contain any distinct clause enabling corporations to resume lands for making roads; because a complete mode of taking the land must have been provided by this or some other statute. A Bill, however, was ready for dealing with the resumption of lands for roads and other public purposes; and the Government proposed to introduce it shortly, and refer it to a select committee, it being one of a technical nature. If that Bill did not pass this session it would be necessary to introduce a clause into the Bill now before the House, to enable corporations

to take land for roads under the existing law. He had endeavoured to point out the principal features in the Bill, and to show the manner in which the Government sought to deal with the difficulties they at present met with. Not all, but certain of the difficulties would be met, and he trusted satisfactorily met. They had the advantage of the experience of other colonies before them; and looking at their statutes, he thought this Bill was a more practical way of dealing with the question than by multiplying the statutes. He had been glad to hear the honourable member at the head of the Opposition give his testimony in favour of the admirable way in which the Victorian system had worked, and he had no doubt the House would receive some assistance from him in reforming this Bill where it was found to need reforming, and in passing this measure, or some one based on the principles of it, into law this session. He was inclined to believe with other honourable members that this Bill, if it came into operation, and public opinion allowed it to be fairly worked, would have a direct influence on the length of the sessions of the House, and the nature of the debates that now occupied its time. He would conclude by moving that the Bill be now read a second time.

Mr. McIlwraith said the Attorney-General had mis-stated the charge of corruption which was imputed to the House. If the honourable gentleman intended to say that any members on the Opposition side, or the public, had imputed personal corruption to the members, he was in error; but when honourable members said that the House, as a House, was the most corrupt in the colonies, it meant that it was more influenced by local considerations than any other Parliament; if that was the meaning, it was the truth, and the fact was the best reason why the Bill was necessary. No doubt there was very good grounds for the accusation; the simple reason why members were now so much influenced by local matters, that their judgment on the general good of the colony was a secondary consideration, was, that this was the only Parliament that had offered so much temptation to them. Let the House look at the list of amounts put down for the different districts of the colony for public works last year; for roads and bridges alone, there was £102,000, and all this had to be fought for. It was a very small sum for the same object in 1874, before this party came into power, it had trebled since then, and this had had an immense influence upon the actions of members in the House. In addition to these amounts, there had been an immense sum spent from loan on works, which were previously constructed from revenue. Every honourable member knew well the effect of loans upon the House; it was certainly a demoralising effect, for members would more recklessly vote money for public works from loan than out of ordinary ways and means. Last year, in almost every case, when a member on the other side of the House brought down a motion to put a certain amount on the Supplementary Estimates, the Ministry did not oppose it, but asked simply that it might be transferred from the Supplementary Estimates to Supplementary Loan Estimates. When, therefore, they spoke of the House being corrupt, it was, from this point of view, perfectly correct, for it could not be denied that the House was more influenced by local reasons than the general good government of the colony. The Attorney-General was not, therefore, right in saying that the House had been unjustly aspersed by members of the Opposition and by the Press outside. As to the Bill before the House, he had always had one opinion of the advantages of Local Government, and while he had a seat in the House he would assist in carrying anything that might tend towards good Local Government. He had given this Bill a great deal of attention, and although he must say it was not the Bill he expected, it was still a small step towards Local Government. The tendency was that way, and that being so, he and his friends had no intention of opposing it. It would, at any rate, have the effect of introducing a taste in the colony for Local Government, although it would not do much towards making Local Government itself. The Bill was valuable in another way. From what the Attorney-General had said, and from the care he had taken about it, it was apparent the Bill was valuable as a piece of municipal reform, and it was worth passing for that reason alone. Most of his (Mr. McIlwraith's) remarks would be with regard to its qualities as a Local Government Bill, and he would try and point out what he considered its defects, and how it might have been improved. The Government might have gone a good deal further towards Local Government than they had, seeing that the Bill dealt exclusively with existing institutions. Under the operation of the Bill a few municipalities would, no doubt, be formed, and perhaps a little more; but he was satisfied it would still leave the whole of that item of £102,000 on the estimate for roads, bridges, and other local works to be dealt with by members as in previous years. It did not, therefore, affect an admitted evil. Members would still have to fight and log-roll over the money as they did before. He was surprised to hear the Attorney-General say that the Victorian Acts dealing with municipalities and shires were only one Act. The Attorney-General, no doubt, knew the law better than he did,

but he distinctly remembered the two statutes in Victoria passing, and that they were quite distinct. They stood side by side in the Statute Book, but they were separate Acts. Each was an Act of three or four hundred clauses, and the Shire Statute dealt exclusively with shires, with roads and bridges, and all the works to be done in an outside country, while the Municipal Act dealt entirely with municipalities proper. A great mistake had been made by the Government in trying to amalgamate the two, for it stood to reason that the machinery which was adopted for a municipality might not be the machinery that would best apply to a roads district or shire. The originator of Mr. Macalister's Bill in 1875 had gone purely upon the Victorian Acts, we are told on the authority of the Attorney-General—the Municipalities Act, and the Shires Statute. He had amalgamated those two into one Bill, and by omitting the clauses common to both, was able to reduce the size of the Bill. Mr. Macalister had a Bill of 405 clauses made up in this way, merely by the omission of certain clauses in the Victorian Acts. It was useful to study these, because it would show what they had to expect in the shape of Local Government. Then came the manipulation of the Bill by the Attorney-General last year. The Bill of 1876 was made by taking Mr. Macalister's Bill, and eliminating from it all clauses referring to road districts and shires.

The ATTORNEY-GENERAL: No.

Mr. MCILWRAITH said the present Bill was one out of which were eliminated the clauses giving municipalities the right to acquire land for the construction of roads; and, as the Attorney-General had explained, that was a matter to be dealt with in another Bill. They were reduced, therefore, to something very like a municipal law, because the affairs of the road districts and shires were excluded altogether. Another rather significant thing, pointing to the fact that it was not a Bill that was expected to be applicable to the country districts, was, that it had been brought in by the Attorney-General. A Bill of this kind, it was always considered, should be brought in by the Minister for Works; but as the Attorney-General had brought it in, he (Mr. McIlwraith) was satisfied it was merely a technical legal Bill and nothing more—a consolidation, in fact, of existing statutes upon municipal affairs. If Victoria, which although very sparsely populated in some districts, was not so thinly populated as a great portion of Queensland, required a shires statute to regulate the Local Government outside of big towns, how much more would a provision be required in this colony. It stood to reason there must be a great deal of difference between the way in which public works, say, in the Warrego district, should be dealt with and the city of Brisbane. He, for one, could not see how the two conditions could be dealt with by the same machinery. Even down in Victoria, though they had the two statutes, they had not escaped the inconvenience that would be felt here to a much greater extent. In reading the *Australasian* last week, for instance, he saw a paragraph pointing out the difficulty which existed. It was as follows:—

"The Minister for Public Works will start on a tour through the Gipps Land district next week, for the purpose of arranging for the settlement of a difficulty which has for some time hampered the department. Nearly the whole of the colony is included within the limits of some shire or borough, for the general management of which some local body is responsible; but there are strips of territory here and there which, in the apportionment of new shires, have not been included within the boundaries of any. For these strips the Public Works department have had to take the direct responsibility for any expenditure thereon, a cousse which experience has shown to be both inconvenient and very expensive. The adjoining shires are not, as a rule, willing to take over this "no man's land," which brings in little revenue and may entail considerable cost, but it is very desirable that some arrangement to effect this object should be made, as the work required in these districts can be performed under local supervision very much more cheaply than by the Public Works department. Most of the unallotted territory referred to, is situated in the Gipps Land district, and it is with the view of dealing with this matter that Mr. Patterson purposes visiting that locality."

If, with a machinery specially adapted for the country districts, in Victoria they felt a difficulty in dealing with the districts, commonly called No-man's Land, how much more would be our difficulty in outside districts with a Bill adapted for municipalities alone. It was plain, therefore, that viewed in this manner, the Bill would not apply to a ninety-nine hundredth part of the colony. Another reason that ought to have made the Attorney-General cautious in taking the Victorian basis as a guide to a consolidated statute that would suit this colony was, that the Victorian statute was made to suit sold land alone; that was to say, it assumed almost that no Government unsold land existed inside the municipal bounds, at all events it provided for its exclusion by the ratepayers. He would not stop to explain that the machinery would operate in this colony upon a large portion of land of that character. The powers given to councillors were pretty well summarised in the list of things they were empowered to do under section 168. If honourable members looked at the list of bye-laws, they would

see that though they would apply well enough for Ipswich, Brisbane, or Toowoomba, they would not be adapted for the Warrego district or the Mitchell. The fact was, that with the exception of preventing and extinguishing fires, there was scarcely one regulation that could be applied to the outside districts. Looking at the way in which the Bill had come down to be simply a Municipal Institutions Bill, the conclusion he drew from that fact was this: That the Government had necessarily failed to get into their Bill any of the clauses embodying the principles of Local Government. They had avoided those principles altogether; and although they had exceptional difficulties to overcome in introducing Local Government, still he thought a great advance would have been made, at all events, if the Government had proposed something like the system that had been applied in the Acts referred to in the other colonies. In Victoria, where all parts of the country were more or less peopled, it was universally admitted that the district roads ought to be under the superintendence of the district councils, and that the district should contribute a certain amount directly for the formation and maintenance of public works within its boundaries. At the same time it was admitted on all hands that in almost every district there would be public works which were exceptional, and which must be carried out and maintained by the Government alone. But here the Government had missed out that principle altogether. There the shire statutes were for the purpose of fixing the amount of responsibility of the district for the district roads, but freeing them from the responsibility of the maintenance of what were considered main roads, which should be undertaken by the colony generally. With that object those statutes provided for the limitation of districts with regard to population and otherwise; but here there was no such limitation. A municipal council here might extend to any extent, the only limitation being that a district should include a certain number of inhabitants. In Victoria, the system worked well in this way. Being liable to pay for some part of the construction of the district roads, the Government threw the responsibility of making those roads on the district, giving, at the same time, a certain subsidy; but they relieved the districts from making main roads throughout the colony. He thought they might adopt a modification of that principle here, which would be really Local Government. He believed it would work well in this colony. For instance, in taking the outlying districts, the adaptability of Local Government would at once be seen, for almost all the public works to be done were on the main line of traffic. At all events, until lately, when there had been some extravagant expenditure, there had been no instance of heavy expenditure in those districts, except on main roads. Those main roads might remain, under a system similar to the the Victorian system, in the hands of the Government, and all municipal arrangements would still apply to the same extent as in the case of a municipal district nearer the coast. All that was essential to what they called local government in Victoria, but all the clauses appertaining to it had been left out of this Bill. He knew that the honourable the Attorney-General questioned his statement that they had been left out of Mr. Macalister's Bill, but such was the case. In fact, the only clauses in the Bill which were supposed to refer to it were clause 9, which said, "A country district so constituted a municipality shall be called a shire," and "a town so constituted shall be called a borough;" and clause 11, which showed that the members of a Council in the case of a shire should be called "councillors," and the others "aldermen." That was merely a distinction in words, for, so far as the Bill was concerned, the duties were exactly the same. It was perfectly easy to see that great harm might be done by the exercise of the extraordinary powers given to the Government by clause 16, and the attention of honourable members would have to be drawn very closely to that clause when the Bill was in committee. They would also have to consider the operation of clause 25, which conferred powers upon the Governor in Council, and to clause 31, which was, perhaps, the most important clause of all, because it enabled the Government to make municipalities under certain conditions, whether the inhabitants of the district chose it or not. It was very difficult to see how the clause could ever be actually brought into operation. Supposing there was a district, say five miles out of Brisbane or Ipswich, with an area of twenty-five square miles and with a population of two thousand, and that under the present system they had been supplied with all they wanted in the way of public works, if they did not care to make themselves into a municipality for the purpose of managing their own affairs, he would like to know what reason the Government could give to induce the inhabitants of that twenty-five square miles of country to constitute themselves into a municipality. They would say they were perfectly satisfied, and as they got all they wanted in the way of local works, they would not go to the expense of a council, and the one-third of the amount of expenditure on public works. The operation of the Bill would be to make them incur a certain expenditure; and they would point to the ninety-nine hundredths of the population of the colony who were

altogether outside municipalities, and who got all their works done free of expense. In such a case, and especially where the member for the district happened to be on the Government side of the House, the objects of the clause would be completely defeated. The only remedy in a case of that sort would not be found in giving extraordinary powers to the Government—powers which he had reason to think they would never exercise—but by offering inducements to the districts to form themselves into municipalities. Unless some advantage could be shown, municipalities would never be voluntarily formed at all. The attention of the committee would also have to be closely directed to clauses 177 and 178, which referred to rateable property. No doubt, many honourable members could speak from experience as to how they affected town and suburban property. He could say that they affected country land in an astonishing way. Rates could be levied upon land let on pastoral lease, at the rate of 8 per cent on the value of the fee simple, even where there was only one year of the lease to run, and free selection had actually commenced. That would be an injustice if permitted. Honourable members would be able to show that the provision affected town land in a very unequal way. With regard to Part XVII., clause 217, which provided that—

"All moneys borrowed by the Council of any municipality for the purposes aforesaid shall be borrowed from the Consolidated Revenue of Queensland on the security of special loan rates to be made and levied in the manner hereinafter provided."

He considered the provision was quite superfluous. He did not see that the reason given by the Attorney-General, that the municipality might become insolvent, was sufficient. The power to borrow outside Government had been a great stimulus to progress in the case of municipalities in all parts of the world. He did not see why municipalities should be compelled to borrow from one source, and at the fixed rate of 5 per cent. as proposed. Any amount of money had been offered to municipalities in various parts of the old country at 4 per cent., and he did not think their powers of borrowing should be limited to the Government, as long as they borrowed within proper limitation. He did not see the use of clause 232, and no reason was given for limiting municipalities to the bank in case temporary loans were required. Honourable members who had read the Health Act Amendment Bill, which was now before the House, would have to consider how that measure would work with clause 249 of the Bill under consideration. He wished to draw special attention to the fact that equal powers appeared to be given to two different bodies of men under the two measures. Having now considered the main points of the Bill, and the matters which were in dispute, he would repeat what he had at first said, that honourable members on his side accepted the Bill as a fit amendment and consolidation—to be studied in committee—of municipal Acts. He believed it was an attempt at advance and a step in the right direction towards Local Government, and, on that account, he would like to see the Bill read a second time; but he did not accept it at all as a fulfilment of the promise of Local Government to which the country had a right at the present time.

Mr. GROOM hoped the honourable gentleman who had just sat down would not consider him discourteous in following him. It was a general rule in debate that a Minister should follow the leader of the Opposition; but perhaps Ministers were keeping themselves back until members generally had spoken. He would at once say that he was disappointed with the Bill, which was not at all the measure which he had been lead from the Opening Speech to believe would be introduced. The Bill was nothing more than a consolidation and amendment of the laws relating to municipal institutions. He would not go very far astray in saying that it was an old face dressed up to suit the particular occasion of the session. If his memory served him correctly, a very large portion of it had been taken *verbatim et literatim* from a little book issued by a Mr. St. Julian, at one time a reporter on the *Sydney Morning Herald*, as a synopsis of the Municipal Acts of the Government of New South Wales.

The ATTORNEY-GENERAL: No.

Mr. GROOM was very sorry to contradict the honourable member, but if it were not so it was a singular coincidence that the brains of the two gentlemen should have coincidently drafted those clauses. At the time when the honourable member for Port Curtis addressed a circular letter asking for suggestions as to the amendments of the present Municipality Act, he (Mr. Groom) was Mayor of Toowoomba, and he then obtained the book from the library. He remembered that the Bill of 1864 which was now in force, had been rejected by the Premier of New South Wales and was brought in by the Government of the day as their Bill and laid upon the table of the House, at which time the word "Sydney" occurred in it occasionally, the parliamentary draftsman of that day not having had the decency to strike it out. In fact, there were so many blunders in it, and it was so hurried through the both Houses that a special Bill had to be brought in to amend it. He did not think that after imitating the New South Wales Legislature on one occasion they should again fall back upon it. The

New South Wales Municipal Act was found to work very unsatisfactorily in that colony, and for the last three weeks a conference of delegates from municipal councils had been held in Sydney to assist the Government in drafting a better and more comprehensive Bill. Up to the present time the municipalities of this colony had not, however, been supplied with copies of the important measure now before the House. At the meeting of the Toowoomba council, held on Monday, he had inquired whether the members had seen a copy of the Bill, and the town clerk replied that none had been sent, neither had any request for suggestions been made. The House would, no doubt, pardon him for saying that he had the honour of initiating the Toowoomba council, that he was its first mayor, and, with the exception of a short interregnum, had been a member of nearly every subsequent council. He, therefore, knew something of the working of municipal government, and he had not the slightest hesitation in asserting that the drafter of the Bill did not clearly understand the nature of the improvements required, otherwise the Bill would have assumed a different shape. He would particularly refer the Attorney-General to the matter of valuations as provided in clause 178. This was one of the most difficult questions which came before a municipal council. The Act at present gave authority to levy rates upon certain properties; but as the law stood, it was virtually a tax upon improvements. A speculator might buy up any number of allotments, allow his neighbours to improve their holdings, and the council to effect expensive improvements opposite, still he could not be taxed for more than the actual value of the land, whilst his neighbours were assessed for their improvements. In referring to the clause, he noticed a singular omission, which he hoped would be attended to in committee. There was nothing as to the form in which the assessments should be made, except as provided in the following clauses. The Bill did not say what the valuer should do with his valuation after he had completed it. The honourable member for Bremer, he dared say, remembered a case which came before the Supreme Court last year, and in which the Ipswich council had altered the assessor's rate. A ratepayer objected to pay his rates in consequence, and appealed to the Supreme Court, who decided in his favour. There was nothing in the Bill to prevent the valuer's valuation being altered.

The ATTORNEY-GENERAL: Yes there is.

Mr. GROOM said he had not observed it, and would like the honourable gentleman to give him the provision.

The ATTORNEY-GENERAL: Section 181.

Mr. GROOM said the clause simply provided for the return of the valuation, and did not prevent the council from revising and altering it, which was the point of the objection. At present, when the assessors sent in their valuations, a special meeting of the council was held, at which the assessment was revised. If he understood the ruling of the Supreme Court judges rightly this was totally illegal; the aggrieved ratepayer had his remedy by appeal to the local bench, but the council could not alter their assessor's valuation. He himself, when mayor, had revised such valuation, but under the ruling named this was illegal. It was very necessary that the ratepayers should be protected in this matter of valuation, and he would rather see a special Statute passed with regard to it, as had been done in Canada. In Upper and Lower Canada an Assessment of Property Act had been passed; looking at the importance of the Bill, honourable members would see how necessary it was that more attention than was given in it should be paid to the question of assessment. As he understood it, the Bill gave the Government the power of compulsory incorporation. In passing, he might say that he regarded that as a dangerous power. The House was exceedingly jealous of making actions compulsory, and it was repugnant to the spirit of Englishmen, and ought not to be resorted to except in certain special cases. Supposing, for example, the Government compelled a certain portion of the Darling Downs to incorporate itself—and he had no doubt that that particular portion of the Bill would be applied to that district—in what position would they find themselves? There were there large stations, having 90,000, 75,000, and less acres of freehold, not one acre of which was cultivated, the whole being enclosed within wire fences. There were also homesteads of fifty, one hundred, and more acres partly cultivated. How was the principle of valuation to be carried out? As he understood it, these were districts supposed to be special in their applications to Ministers and the House for grants of money. There was nothing in the Bill to show the valuation to be placed upon grazing or cultivated lands or upon lands with extensive improvements such as the large homesteads upon large stations. The valuation was at the mercy of the assessor. His own impression was, that such power should not be given. He would rather have the Canadian system, and he knew that the general opinion of people who had given considerable attention to the subject, was in favour of a system of classification; in towns there ought to be three different classes of streets, so that the land and not the improvements might be taxed, and in outside districts a distinction ought to be

drawn between grazing and cultivated land, and large and small areas; if that were done it would be a considerable improvement upon the present system. In the Canadian Act, the whole of these things and others of equal importance were considered. So far from imitating the other colonies, this colony ought to strike out an original course of its own; and it would not perhaps do amiss if it imitated Canada. The provisions regarding the preparation of voters' rolls, he considered one of the best features of the Bill. Under the present system, there was an amount of abuse which was intolerable; there was virtually no provision for preparing voters' rolls, and *bonâ fide* ratepayers could be outvoted by dummies. If the Bill did nothing more than improving the present Municipal Act in this respect, it would still do good, and this part should have his hearty concurrence. So far as the present Municipal Act was concerned, the Bill was an improvement upon it, but it would require a great deal of consideration from honourable members before it could be made to apply to the principle of Local Government; and if it was passed in its present shape with the compulsory provision, an Amending Bill would have to be introduced next session. He would rather see an amending provision for municipalities introduced by itself, and have the whole question of Local Government dealt with in one measure, because, as had been pointed out by the leader of the Opposition, bye-laws suitable for towns would not be applicable for country districts. He would rather see a Shires Council Bill, with the boundaries of the shires defined, introduced, as they were led to believe last session would be done. If the Registrar-General had no difficulty in dividing the colony into Census districts, to enable an Electoral Reform Bill to be prepared, why should it be difficult to divide the colony into councils and shires for the purposes of Local Self-Government? If he voted for clause 16 of the Bill he should do it very reluctantly, because it was putting a power into the hands of the Government which they ought not to possess. Not long ago, in passing Bills through the House, Government had sought power to frame regulations, and those clauses had been struck out simply because similar powers had been abused formerly. And what was there in the constitution of the present Ministry that the House should abdicate its functions—for that was virtually what it would amount to? They would be giving the power to the Government to say what districts should and what should not be incorporated. The system ought to apply not to special districts, but to the colony as a whole. He (Mr. Groom) saw no difficulty in carrying out a measure of that kind. Already attention had been called to it in New South Wales, and the Premier of that colony had given the delegates who waited on him to understand that if the present Government remained in office a new Municipalities Bill would be brought in to divide the colony into shire councils. With reference to loans, under this Bill it was proposed that if a corporation chose to borrow money a certain process should be observed, and the corporation had the power to levy a loan rate to meet the loan. In his opinion, the time had come when the House should relieve corporations of their existing debts. The Premier seemed staggered at the proposal; but such was the fact. According to the latest returns, the indebtedness of corporations at the end of last year was £218,000, and of that sum Brisbane owed £154,000. He did not know whether that represented the cost of the bridge or not.

Mr. HOCKINGS said he thought it did include the cost of the bridge.

Mr. GROOM said he hardly thought that could be the case, because this amount was brought down to December 31, 1877, after the Bridge Bill had been passed several months. At the conference in Sydney, of which he had made mention, the delegates stated that the twenty corporations in New South Wales owed something like £7,000,000, and their proposal was that Government should relieve them entirely of this debt, and enable them to commence on a new basis. That was also the suggestion he would make here, and he would let the municipalities start on an entirely new system, on the understanding that all future debts contracted must be paid off in the way proposed in this Bill. In many corporations it was utterly impossible to carry out even necessary improvements. Take the case of Ipswich or Toowoomba. The actual amount of revenue collected in each municipality was only about £1,200 a-year, and they were entitled to an equivalent sum from the Government subject to a percentage deducted to pay off loans. With so small a revenue as £2,000, it was utterly impossible to carry out a system of sewage and drainage as was absolutely required. And unless some comprehensive scheme of sewage and drainage is carried out, whatever the mortality of the present season had been, it would certainly increase. It should be remembered that in these municipalities, when first incorporated, everything had to be done. Streets had to be formed and macadamised, and in some places great difficulty had been experienced in getting material for doing that work. At Toowoomba, lately, they had opened a quarry on the Main Range, which they thought would be suitable; but they found that the expense of quarrying, carting, and breaking the stone so great

that they would be compelled to make some arrangement with the Government to carry it some thirty miles by railway. That was one of those things over which corporations could not exercise any control. It would be, as he said before, utterly impossible for municipalities to carry out a system of sewerage and drainage out of ordinary revenue, and they would have to come down to Government to ask for a loan for the purpose. He considered the Bill an improvement on the existing Act, but he hoped the attention of the House in committee would be particularly directed to the question of assessments, as it was one which required earnest consideration. He would rather have seen this question dealt with in a larger form, and there were plenty of persons in Brisbane who could have supplied the needed information. He hoped the Attorney-General, before going into committee, would take care that copies of the Bill were sent for the information of the different corporations, from whom suggestions might come for the improvement of the measure; and he was somewhat surprised to find that no copies had yet been sent to them. He should vote for the second reading of the Bill.

Mr. MURPHY said that he also should support the second reading of the Bill, as he considered it a step in the right direction. The argument of the honourable member for Toowoomba, with regard to the valuation of property, was scarcely borne out by the valuation clauses. The honourable gentleman assumed that the valuation would press heavily on small properties in the interior as opposed to the large estates, for clause 178 stated, that while a tax of 8 per cent. should be levied on the capital value of the fee-simple of all improved lands, the rateable value of all buildings, cultivated lands, and lands set apart for pastoral or mining purposes, should be three-fourths of their fair average annual value. So that the Bill was actually an inducement to people to improve their lands, and the difficulty anticipated by the honourable member would not arise. The leader of the Opposition had pointed out that the valuation would exert an undue pressure on mining property, but the Bill would scarcely affect mining property in the way the honourable gentleman feared, for it was the land and not the minerals under it which were to be taxed, and as mineral land was often valueless for other purposes, the probability was that the assessment would be very small. As to the indebtedness of the New South Wales municipalities, it seemed to him that the money had been very well spent indeed, for no one could go through the suburbs of Sydney without being thoroughly convinced that they were a credit to their respective municipalities. There was one clause in the Bill which certainly seemed progressive, and that was the 50th, where it was provided that every person, whether male or female, of the full age of twenty-one years, should, having rateable property, be qualified as electors. That principle, which many persons wished to see at work, would be introduced into the colony by the Bill now under consideration. Generally, he believed it could not be doubted that an Act of the kind proposed would be of considerable benefit to municipalities. It would have the effect of making people who came within the operation of it, endeavour to benefit themselves and to improve their properties without looking to the general revenue for help. At the same time, he was sure that the House would not at any time be slow to assist municipalities when they saw they were doing all they could do to improve themselves. There might be some clauses of the Bill which required expansion or curtailment; but, as a rule, he thought it was a Bill which could be made most beneficial, and for that reason he should vote for the second reading.

Mr. BAILEY said he wished to prevent a misapprehension which might arise from a remark made by the honourable member who had just sat down, namely, that the Bill was progressive, because by it women would be entitled to vote; but he presumed that if that was the case those women would have to pay taxes first of all. The present was one of those Bills of which they had had several of late: it was founded on a correct principle, but, when examined, it was not so good as it looked. It went on the principle that it was time municipalities governed themselves in regard to public works: that they should levy and spend their own taxes. That was the principle on which the Bill was supposed to be based; but when they came to examine it, they would find that it was not the real principle of it. For instance, taking his own district, which was an agricultural one, the farmers there would not only have to make their own roads and tax themselves to do so, but would also be taxed to make roads in other parts of the country. According to the Bill, the Government would have a right to proclaim any district a shire or a municipality, and it would then have not only to tax itself for its own public works, but to pay its quota towards the general taxation; thus certain districts might be picked out for punishment by any Government. He thought that the Bill departed from the very principle on which it was founded: if that principle was correct, let the country be mapped out, and let each district pay for its public works, and for those alone, and not be taxed to pay for public works in other places. The honourable member for Toowoomba appeared to forget in his remarks, that the debts of

municipalities were not due to the Government but to the country, and he (Mr. Bailey) thought it would be very unjust if those municipalities could turn round and say, "We have borrowed money from the taxpayers of the country, and we wish you to forgive us our debt." A great deal of the money raised, would be required for drains and sewers, and only that evening a Bill had been introduced for the purpose of providing more money for the drainage of Brisbane. No doubt they were very useful; but what said the farmer, who grew crops, and who required drains as much as the people of Brisbane? Towns produced shops and children, farms produced wherewith to fill both. Drainage was as necessary for good farming as for the town. Were the townspeople prepared to provide drains for the farmer? What was sauce for the goose, was sauce for the gander, and were the townspeople to have drains, and the farmers to be kept without them? He believed that the farmers paid one-tenth of the whole taxation, but where was it spent? why, in the municipalities? He objected to the Bill, because it did not go far enough, but it would be useless to oppose it, as its principle had been already affirmed; all, therefore, that he could do was to enter his protest against it, as it would not carry out its original intention, except very partially, and, therefore, unjustly.

Mr. MACROSSAN said that after the able criticism of the Bill by the honourable member for Maranoa, he should not have risen to express an opinion upon it, were it not calculated to affect in a peculiar way the interest to which he was supposed more particularly to represent; and he was bound to say that he differed entirely from the remarks of the honourable member for Cook, who represented the same interest. There had been a new feature introduced into the Bill, one which had not appeared in any previous Bill, and which did not exist in the Local Government Bill of Victoria—namely, taxation of the mining interest. He held in his hand the Bill introduced by Mr. Hemmant in 1875, and in the 244th clause of it, which referred to the properties subject to taxation, mining was exempted; and if they took the Victorian Shire Statute they would find that in claues 198, the same exemption was made, The same thing also existed in the Borough Statute of Victoria. He wanted to know why the honourable Attorney-General had introduced it as a new feature into the Bill, because he (Mr. Macrossan) could show many reasons why miners should not be rated. He contended that if they began to rate the miners, instead of being a tax on improvements, as it would be in towns and upon country lands, it would be a tax upon labour. It was well known that there were hundreds of mines in Queensland in which the miners were working for a bare living with the hope of doing better, and nothing more. The miner had no freehold interest in his mine, and he maintained that if the 178th clause was passed, which he believed the wisdom of that House would not permit, the present Government would deal a greater blow to mining in this country than had ever been given yet, or than could be anticipated. He would ask the honourable Attorney-General how he was to assess a miner; how was he to arrive at what was called the "fee-simple?" The clause said:—

"And in every such valuation the annual rateable value shall be computed at three-fourths of the fair average annual value of all buildings and cultivated lands or lands which are or have been let for pastoral mining or other purposes whether such buildings or lands shall be then occupied or not and at the rate of eight pounds per centum upon the capital value of the fee-simple of all unimproved lands."

Now, he was a miner of more than twenty years' standing, and he should not like to set himself up as the assessor of a mine, which might to-day be worth thousands of pounds, and to-morrow not so many pence. He maintained that it would be a direct tax on labour—a thing which had not been yet attempted in the colony. The clause said that the tax should be levied on mines, whether occupied or not; but who was to pay the tax, supposing nobody occupied it? He would direct the attention of the honourable member to another important matter. Turning to clause 209, he found that whenever any rateable property was unoccupied and rates accrued and remained unpaid for four years, the council might take possession of such property, and grant leases of the same. Did the honourable member understand that a council would have the power to take away the jurisdiction from the Mining Department, and that they could do by the Bill what no goldfields warden could do, namely, give a lease of a mine? He had tried over and over again in vain to have that power given to wardens; yet now it was proposed to be given to municipalities. He hoped that the honourable the Attorney-General would reconsider this clause. He was certain the honourable gentleman had not yet considered the full bearing of it, and that when he did so he would do the same with the mining interest as was done in Bills previously introduced into that House, and was done in Victorian Bills, which specially exempted miners from their operation. If the Bill became law in its present form no greater blow could be given to the mining interest, and he was confident that the people of Gympie, who were now petitioning to be incorporated, would not dare to petition for it if this Bill became law. He was also quite satisfied that the people of Charters Towers would

never have asked to be incorporated if they knew that the effect of it would be to give the corporation the power of imposing a tax upon miners. The miners would never stay a day longer in the place, and the Bill would be the means of closing up the gold fields. But supposing the Bill to pass. The only tangible thing in the form of mining property would be the machinery. It would be no use taxing the gold, for it could not be got at. He hoped that, if the Bill should reach committee, this clause would be expunged; bearing in mind that the Bill gave places like the Palmer, Charters Towers, and other mining districts the power to form corporations, who should have power to impose taxes on the mining population; and bearing in mind also that such a system as a tax upon labour, which this would be, was known in no other colony. The honourable member for Cook, and many other honourable members of the House, would see that it would be a most unwise tax to impose, and ought not to pass.

The PREMIER said it was very right that the question should be fairly discussed in all its bearings; and it was very desirable that they should see whether it would press unjustly upon the mining interest, as it was not at all desirable that it should. But if a district chose to become incorporated, and to have its municipal council, and the property in that district consisted principally of mining property, the people might justly be called upon to pay their share of the local expenditure, as people would be in other districts. The Government did not profess to say that any district was obliged to become incorporated, but, if they did so, they offered them an endowment. If they wished to improve their property, what better tax could they impose for doing so than that by which they obtained their living? The honourable member said that in the case of mining localities they would be taxing labour alone. He (the Premier) did not wish to go into any philosophical disquisition as to what constituted labour; but if they imposed taxation at all they must tax labour. The accumulated wealth of the miner was represented in the accumulated value of his mine. The miner frequently erected machinery, and in that way the mine obtained a real value—a value which he believed to be the archway to a great deal of the substantial wealth of the colony. Why, then, was it to be exempted from its fair proportion of taxation? They would scarcely be able to apply taxation properly throughout the country were the claims of this particular class of property, which was of paramount importance, to exemption from taxation to be allowed. Take Gympie; there they had a township partly supported by mining men, and partly not. That which might be called the mining property was on unalienated land, and the owners of such property might object to be taxed. But they would have no more right to object than the owners of freehold property might have. At the same time, if it could be shown why the mining population should be exempted from local taxation, as proposed in this Bill, he was prepared to give them a hearing. Much had been said to-night which ought to be taken notice of, and he was very much obliged to the several honourable gentlemen who had criticised the Bill in the friendly way they had done, showing that they believed that it was thoroughly intended to amend the existing law. He believed there were powers in the Bill quite sufficient to embrace the whole of the settled country of the colony; but municipal institutions could not be applied without a certain concentration of population. It would be impossible to carry out municipal institutions in large inland districts, where the population was scattered; but he did not think it possible to deny that the principle of the measure could be applied to the whole of the settled districts of the colony. Such country districts were offered a handsome endowment of £2 for every £ raised by local taxation. The object of the Bill was to induce the people to adopt the municipal system, and if after notification in the *Gazette* they failed to do so, their member would come to this House with not much grace if he expected any assistance from Parliament. The adoption of the municipal principle in country districts had not been attempted before in this colony, but it might be done under this Bill; and as to the money which had been spent by municipalities, he thought none had been better spent, and that most of the municipalities were now well managed. Much money had been spent under them, and better spent than it would be under Government auspices. For this reason he was anxious to see the adoption of the present Bill. In reference to the suggestion that the present municipalities should be relieved of their liabilities, he could not undertake to encourage such an idea. It might be, that after wiping off the present debts of municipalities they would be expected to apply the sponge once more. He believed that our efforts should be directed to a system of Local Government; and in this Bill, whatever defects it might have, there were the germs of what would prove a widespread benefit to the country districts, whilst it was most valuable as a codification of the municipal laws. He believed it could be effectively extended to the country districts, and so the wishes of the public generally would be met. But he was afraid the people in the country

districts of the colony were not yet prepared to apply themselves to Local Government in the way that was expected by some honourable members; and probably the system might be applied to more thickly populated portions of the colony. The member for Drayton and Toowoomba had referred to the question of assessment on the Darling Downs. The fact that the largest amount of land had been alienated there seemed to indicate that the time had arrived for something like Local Government there; but he did not anticipate the difficulty the honourable gentlemen seemed to fear. The honourable gentleman had made reference to the Municipal Act of the Dominion of Canada and advised them to copy that, but, on referring to it, he (the Premier) found that it applied to many things which they did not attempt to deal with in that way here. It applied to the endowment of schools, and scholarships, and a variety of things; in fact, it was a measure which might be made applicable to large provinces. And the condition of Canada was very different from that of Queensland at the present time. There, there was a large and comparatively dense population, while here it was very small, and scattered over a large area. In that respect Queensland could not even compare with Victoria, because there the population was comparatively concentrated. He thought there was much in the Bill that would be found useful; and from the manner in which it had been received, and the criticism that had been applied to it, he had some hope that it would be passed into law and become a very useful measure.

Mr. MCLEAN said no member in that House believed more in Local Self-Government than he did, and he had great hopes when he heard the Governor's Speech delivered that they would have something at least approaching what he considered to be the true principles of Local Self-Government. But he must admit that he was rather disappointed in the Bill now before the House. In fact, he did not see how it could be called a Local Government Bill. It was, to all intents and purposes, what it was set forth to be—"A Bill to consolidate and amend the laws relating to municipal institutions." That was all it provided for, and he had no doubt in that respect it was a good measure; but he could not see how the principles of Local Government could be applied under it. He was surprised that the Government had not brought down along with this Bill the Shire Councils Bill, which was before the House last year and the year before, because he thought it probable that the two Bills together might open up the way more effectually for establishing a system of Local Self-Government than this Bill would do. Taking the district he had the honour to represent, he could not see how the Bill could be applied to it. No doubt there was the town of Beenleigh, but how far the municipality would extend beyond the town of Beenleigh would be a puzzle. He thought the Government in introducing a measure of this kind ought to have come down to the House with the thickly-populated portions of the country mapped out and formed into districts, and have had a Bill to provide for the administration of Local Self-Government in those districts. Then honourable members would have known exactly what they were doing, which they did not in connection with this Bill. The honourable member for Kennedy had asked upon what principle the mining interest had been included in the ratable portions of this Bill, and then pointed out that in Victoria and New South Wales the mining interest was exempt from any rates. Well, he (Mr. McLean) thought the honourable member's question might be answered by another—Why was it that the mining interest in those colonies was exempted? He believed that the mining interest ought to be taxed as much as any other interest in the colony. The honourable member had urged as an argument why miners should not be taxed that in a great many instances on the goldfields they were simply working for a living. Well, let that illustration be carried to the farming community, and they would find that many of them were toiling week after week, and year after year—for what? They were not making fortunes, as many miners were doing, but working for a mere living; and if they were to be taxed, as they were under this Bill, he did not see why miners should not be taxed, especially when, in all probability, the traffic from the mines caused far more destruction to the roads and streets than the carts of all the farmers and others in the community. He thought, therefore, in justice and equity, the mining property had as much right to be taxed as any other property. Another feature in connection with this view of the question was, that the longer a miner worked his property the less value it became to the community, but the longer the farmer worked his property the more valuable he made it; so that if there was to be a tax at all it should be heavier in the case of the miner than in the other. The honourable gentleman had called the attention of the Minister for Mines to the fact that in the event of rates not being paid, the council would step in and take possession of the property; but he seemed to have overlooked the fact that the land was, to all intents and purposes, in the hands of the Crown, and, therefore, the council could not take possession. They could only take possession of land that had been

alienated and had become private property, and, therefore, the honourable gentleman's argument fell to the ground. He saw one very important feature in the Bill, but another as important was omitted: There was provision made for raising taxes—for increasing taxation—but there was none whatever for reducing taxation. If the principle of Local Government was applied and a certain district raised £120,000, there would be that much less money to be raised by the indirect taxes which had to be paid at the present time, so that while provision was made for increasing taxation there was none whatever for reducing it. He thought that if more money was to be raised by rates, a Bill ought to have been introduced to reduce considerably the amount of duty people were now required to pay on articles of daily consumption. With the Premier, he could not see his way clear to relieve the existing municipalities of their indebtedness to the Government. It reminded him of the story of the sailor who complained very bitterly of the manner in which wealth was distributed throughout the world, and when asked how he would arrange it, he said he would bring all the riches into a heap and divide it equally. A person remarked that as soon as Jack got his share he would spend it at once, and asked what he would do then, upon which Jack said he would divide over again. That seemed to be the principle the honourable member for Toowoomba would apply; and when the Government relieved the municipalities of their present indebtedness they would probably become larger borrowers than ever, with the belief that the Government would again relieve them of their difficulties. There were several points in the Bill which he thought could be amended in committee. He would point out that subsection 3 of clause 161 provided that contracts might be entered into by the chairman and two aldermen without any writing; that they might make a verbal contract with any person for certain work, and that contract would be valid in law. He thought that would be a very dangerous system to introduce, and that they should make it compulsory that all contracts should be reduced to writing. It would save a great deal of litigation and dissatisfaction that would otherwise be the result. Again, with reference to contracts, it was supposed that every municipal work over £100 was to be undertaken by contract, and he thought if the Government did a great deal more of their work by contract instead of by day labour it would result in considerable saving to the colony. That was a point he should insist upon when the Bill went into committee. If he could get some honourable members to work with him—that all work required to be done for the corporation should be done by contract and not by day labour—he believed that if the roads and bridges and other public works carried out by the Government were made under a proper system of contract they would probably get one-third more work done for the money than was done under the present system. He was sorry that the Bill was not what he believed the majority of country members expected it would be. He should like to see something that would prevent the log-rolling that was so much spoken of in the House—that honourable members came down there, and the more they squeezed out of the Government, the better they were liked. He believed if they had a proper system of Local Government, it would not only relieve honourable members of a good deal of unpleasant duty, but it would also relieve the Government of a considerable amount of work, and it would also raise the people in their own estimation, and lead them to feel that they had an interest in the colony, which they did not feel at the present time. They now simply said, "Oh! the Government will do this, and that, and the other." They did not feel that they had any position, or any responsibility in the colony, and that was the great point he had in connection with a proper system of Local Government—that it would immediately tend to raise the people in their own estimation, and make them better colonists than they were ever likely to be under the present system.

Mr. THOMPSON thought the Bill was no step towards Local Self-Government, but merely a consolidation and amendment of existing Municipal Acts. He found that by it all previous Acts were to be repealed. The first of those Acts was that called the "Parish Roads Act," which provided that residents within three miles of branch roads were, by a simple process, enabled to tax themselves at the rate of not more than sixpence per acre for the purpose of forming and maintaining branch roads. He saw nothing in the present measure to take the place of that, and he thought that some such provision founded upon that Act and the Victorian Roads Board Act was necessary. The principle of all the other Acts which had been repealed was incorporated in the Act before the House, and he regretted very much that the simple principle of enabling the inhabitants of an outlying district to tax themselves upon an acreage system was not adopted as part of the scheme. There was no new principle involved in the fact that the measure provided for country municipalities, as the same thing was provided for in the Municipal Act of 1864. The only one main new principle was, that the Government had power to compel municipalities to be created; and that, he considered, was a step towards Local Self-Government, because only a scheme which the Government fathered

and imposed upon the population could be effective. He was very much disappointed with the Bill. It was, in his opinion, a useful and careful codification of the present law with a few amendments, and a few undesirable alterations; but he could not see that it was any step towards Local Self-Government. He was free to admit that there were difficulties in the way of establishing the system. If the Government felt that since the drought the country districts were too poor to tax themselves, and that the present time was inopportune, they should have candidly told the House that they would amend the present Act; but as to trying anything else at the present juncture they did not feel they would be supported. But to talk about Local Self-Government and then to produce a thing like that was giving a stone instead of bread. His idea of Local Self-Government would be a grand scheme for reforming the present extremely defective system. The scheme should commence with a measure providing for provincial separation. The second step would be to divide the provincial districts into municipalities, shires, and road districts, or whatever name they might be called by. If the Government were really imbued with the necessity of enforcing upon colonists a reform in the present system of spending money, they should bring down a grand scheme worthy of statesmen, and not simply a Bill which left things where they were before. If sincere, they should have brought down a well-considered scheme, in which the revenue and the expenditure were shown; and some part of the sum usually placed on the Estimates for public works should have been proposed as an endowment to municipalities, so that those who wanted the money would be able to get it by forming themselves into municipalities, and those who did not could remain as they were. The Minister for Works, who should have had the whole thing under his thumb, had never spoken on the subject. The Attorney-General brought down the Bill, and, as it was a mere codification, he was the proper person to do so; but had it been a real scheme of reform, it would have been brought down with the whole force of the Government, and a flourish of trumpets which the leader knew so well how to sound. Although members on his side supported the Bill, because it tended to improve measures on the Statute Book, as a reform it was the greatest absurdity in the world. There were in the measure some improvements on the present law which was in many cases very defective. In several cases in the Supreme Court, in which he had been interested, he had been unable to get redress under it for manifest injuries and wrongs. The Attorney-General seemed to be impressed with the weakness of his position when he introduced the Bill, and in doing so admitted a great deal of money was lost owing to centralization. Any one traveling in the country districts could see that. Places had been pointed out to him (Mr. Thompson) in the Logan district, during a recent visit, where money had been uselessly and wastefully spent, simply because the inhabitants had no voice in spending it. The Attorney-General said they could not map out the whole of the colony, and the Premier said they could not have municipalities without population. Of course, he (Mr. Thompson) admitted that; but he wished to know where was the scheme for extending the Local Government system? Their speeches deprecated any attempt to force it upon the people, and urged that there must be a healthy public opinion. If they waited for that, they would have to wait for ever. They might as well try to find a healthy public opinion to pass a new tariff. The Government, with the strong following they had at present, could pass a proper measure of reform in spending the large amount of money which was voted for roads and bridges. They were now actually losing one third of the amount in mere supervision, and nobody knew how much by useless expenditure. Another instance of such waste occurred in his own neighbourhood, where some bits of metal were being put on a road because it was thought that something must be done to the road whether it was any use or not. He had not the slightest intention of criticising the various parts of the Bill until it came into committee. His fear was that the Government did not intend to do anything. He would be quite ready to concede the necessary powers if he thought they were strong and earnest in their intention to be anything in the matter, and show that it was not—to use the words of the *Telegraph*, he thought—"a simple sham." He should vote for the second reading on the ground alone that it was a useful codification, and improvement of the present municipal laws. He had fully expected, however, that the honourable the Minister for Works would have come down with his financial calculations, showing the saving to the revenue, the improvements to be effected by the scheme, and a proposal for the distribution of the loaves and fishes fairly, not only in the small districts, but in the subdivisions of large ones. He was bitterly disappointed with the provisions regarding Local Self-Government. If the Ministry's policy in regard to Local Government was to end where it did in the Bill, it ended almost before it commenced. The evils they deprecated were the liability to make members unconsciously inclined to corruption or, as they termed it, "log-rolling;" but to do away with that, the fact must be done away with,

that by robbing the Treasury they could get money out of it. Local Self-Government would improve the tone of the whole country, of Parliament, and of their legislation, and would make the Government safer in its place and less likely to listen to demands for money. It would be advantageous to both members and constituents. The Bill might answer its purpose, but he could see no reform in it.

Mr. MORGAN was not a bit surprised at the remarks of the honourable member for Bremer. He would defy any occupants of the Treasury benches to bring forward a Bill which would satisfy honourable members sitting on the opposite benches. He did not except the honourable member who had just spoken, for he was just as unreasonable as any. He (Mr. Morgan) supported the Bill most cordially, because he believed it to be a step in the right direction. When the honourable the leader of the Opposition announced that he did not intend to oppose the second reading, he thought that the debate would have closed soon. What had been the use of the talking that had been done since? He was afraid they were addressing their constituents through *Hansard*. He did not say the Bill was a perfect measure, but it had a beneficial tendency, as it would teach the people of Queensland to rely more upon their own resources. They were getting fast demoralised, and in another year or two would arrive at that pitch that when they wanted boots they would expect the Government to find the shoe-strings or buckles. The people were not likely to tax themselves too heavily under the Bill, and they would see by it that they could demand an equal subsidy or one in the proportion of two to one. They would be made more independent, and would have the expenditure of the money, which was an improvement, as no Government officers could possibly know the requirements of farming districts, for instance, so well as the residents themselves. He should support the second reading most cordially, and when the measure passed through committee he hoped to effect some salutary alterations.

Mr. BEATTIE said it was his intention to vote for the second reading of the Bill, but in committee he should endeavour to amend certain portions conferring powers upon the Government which, if used arbitrarily, would, he believed, do serious injuries in different localities and municipalities. It struck him as rather singular to see a clause giving the Government power to annex to any municipality any outlying district forming one continuous area with the municipal district. When he saw that clause, he could not help thinking that it was one of the reasons why a certain answer was given at a large public meeting of the Brisbane municipality with reference to an area contiguous to the municipality. If the right conferred by the clause were exercised by the Government, and they in their wisdom deemed it desirable to annex a large area of unrated land contiguous to a municipality, they would do a serious injury. He hoped, in committee, to be able to show that it was undesirable to leave any such power in the hands of the Government as compelling municipalities to extend their boundaries without the consent of a majority of the ratepayers. He was rather surprised to hear the honourable member for Toowoomba, who was one of their greatest authorities on municipal government, express himself with respect to the way property was generally valued in municipalities. He could tell him from his experience that aldermen never interfered with the work of the valuers. If they were to do so, they would break one of the fundamental laws of municipal government; they would, in fact, vote on a question in which they were directly interested, and would commit a breach of the Act. The usual practice in Brisbane was for the valuers to make their assessment, which went to the Court of Petty Sessions to be appealed against, if any ratepayers were dissatisfied. He also observed that the Government proposed to give to municipalities the sole control over drainage and other sanitary matters connected with their localities. He could not understand how that matter was introduced in the Bill. If they intended to give the Board of Health similar power, he was afraid they would have two bodies—one elected by the people, the other appointed by the Government and not responsible to any one—which would clash. It would have to be the duty of the Government to see that part of the Health Bill excised, leaving the whole power in the hands of councils elected by the ratepayers. He further observed that the Government proposed to give municipal councils power over the water-supplies for the various towns within their jurisdiction. He trusted that this would be simply the forerunner of their intention to relieve the city of Brisbane from some of its responsibilities, and to make its water-supply what it ought to be, but was not, viz., a credit to the Government, handing it, afterwards, over to be governed by a body of men elected by the ratepayers. Such a system of management would, perhaps, give more satisfaction than the present. Looking over the whole Bill, and not criticising the provisions intended to benefit the country districts, he considered it an improvement upon the present Act, so far as it extended. He should support the second reading, but reserved to himself the right to attempt amendments in committee, of the extraordinary powers in connection

with the extension of municipalities, and the increase of areas.

Mr. MACFARLANE (Rockhampton) intended to vote for the second reading of the Bill, although he was rather disappointed with what had been laid before them. He was afraid that the Bill would have but a limited operation; that it would be confined to existing municipalities and to perhaps a few localities in their neighbourhood; or at the very outside to a few of the rising towns in the interior. Still, as it was possible to improve it in committee, he would vote for the second reading. Before going any further, he would say that he had very little sympathy with the suggestion of the honourable member for Toowoomba that the debts owing by the present municipalities should be "wiped out." He did not see what was to hinder municipalities, if properly managed, doing their own work and honestly paying their debts. He hoped the law would be rigidly applied, and that all municipalities would be made to pay both principal and interest. He wished the Attorney-General, when introducing the Bill, had sent a copy of it to every Municipal Council, and in going into committee, he trusted the honourable gentleman would bear this in mind by naming a day which would allow all outlying municipalities to give some little consideration to the measure. He would now make a few cursory remarks on the Bill, though he should have more to say in committee. The 13th clause provided that the number of councillors should be a multiple of two, being not less than six nor more than twelve. He strongly objected to this, especially when taken in connection with clause 40, which provided that one-half of the members should retire each year. The old system, providing that only one-third of the members should retire each year, was far better. The municipality of Rockhampton, of which he had been for some time a member, was divided into three wards, with three aldermen to each, and the system worked well; while the new scheme, if made general, would cause much annoyance and trouble to that municipality. When a system had been found to work very well indeed, why should it be altered? He hoped the Attorney-General would be able, in committee, to give some good reason for the change. He (Mr. Macfarlane) could see none, and if possible he should try to have the present arrangement kept in force. The honourable member for Logan wanted it to be an instruction that contracts should be obligatory in every case. Although he was in favour of contracts generally speaking, he did not think it fair to say to municipalities, "You shall do your work by contract, and in no other way." At Rockhampton, some time ago, when certain work was required to be done, all the contracts sent in were too high, and the council did the work itself very much below the lowest tender. If this was made a hard-and-fast line, municipalities would be thrown into the hands of contractors. He much approved of the whole clause relating to bye-laws. Municipal authorites ought certainly to have some voice as to the sort of buildings that should go up in a town, otherwise they would have buildings which would be both a disgrace and a danger. The rule relating to preventing and extinguishing fires was also necessary. A great deal of trouble had arisen from the use of galvanized iron buildings; they had become a perfect nuisance, and were as inflammable as wood. In Rockhampton, two decisions had been given on this point. In the first, the police magistrate affirmed that they were fire-proof; and in the second, three years ago, the bench of magistrates decided that they were dangerous, and prohibited them. The 25th subdivision—establishing, maintaining, and regulating public libraries, schools of art, museums, botanical gardens, public baths and wash-houses, and other places of recreation—he was glad to see introduced; and he hoped the day was not distant, when towns would not come to the Government cap-in-hand for grants to their schools of art and public gardens. This bye-law would at all events enable municipalities to assist when the amount granted by the Government was too small. As to the clause defining what should be rateable property, he thought the exceptions were enormous, and he should endeavour, in committee, to obtain some diminution of them. The Premier saw no objection to the establishment of shires over the whole of the settled districts, but it would come rather hard on the owners of runs in the last year of their tenancy, or even if they took up the land again they were only entitled to it for five years, with free selection over the whole. He was glad to see that the provision for the recovery of rates had been so very much simplified; for, under the old system, the difficulties in the way were almost insuperable. He did not think that clause 217, limiting the borrowing of money, would do the corporations much harm, for he did not think capitalists would advance a loan on cheaper terms than five per cent. He fully approved of clauses 218 and 219, for no council should be permitted to borrow money without well-considered plans before it, and fair notice should be given to the ratepayers of their intention to borrow. Clauses 221, 222, and 223 introduced rather a novel system, and although he had not quite made up his mind, he felt rather inclined to oppose it. He did not think that power should be given to one-third of the ratepayers who chose to vote to stop a loan. A loan might be required for very im-

portant purposes, and although municipalities were said to be ready enough to contract loans, yet, sometimes, what had been called the ignorant impatience of taxation might make itself felt, and some much-needed loan be stopped. The 226th clause made provision for a special loan rate. Under the present system that was unnecessary, for out of the endowment the Government stopped the whole of the interest due, and five per cent. in payment of the principal. That was quite security enough without making more special rates. If corporations were compelled to come to the Government for their loans, no Treasurer would allow them to draw more than their endowment would cover. He saw no necessity for this clause, and unless good reasons were adduced to the contrary, he should move that it be expunged. The sewerage and drainage of towns was a very important matter, and he was glad, therefore, to find that by the 249th section, power to undertake such works was given. It had been said that this provision would conflict with the Health Act Amendment Bill; but as there was no likelihood of that measure passing—and he for one had no intention of giving an irresponsible board, such powers as were asked for—he should very gladly vote for the second reading of this Bill, believing that so far as it went it was a step in the right direction.

The MINISTER FOR WORKS said the honourable member for the Bremer had expressed his surprise that the Government had not come down to the House with a long list of figures in support of the Bill, but if they had done so, the probability was that they would not have had the slightest effect upon the honourable member, who would have said that they were incorrect and not to be relied upon. The most extraordinary thing was, that the honourable member, in winding up his remarks, expressed his intention of supporting the second reading of the Bill. He had noticed that for the last three sessions a Local Government Bill had been introduced into that House and had never got beyond the first reading, and from the expression of opinion of honourable members, it would have been utterly futile to have proceeded with such Bills, and he was quite sure that if the Government had attempted to pass the Bill of last session they would have been unable to carry it. It was on those grounds that they had brought in the present measure, which was considerably modified in its form. If the Bill did nothing more than to enable the shires and municipalities to spend their own money, it would accomplish a great object. He knew from his own experience and observation in travelling through the country, that a greater part of the money voted by that House was actually thrown away. It was, in fact, a general complaint wherever he went that money voted by that House for public works was thrown away, and that it was spent in places where it was not required, or on bridges that were not necessary; therefore, he thought that if each district had the expenditure of its own money it would be far better. Moreover, he thought it was unfair to municipalities, some of which had at great expense to themselves made good streets, that they should not only be taxed to keep those streets in order, but also have to pay for the roads outside. He was quite positive that if the Bill passed in its present form, or with amendments, it would be a step in the right direction; at all events, it would teach the people to be self-reliant and to look after their own affairs. There was one circumstance which had come under his observation recently. In a certain district during the last drought, there was a great scarcity of water, and the only spring had been destroyed by the cattle being driven into it; well, an application was made to his department for a sum of money to clear out the spring, whilst he was confident that the work could almost have been done with the very money that was paid in canvassing the district to get signatures to the petition. In fact, the whole system had been of a character that was demoralizing to the people themselves, as they brought pressure to bear upon the Government to do everything for them. Another case occurred to him, where the Government had sunk a well in the neighbourhood of a public-house; the publican happened to have a large orchard which he irrigated and exhausted the well, and then the man applied to the Government for a fresh supply of water. Those were two out of many cases. He was under the impression that notwithstanding all the condemnation the Bill had received, it would give the Government ample power to proclaim shire councils wherever they thought them necesssary, or the inhabitants desired them. but on the other hand he believed that if they had tried to pass the Bills of the last three sessions they could not have done so. The present Bill gave them the power to initiate a system of Local Self-Government, and they could improve upon it at some future time. He had tried for a long time to induce people to look more after their own affairs, and he would go so far as to say that if the Bill gave the people £3 to every £1 instead of £2 to £1 as was proposed by the Bill, it would be a most beneficial thing, as it would teach them to look after their own roads and other works; he was also quite sure that one-half of the money then spent would go as far as the whole of it would under the present system. He had lately received four petitions asking for large sums of money for certain districts, not for the purpose of making bridges or roads, but simply to have it

spent for the benefit of certain persons. That was another reason why the present Bill was necessary, and although it might require amending after they had some little experience of it, he believed it would do a great deal of good. The Government would have no objection to receive any suggestions that were made by honourable members, as it was a measure which could only be passed with the assistance of both sides of the House. The Government had not brought it in for the purpose of saying that it should be carried as it was, and he was quite sure that his honourable colleague, the Attorney-General, would accept any good suggestion, no matter from which side of the House it came, their object being to make the Bill as good as possible for the initiation of a proper system of Local Self-Government.

Mr. MACFARLANE (Ipswich) said he felt somewhat disappointed that the Bill did not go further in regard to country districts. There were certain things in it in relation to municipalities which he very much approved, and there were others of which he did not approve; on the whole, however, he thought it would be a considerable improvement on the present state of things. With reference to clause 81, which made it necessary for a candidate to deposit ten pounds with the returning officer, he could not say how that would affect other municipalities, but he believed that in the town he represented it would be found very difficult to get men to come forward if such a clause remained in the Bill. Then, again, in regard to clause 92, he was of opinion that it was not sufficient to obviate a system of corruption which prevailed at present in reference to ballot papers; and he considered that the best plan would be to cause the returning officer to initial the outside of the papers instead of the inside. He was very glad that the introducers of the Bill had not carried out what had been originally proposed—namely, to vest the election of a chairman in the people outside, as he thought it should be left to the councillors themselves. He noticed by bye-law 168 that power was to be given to municipal councils to regulate amusements, exhibitions, &c., and he would suggest that the game of bagatelle should be added as one which should be under their supervision, as it was a game of profit as well as amusement. Then, in regard to clause 178, which referred to valuations, he would remark that there was the greatest amount of difficulty in respect to it. Almost every year at Ipswich the valuator's assessment altered considerably, and, as was observed by the honourable member for Toowoomba, the committee appointed to revise the list sometimes increased and sometimes reduced the amount. That might be accounted for by the fact that a valuator, whilst disposed to be just in every case, might use his authority to increase the rates of those he might not be favourable to, and to reduce those of persons to whom he might be friendly. In Ipswich, in order to avert that evil as much as possible, they adopted a system of making the officer initail the alterations made. But unfortunately last year the gentleman omitted to do that, and put the district to great difficulty over it, with the result that honourable members well knew. There was another clause which he wished to touch upon, clause 214, which referred to municipal bodies resuming land thirty years after giving notice of taking possession. This might be remedied by giving power to corporations to resume after thirty years' rates had become due. If that was altered, the clause would answer the purpose very well, and he should support the second reading of the Bill.

Mr. GRIMES admitted there were very great difficulties in the way of dealing with a Bill of this kind, which referred to a question affecting the construction of the roads and bridges of the colony; and he confessed that he did not see how the Bill was to effect Local Self-Government to any very great extent, though it might be a very valuable codification of the laws we now had in reference to municipal institutions. In that respect, it might be a very good measure, and possibly it would go a little way in the direction of introducing Self-Government into the settled districts of the colony. He was afraid, however, that its operations would only affect the districts immediately contiguous to the present municipalities, and would not apply to the colony as a whole. He did not see any great difficulty in dealing with the matter of the expenditure of moneys on public roads, at any rate, supposing the colony was mapped out into shires in such a manner that as great a community of interests as possible in those shires could be benefited by them, in which case the residents might fairly be called upon to contribute their quota. If that were done there could be no great difficulty in the money being expended as at present through the Government. There was no provision in the Government Bill for assisting districts which could not come within its scope, and he thought the objection of the honourable member for Wide Bay was a very tangible one—that it would be most unfair to call upon districts already taxing themselves and receiving no aid from Government to contribute towards districts which did receive that assistance. To enable the country generally to take advantage of the Bill, it must be applied to the colony as a whole, otherwise it would not be right, and was not applicable to the agricultural districts of the colony.

Mr. Low said the honourable member knew very little about the country districts; but if he knew the gullies and swamps that had to be traversed as well as he (Mr. Low) knew them, and took a turn with him 600 miles into the interior he would then have less to say about taxes to make these roads.

The Hon. R. PRING did not intend to address himself to this Bill or its various clauses, but he would like to say a few words in reference to the principle initiated in the Bill itself. He did not object to Local Self-Government at all; in point of fact he was greatly in favour of it; but, whilst in favour of it, he had an opinion of his own as to the best mode of legislating upon the subject. He should have preferred to have seen the present Municipal Institutions Act remain in force as affecting the existing municipalities, or municipalities to be created under the present Bill. And he thought it would have been a wise thing if the Municipalities Institutions Act had been kept intact, and the House invited to consider the question of Local Self-Government in districts as a separate subject. He did not deny that the principle of municipal institutions as they existed at the present, might not be well applied to Local Self-Government in districts; but it appeared to him that this Bill with so many clauses might create great difficulty in carrying out its provisions by-and-bye. He had always been of opinion that in dealing with different subjects separate measures were beneficial, not only for the better working, but also for the revision of the machinery required for the working of any particular Act. He had observed that in this Bill all the existing Acts of Parliament about municipal institutions were repealed by one clause; and he had also noticed that the towns in which corporations existed were to remain intact. He had further observed that the present Act would apply to towns which might be incorporated under this Act, and that powers were given to the Government to proclaim certain districts to which the provisions of the Bill should apply. He agreed with the remarks made by the honourable the Minister for Works that if they could not compel a district to take advantage of the provisions of this Act—for he did not know that a *mandamus* would be issued to the people to rate themselves if the Government proclaimed the district—if they refused to accept the Act, they would have no grounds for asking for money to be granted them from the revenue of the colony for their own special benefit. He should have liked to have seen two Bills brought in, or that the present law should stand, and what was in the present Bill, dealing with Local Self-Government, embodied in a separate Act of its own. He presumed that what was meant by the Bill was simply to introduce a system of extending the principle now existing under the Municipal Institutions Act. But there was one question he should like to ask, and that was—Whether high roads used by the public were to be kept up and maintained by each district through which they might happen to run? That would be an act of great injustice to a district; in point of fact, the principle of Self-Government was simply this: that in order to lessen the burdens of the State, it was considered that the people should tax themselves by paying rates according to certain principles laid down, and being governed by an elective body; and that the revenue derived from the rates should be applied for the benefit of the district. Believing that, he asked himself the question—What would be the necessary requirements for an outlying district? The only answer that he could make to himself would be "Roads and bridges." Therefore, he could not understand what districts, outside towns, could want with Self-Government, except in reference to these roads and bridges. But that a main road used by the public should be maintained by the inhabitants of the district through which it might run was not what he considered a fair thing. It was a road for the benefit of the country, used, perhaps, for the purpose of carrying Her Majesty's mails; and if it ran a distance of, say, twenty-five miles through a district, the public exchequer should bear the expense of it. He thought, therefore, that all public roads which had been constructed and used by the general public should be exempted from the operations of this Bill, so that the ratepayers should not be burdened with taxation to keep up a portion of the main roads, that was used for the public, because it happened to run through a proclaimed district. He desired to repeat his opinion, that whilst he fully concurred in the principles of Local Self-Government, he should very much like to have seen the two subjects incorporated in this Bill, divided. He admitted the application of the principles of the Municipal Institutions Act to Local Self-Government with certain modifications and alterations, but at the same time he thought the two should be separated and ought to have been kept distinct in legislation.

Question—That this Bill be now read a second time—put and passed.

The ATTORNEY-GENERAL moved that the committal of the Bill stand an Order of the Day for Wednesday next.

Mr. MCILWRAITH thought the Government should accept the suggestion of the honourable member for Toowoomba. They would certainly want more than a week to get the opinions of the various municipalities on the Bill. How could they get the opinion of the Townsville municipality, for instance, in a week?

The ATTORNEY-GENERAL said it did not follow that because the committal of the Bill was fixed for next Wednesday it would come on on that day. Each municipality would have a copy.

Mr. GROOM asked if he understood the Attorney-General to say that copies of the Bill had gone to the municipalities?

The ATTORNEY-GENERAL: It is proposed.

The PREMIER: Instructions have been given to that effect.

Question put and passed.

DRAINS AND SEWERS BILL.

On the motion of the COLONIAL TREASURER, a Bill to make further provision for the construction of Drains and Sewers in the City of Brisbane was read a first time, and the second reading made an Order of the Day for Tuesday next.

The House adjourned at five minutes past 10 o'clock.