

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 16 SEPTEMBER 1879**

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accordance with the proposed Financial Districts Bill of 1879, including the apportionment of the three-million loan authorised by Parliament during the present session.

#### NORTHERN RAILWAY DEVIATION.

The MINISTER FOR WORKS (Mr. Macrossan), in rising to move—

1. That the following Resolution of this House, come to on the 7th August, 1877, viz., "That this House approves of the Plans, Sections, and Book of Reference of the Railway from Townsville towards Charters Towers," so far as such approval relates to the first two miles of the said railway, be rescinded; and that the Legislative Council be invited to take similar action in regard to the approval accorded by that House.

2. That this House approves of the Plans, Sections, and Book of Reference of a deviation of the Northern Railway at Townsville from a point marked OM (blue) to a point on the original survey marked 2 miles (red), being a distance of 1 mile 21 chains 40 links (blue), as laid upon the table of this House on the 20th August.

3. That the said Plans, Sections, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form—

said that it was necessary for him to explain why it was proposed to deviate from the original plan. The deviation formerly proposed followed the road from Townsville to Bowen and joined six miles on the old line. The first mile or two of the original line was over very swampy ground on both sides; it had been known to be under four feet of water, and cattle and horses had been lost. To avoid excessive flood and the purchase of much private property, and also to prevent any disturbance of the vested interests of the people who had founded the town, the Government had determined to start the line from some point in the town and carry it along the main road to a point on the original line between the six and seven mile pegs. By doing this he reckoned there would be a large amount of Crown lands to sell, which would be the means of bringing a considerable sum to the Treasury, and the land would be increased in value by the building of the railway. It would be sold for suburban allotments, and would probably bring from £2 to £10 an acre. Besides this, it would be the means of establishing a large suburban traffic. The engineer in charge of the Northern Railway was instructed to make a survey and put himself in communication with the Mayor of Townsville; but the surveyor, instead of taking the direction which the Government intended, took one through private property inside the road and cutting off some valuable frontage. It was only when Mr. Ballard came to Brisbane on business that he discovered that the survey was not that which

#### LEGISLATIVE ASSEMBLY.

Tuesday, 16 September, 1879.

Formal Motion.—Northern Railway Deviation.—Central Railway Extension.—Northern Railway Extension.—Roma to Mitchell Extension.—Formal Motion.—Supply—report.—Railway Reserves Amendment Bill—second reading.—Railway and Tramways Bill—second reading.—Victoria Bridge Lands Sales Bill—committee.—Crown Lands Alienation Act Amendment Bill—committee.

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

#### FORMAL MOTION.

On the motion of Mr. AMHURST, it was resolved—

That there be laid upon the table of the House, a return showing—

1. The Customs Collections at the different ports of the colony from 1861 to 30th June, 1879, with the totals for each port and for each of the four financial districts for the same period.

2. The general debt and the local debt of each of the financial districts, apportioned in

the Government intended to make. The surveyor had also declared that the deviation would be more costly, and that a larger amount of bridging would be required upon the Ross River; also, that some culverts and bridges would be required elsewhere. Mr. Ballard discovered that the Government intended to take the line along the main road, and at once came to the conclusion that it was the better plan. He (Mr. Macrossan) would refer hon. members to the printed correspondence as to the proposed deviation of the Northern Railway at Townsville. Mr. Thorneloe Smith being to a certain extent the engineer who had originally surveyed the line, reported in favour of the original line as compared with the proposed deviation; but he suggested another deviation which would not take the main road. That deviation was not adopted by the Government. Ultimately Mr. Ballard suggested a deviation which was alluded to in the last paragraph but one of his printed letter of the 10th of July, 1879, in which, after discussing the several projects which had been proposed, he said:—

“A very feasible alternative scheme, which would, I think, satisfy many, would be to commence the railway at the Ironworks and connect the town at two miles on the original chainage at Ross River by an easy curve starting immediately after crossing the creek. It possesses the merit of not interfering at all or ever with the navigation, saves about three-quarters of a mile, and could be started at once without further trouble, as it would not interfere with the original survey from two-mile to six-mile peg.”

This was the deviation which the Government proposed to adopt; and by doing so the great extent of swampy land on the banks of the Ross River, to the police paddock, and on Ross Island, would be avoided; and the line, high and dry, would run along a comparatively stiff ridge into the town to the head of navigation in Ross Creek—to a spot spoken of by Mr. Ballard as between the iron foundry and the ice works. He (Mr. Macrossan) had no data upon which to ground the amount of saving that would be made by this deviation; but it was safe to say that it would be between £4,000 and £5,000, seeing that it was three-quarters of a mile shorter than the original line, and that it would avoid the swampy ground referred to. It would bring the terminus into the town and avoid any disturbance of the interests of the people of Townsville. This latter was a great consideration. In all these new towns the people who had spent their time and capital in founding it should be disturbed as little as possible by the Government of the day. He would not take up the time of the House further upon the question, believing that most members would be satisfied by reading the printed papers;

more especially as the Government did not intend to carry on the jetty works at present. It would be folly to take the line to a terminus where the original project of shipping and discharging cargo had not been carried out.

The Hon. J. DOUGLAS doubted whether the conclusion arrived at by the Government was a wise one, and whether it was in the interests of the people of Townsville and that portion of the Northern territory which was to be opened up by the railway. Unquestionably, the main object to be secured was to see that the best possible access was obtained to a point where shipping might be conducted economically and successfully. This deviation deferred that consummation. The original design was to connect the railway with the jetty, and that seemed a reasonable mode of dealing with the question. A large amount of money had already been expended on the jetty, and it was contemplated that a still larger amount would have to be expended, though not immediately. The time had been unwisely deferred by the Government, because it seemed to be manifestly an advantage to the community at large that a good port should be made at Townsville. Townsville at present was not a good port, and its only chance of being made into a good port would be to continue the jetty in accordance with the original design. That, however, had been deferred for the present, and, in consequence, they were now asked to benefit the Townsville people in preference to the entire community. He doubted very much whether the Townsville people would be benefited by the change, for what most benefited the community would most benefit them. From the report of the Engineer-in-Chief of the Northern line, he gathered that the change would involve an additional expenditure of £10,000 or £15,000. Mr. Ballard's words were:—

“To sum up the above report, I have the honour to state that if you look upon the jetty as your terminus, the original line is the best; but if you look upon the head of navigation as your terminus, the deviation should appear of equal merit, being of equal length as regards the interior, and possesses the advantage of being more convenient for the town and likely to open up trade and settlement in its suburbs, and will be of about equal cost. There is no doubt, however, that the ultimate cost of the deviation over and above the original line, *when connected with the jetty*, will be, as I said in my report of 12th May, at least £10,000 or £15,000 more than the original line.”

The opinion of that gentleman evidently leaned towards the original plans. Under the new plans there was no saving in length of line, while less convenience was given. The only advantage in connection with it was that possibly a suburban traffic of

some kind might be created, which would convenience the people of Townsville. He thought the people of Townsville would much prefer to secure the real solid commercial advantages which would flow from the connection of the railway with the jetty. Without wishing to overlook the merits of the people who founded Townsville, yet the House could hardly be expected to make a railway for their benefit in consequence solely of their enterprise as pioneers. But that seemed to be one of the reasons on which the Government had arrived at their decision. The position of Townsville, situated as it was between a shallow inlet of the sea and a high hill, made the ground available for building purposes very small indeed. The space between Ross Creek and Castle Hill was very restricted, and the town would benefit much more even in that respect by carrying out the railway in accordance with the original design. He did not agree with the motion, and if it came to a division he should in all probability vote against it. So far as the using of the road was concerned, that was an innovation to which he had no objection, and it might turn out a very useful one. Whether it was exactly desirable in this particular case was another thing, and he was not sufficiently acquainted with the local circumstances of Townsville to give an opinion on the subject. So far, however, as the mere fact was concerned that they were going to make use of a portion of a road, it commended itself to him as an innovation which might safely be adopted, and in that respect he did not object to it.

The PREMIER (Mr. McIlwraith) said the hon. gentleman (Mr. Douglas) had been speaking against a scheme which the Government had not in contemplation, which they did not recommend, and never intended to recommend. The scheme of the Government was explained in the plans on the table, and the hon. gentleman had been raising objections to a totally different line, as a glance at the printed correspondence would have shown him. Such being the case, there was nothing to reply to in the hon. gentleman's speech. Instead of the line being the same length as the original one, it was shorter by three-quarters of a mile. It was also a cheaper line, gave greater facilities of communication to the Townsville people, and did not run through a swamp where nobody lived. Had it been the object of the Government to bring the line to the best point to reach the shipping of the port they would have adhered to the one originally surveyed; but when they decided not to go further at present with the artificial harbour works at Cleveland Bay, it necessarily followed that the railway should take a different direction, and this deviation was the consequence. He

was satisfied that the colony generally would approve of the change, and that even the Townsville people themselves, notwithstanding what might be said to them for electioneering purposes, would also approve of it. The town would benefit by the change, and the colony would, at the same time, save a considerable amount of money.

Mr. PATERSON asked whether it was to be understood that the jetty works had been finally abandoned?

Mr. McLEAN said he considered the hon. member (Mr. Douglas) had been speaking directly to the point, his objection being to the deviation altering the course of the railway from the jetty into the town. That deviation was made entirely in the interests of the Townsville people. But even that was delusive, for, as anyone who knew anything about Townsville could see, the position of the town would be shifted at no very distant date. As at present located, it had no room to extend itself, and the direction it must of necessity take was towards the junction of the original survey with the present deviation. Ross Creek, he felt confident, would never become a harbour, and ultimately the whole of the shipping would have to be done at the new jetty. The interests of the people in the interior of the country, who ought to be most benefited by railway construction, had been sacrificed to the interests of the people in Townsville. The main objections to the Brisbane terminus were that it was too far away from deep-water, and he feared the Government was going to repeat that unfortunate mistake at Townsville. According to the original plans goods could be discharged almost alongside the trucks, but by the deviation they would have to be carted from the wharf to the town and from the town to the wharf.

Mr. DICKSON said he would simply add to what had fallen from his hon. friends, that to his mind the only justification that existed for making the expensive harbour works at Cleveland Bay, at a cost of something like £60,000, was the connection of the jetty with the interior by means of a railway. It now appeared that the jetty was to be left in an unfinished condition, and no revenue could be derived from it until a further large expenditure had been incurred in making another line from the town to the jetty. He had already stated his strong opinion that it was a mistake to abandon the works at the jetty, and he regretted to find that the Government intended to connect the town, and not the port, with the interior. The mistake made in the metropolis ought to act as a caution to all future Governments in connection with their railway legislation, and their great object at the coastal termini should be to afford facilities for shipping. Those facilities had been given at a great expense

at Cleveland Bay, and in that light he looked upon the proposed deviation of the line as a most serious mistake. No matter what improvements might be made in Ross Creek, sooner or later the jetty would have to be proceeded with. The removal of the rocks in Ross Creek would not form a sufficient harbour for a large and growing place like Townsville, and the people there would steadily revive their cry for the extension of the jetty to such a distance that large vessels could lie alongside it at low-water. An attentive consideration of Mr. Nisbet's report would convince hon. members that, having incurred such a large expenditure in connection with one of their finest harbour works, it was a mistake to discontinue it; and it would be a still greater mistake not to connect the jetty with a line of railway running into the interior, by which means alone a revenue could be obtained for the use of the jetty. Let the deviation be made, and an agitation would immediately arise for its extension to the jetty, for until that was done the requirements of the port would not be met.

Mr. PATERSON rose, but was ruled out of order by the SPEAKER, on the ground that he had already spoken.

Mr. KINGSFORD said he believed the hon. member simply wished to repeat his question, to which no answer had yet been given.

Mr. MILES said it was evident the mistake made with the Brisbane terminus was about to be repeated at Townsville. The inhabitants of the interior had as much right to be considered as the inhabitants of towns, and ought not, for the sake of the latter, to be put to extra expense in getting their goods from the railway to the ships. In order to give the hon. member (Mr. Paterson) an opportunity of addressing the House on the subject, he would move the adjournment of the debate.

Mr. PATERSON said he wished only to repeat his question, to which no answer had been given. Although he had never been in Townsville he took a deep interest in its progress and prosperity. He would say nothing on the subject of the deviation, believing that the Government were better qualified to determine that question, and felt quite disposed to allow their judgment to decide it. He was anxious, however, to know whether it was the intention of the Government to abandon the jetty works at Townsville?

The PREMIER said that, in not replying to the question before, he meant no act of discourtesy towards the hon. member. He was simply prevented from doing so by the rules of debate. On three different occasions he had said that the Government did not intend at present to carry out the harbour works at Townsville further than had been already sanctioned by Parliament.

Question—that the debate be adjourned—put and negatived.

Original question put—

The House divided:—

AYES, 21.

Messrs. Palmer, McIlwraith, Macrossan, Perkins, Cooper, Scott, Hill, Low, Stevenson, Stevens, Lalor, O'Sullivan, Morehead, Norton, Perse, Archer, Amhurst, H. W. Palmer, Paterson, Price, and Hamilton.

NOES, 8.

Messrs. Macfarlane (Ipswich), Rea, Douglas, Miles, Dickson, McLean, Hendren, and Kingsford.

Question, therefore, resolved in the affirmative.

#### CENTRAL RAILWAY EXTENSION.

The MINISTER FOR WORKS moved—

That the House approves of the Plans, Sections, and Book of Reference of the Extension of the Central Railway from 197 miles to 260 miles, laid on the table of the House on the 25th of August; and that the said Plans, Sections, and Book of Reference be forwarded to the Legislative Council for their approval, by Message in the usual form.

In doing so, he said the route indicated had been carefully surveyed by the surveyor for the Central district, and several trial surveys had been made to find the best crossing-places in the ranges over which the line would pass. The whole of the line went through Crown lands. As hon. members on both sides of the House were agreed that a line should be made, he need only say that the route chosen was the best that could be found.

Mr. DOUGLAS said he believed the decision had been arrived at by competent judges, and that the route chosen was the best from an engineering point of view, and possibly from a commercial and territorial point of view. He had heard, as a matter of history, that Sir Thomas Mitchell, when first exploring the country, indicated that route as the one which would probably be adopted for a railway, and it seemed that his anticipations were likely to be fulfilled. On the present occasion it was not undesirable that the House should be informed of the probable direction the line would take beyond the 260-mile peg. The present proposed extension would take the line to a few miles beyond the crossing of the Belyando, and, although the Government might not be able to state the exact direction, they could give their opinion on the subject.

The MINISTER FOR WORKS: Due west.

The COLONIAL SECRETARY: Towards Barcardine Downs.

Mr. DOUGLAS said the information would be useful in assisting the House when they came to consider the other lines which they would be asked to authorise. It was very

important to have a distinctly-defined idea of what they were aiming at, as the future prosperity of the country depended largely on a wise decision. He did not propose to offer any objection to the passing of the resolution, but he regretted extremely that proper means had not been taken to anticipate the additional burden which would devolve upon the people through the construction of those lines. It would have been wiser to make provision ahead for the largely-increased expenditure to which the colony was about to be committed. The Government had already been told distinctly that whatever was required in excess of present revenue must come from territorial revenue. It was his own firm conviction, expressed before this Parliament commenced, that such would be the case, and nothing had been advanced to shake that conviction.

Mr. MILES said he thoroughly concurred with the remarks of the hon. member (Mr. Douglas). He did not intend to offer any opposition, but he took the opportunity of again warning some hon. gentlemen opposite that at some future time they would be called upon to contribute their fair share towards paying the interest on the cost of carrying those lines into the interior of the country. The property of pastoral tenants would be enhanced in value, and it would have been only fair to have asked them to contribute towards paying the interest. They would not always be on those benches—a day of retribution was coming, and when it did come it would be effective. He did not desire to sit on those benches himself, but he hoped to see a party there who would do justice to the public, and not run railways into the interior to benefit properties held at nominal rates, and he hoped to lend a helping hand in making pastoral tenants contribute a fair share towards the cost of making their railways.

The Hon. S. W. GRIFFITH said he did not like the motion to pass without saying a word or two, although most of his observations had been anticipated by hon. gentlemen who had spoken. This was the first of three resolutions two of which committed the country to the extension of the Central and Southern trunk lines into the interior. He had nothing to say about the route which had been discussed and determined upon, but there was one thing that was not settled—who was going to pay for those lines? Hon. members knew what was the state of the revenue last year; and, as there were no signs of the Treasurer's anticipations made at the commencement of the session being realised, it was probable that at the end of the present financial year the difficulties might be greater than they were at the commencement of it. Under those circumstances they had to look round and contemplate the almost certainty that when Parliament met next year some great

change would have to be made in affairs, and the readjustment of the finances of the colony would have to be considered in a much more serious manner than it had ever been before. The Government had lost the best opportunity any Government in the colony ever had of dealing with this question. At the commencement of the session they were strong in the House, and had they set themselves to work to deal with the financial question they would have found considerable support from both sides of the House. They would never have such an opportunity again, and they knew it. His own impression was, they did not care—they had carried out their principal item in getting authority to raise a loan, and, when the reckoning came, they would be quite content to let somebody else see to that. They had only dealt with half the subject, and they knew it very well. They had not consulted their own reputation; and the Colonial Treasurer had not consulted his reputation as a financier in the course of action taken. He (Mr. Griffith) cordially agreed with hon. gentlemen who had spoken—and he had previously expressed the same opinion—that the interest on the cost of constructing those lines must be paid out of territorial revenue. The contribution from that source was absurdly small compared with what it should be, and he wished it to be distinctly understood that hon. members on that side (Opposition) were firmly resolved to place the burden upon the right shoulders. It would not take very long to do it; the pastoral tenants were not supported by a majority in the country, and it would not be long before the majority outside would be reflected by a majority inside the House. Hon. members who boasted that they had no interest in the country passed the vote cheerfully, and ridiculed hon. members who had an interest in the country. They laughed; but to those who expected to bring up their families in the colony and live in it all their lives this was a very serious matter indeed—they were thoroughly sensible of the importance of the question. It was no use saying more now, but he wished it to be distinctly understood that the fixed purpose of hon. members on this (Opposition) side of the House—and he believed they represented a large party in the country—was to take the necessary measures, as soon as they had the opportunity, to make the right parties pay the reckoning. He anticipated that before very long hon. members on the other side of the House would be very glad to let someone else face the difficulties of the country. The Opposition were in a minority this session, and they had been defeated, but he wished it to be clearly understood that they had made up their minds to a distinct course, and as soon as

the opportunity came they would put it into operation.

The PREMIER said the hon. gentleman had delivered a hashed-up speech of what he should have said on the want of confidence motion, but did not—and which was quite out of place at this time in the session. The House were now in just as complete ignorance of the policy of the Opposition as they were before the hon. gentleman rose. If he meant that the policy of the Opposition next year would be to see that the taxation of the colony would be equitably distributed among the right parties, he had no need to throw the assertion across the House as a threat, because he would be likely to get his best support from that (Ministerial) side. The Government had proposed to carry out that policy this session, and should have done so but for the obstruction of the hon. gentleman and his followers.

Mr. REA said the Premier spoke of the hashed-up speech of the leader of the Opposition; but what did hon. members find by the *Government Gazette*? They found that the Government had again advertised the leases of the coast runs for sale on the same day, hoping that very few would be sold, and they could be returned to the present owners as forfeited runs at half price. The Government had a good opportunity there, but they showed clearly that they were not going to make any attempt to get revenue from the territory of the colony. Those runs were advertised for sale on the 25th instant, and the Government had had plenty of time to offer them to persons who would have made better use of them than the former lessees. The Government, however, followed their old line of policy—letting the Crown tenants get the lands of the colony for next to nothing, and making the people bear the burden of taxation.

Mr. McLEAN said it came with a very bad grace from the Premier to twit the leader of the Opposition with having made a hashed-up speech. If all the Bills introduced by the Government had been passed by the House as introduced they would have been a pretty mess of mincemeat. The Premier said he would assist in placing the burden of taxation upon the right shoulders; but hon. members had seen evidence—and would see more before next session, as the Government would find out—that the Government had not tried to place it upon the right shoulders, but had placed it all upon one class.

Mr. KINGSFORD said it would have been better if the three trunk lines intended to be constructed had not passed the House, but he certainly could not blame the Government for bringing in measures which they thought right; nor did he think they were altogether responsible for the position they now occupied; or that it would be

any use attempting to oppose the motions. It would be as well if the Opposition sat quiet and let the thing go with a run; but if there was any responsibility for the success of the Government it was due to the members who sat on the Opposition benches, whose duty it was to effectually oppose any measure which did not tend to the good of the country. This they did not do, however. He did not now blame the Government either for introducing these measures or for the success which had attended their efforts: if any blame was attachable to any one, and if any evil accrued to the country, it would rest upon the Opposition for not thoroughly and effectually opposing the measures. He took to himself a share of the blame, and thought that when the time came that the evil effects prognosticated of the railway policy of the Government would be felt; those who would have to bear the largest share of the responsibility would be the hon. members who ostensibly had borne the character of the Opposition. They had played into the hands of the Government, and by-and-by the burden would fall upon the right shoulders—upon the shoulders of those who now professed to be the Opposition.

Question put and passed.

#### NORTHERN RAILWAY EXTENSION.

The MINISTER FOR WORKS, in moving the following resolution—

That the House approves of the Plans, Sections, and Book of Reference of the Extension of the Northern Railway from 50 miles 56 chains to 87 miles, laid on the table of the House on the 1st instant; and that the said Plans, Sections, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form—

said that hon. members would observe by the plans that the proposed extension began about one and a-half miles this side of the Houghton River; then it ascended the coast range at a very easy gradient, and when it got to the top it proceeded on a gradual descent. It was intended to cross the Burdekin River by a low-level bridge, and reach Charters Towers at a point between Millichester and Charters Towers. There was an elevated plateau between the two places, which was a very good site for a terminus, either for getting into the town or from it afterwards.

Question put and passed.

#### ROMA TO MITCHELL EXTENSION.

The MINISTER FOR WORKS moved—

That the House approves of the Plans, Sections, and Book of Reference of the Extension of the Southern and Western Railway from Roma to Mitchell, laid on the table of the House on the 8st instant; and that the said Plans, Sections, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form.

There was nothing to call for any remarks on his part, and he would therefore simply move the resolution.

Mr. MILES said he had a knowledge of the country, and believed that the route proposed from Roma to Mitchell was the correct one; it would go through the very best land on the whole of the Western extension. He should like, however, to ascertain the direction the Government proposed carrying the extension beyond Mitchell.

The MINISTER FOR WORKS said there had been no survey made beyond Mitchell; there had been a barometrical examination of the country as far as Charleville.

Mr. GRIFFITH said he should like to hear what steps the Government proposed to take with reference to the carrying on of these different works? Did they intend to proceed simultaneously with the three main lines, or to favour one district at the expense of another? Did they intend to call for tenders for each line; and, if so, in what order?

The PREMIER: The lines will be carried on simultaneously.

The Hon. G. THORN asked whether the Government also proposed to undertake the branch lines simultaneously with the trunk lines, or would the farming districts, where branch lines were to be built, have to wait until the trunk lines were finished?

The MINISTER FOR WORKS was surprised at the hon. gentleman asking such a ridiculous question as to suppose that Government would not commence the branch lines until after the main lines were finished. When would these lines be completed? The plans of the branch lines were not sufficiently forward. Those lines for which they had plans would be commenced. There was one now on the table of the House.

Question put and passed.

#### FORMAL MOTION.

Mr. GRIFFITH said he was not present when a motion standing in his name was called on; but would ask whether it was too late to move it now, it being purely formal?

The SPEAKER said no objection was made to the motion when it was called on. They had since disposed of the formal business and the Government motions, and it would not be in accordance with the usual custom to move the motion now.

The PREMIER thought that, on account of the late period of the session, the mere custom need not be strictly adhered to. He had no objection to the motion.

Mr. SCOTT said that according to the Standing Orders it could still be put, although it had always been the practice to take formal motions before ordinary motions.

The SPEAKER said it was not distinctly opposed to the Standing Orders, but it was opposed to the usual practice. As it appeared, however, to be the wish of the House, he would call on the motion.

Mr. GRIFFITH thereupon moved—

1. That the Bill to enable the Trustees of the National Agricultural and Industrial Association of Queensland to sell or lease certain lands granted to them as a site for the use of the said Association and carrying on the operations thereof, be referred to the consideration and report of a Select Committee.

2. That such Committee have power to send for persons and papers, and to sit during any adjournment of the House, and consist of Mr. Amhurst, Mr. McLean, Mr. Norton, Mr. Rea, and the Mover.

Question put and passed.

#### SUPPLY—REPORT.

The CHAIRMAN presented a report from Committee of Supply, which, having been read at length by the Clerk, was adopted.

#### RAILWAY RESERVES AMENDMENT BILL—SECOND READING.

Upon the Order of the Day being read for the second reading of this Bill,

Mr. GRIFFITH said he took exception to the manner in which the Bill had been introduced. It was clearly a Bill to pay to the Consolidated Revenue a sum of money which was now standing to a trust account—to grant a sum of money to Her Majesty for the purposes of revenue, and therefore was inconsistent with the 271st Standing Order, which provided—

“The House will not proceed upon any petition, motion, or Bill for granting any money or for releasing or compounding any sum of money owing to the Crown, except in a Committee of the Whole House.”

The 272nd Standing Order also provided:—

“If any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House shall think fit to appoint, and then it shall be referred to a Committee of the Whole House before any resolution or vote of the House do pass thereon.”

Under these Standing Orders the Bill ought clearly to have originated in committee. He did not raise the question with the view of delaying the Bill, and was willing to allow a motion to be put at once to go into committee to affirm the desirability of introducing the Bill. There had never been an instance in which a Bill dealing with the Consolidated Revenue had been introduced otherwise than in committee.

The PREMIER could not see that the 271st Standing Order had any application to the Bill at all. It was not a Bill for

granting or releasing or compounding any sum of money, but simply for the transference of money from one account to another.

The SPEAKER: It appears to me that the Bill is not one that the 271st Standing Order would apply to. It is not for the purpose of paying any sum of money out of the Consolidated Revenue or the public funds, but to transfer money from one account to another. The 271st Standing Order applies to such Bills as the Appropriation Bill, or a Bill authorising any payment. With regard to the 272nd Standing Order, I do not see that the Bill is any charge upon the people. It appears to me to be simply a Bill to authorise a change in the system of keeping the accounts, and transferring money from one account to another.

The PREMIER, in moving the second reading of the Bill, said he referred fully to the principles upon which he would introduce a Bill of this kind when he made his Financial Statement, and although they were in a very short form, they were the strongest reasons he could adduce. He had no intention of going over the ground or the principles upon which the Railway Reserves Bills were founded, but he would refer to the results that had arisen from keeping the accounts in the Treasury according to that system. Originally he understood that the principle of the railway reserves was that those reserves should actually construct the railways, but in practice it had been found that the moneys received from the land inside the reserves were devoted almost exclusively to the payment of interest on those railways. Now, he had always contended that they could not increase the security of the public creditor by putting aside a portion of the Consolidated Revenue and saying that that money, and that money alone, should be the fund out of which the interest on a certain portion of the public debt was to be paid. He therefore was forced to look if there were any advantages in this system of keeping the accounts in the Treasury. There were certainly no advantages from it, but there was this great disadvantage—that the sums which were received from time to time from each of the railway reserves fluctuated considerably; it was not a fixed amount that could be regulated so as to pay the interest, and the consequence was that these accounts could at any time be in debit or in credit in spite of anything the Government could do. If it were on the debtor side, perhaps, it would not matter so much, but when it was on the credit side they had this anomaly—that while there was a large deficit in the Consolidated Revenue, there was really a credit balance on the railway reserves account. At the present time all the railway reserves ac-

counts were in credit to the extent of between £120,000 and £130,000; but at the same time the general revenue, which was responsible for the interest due to the public creditor, was actually in debit to a much more considerable amount. This was the disadvantage which flowed from it—that the accounts presented to the outside public a worse aspect than they ought to. They ought at present to be in a much more favourable position, but for this wrong system of bookkeeping. Were it to happen that the amount received out of the railway reserves were to be paid into one fund, and that fund yielded an amount pretty much like the interest required to pay for these railways, no harm would be done by this system; but when the amounts were in practice unequal, so that the amounts must be in creditor or in debit, great disadvantages must spring from it, the principal disadvantage being that the accounts were forced to present a more unfavourable aspect than they otherwise would. At the present time there was an amount equal to about £30,000 a-year which was diverted into this railway reserves account, and that amount he calculated upon going into the general revenue. Of course, the great bulk of it would be devoted to the same purpose that was originally intended—the payment of interest to the public creditor; but the accounts would be kept in a much better way, and save the disadvantage he had spoken of. He might have attained the same object by repealing the Railway Reserves Act; but that could scarcely be done in justice, because rights had been created under that Act which could not be ignored, and also because there were in it clauses which referred to matters other than the appropriation of the moneys received from the sale of lands in these reserves. For instance, clause 9 provided that in railway reserves all the land within two miles of the line should be reserved for homestead selection alone; another regulated the upset price of land by auction in reserves;—there was no reason why these provisions should be repealed, although the proceeds from the land were to go into the Consolidated Revenue. There were other clauses of that kind which were applicable to land through which railways would go, which he did not think it prudent to repeal. The only clauses he proposed to repeal were those which provided for the special railway reserves account being kept in the Treasury, and if they were repealed the result would be that all the money from the railway reserves would go into the Consolidated Revenue, and the trust account would cease. He moved that the Bill be read a second time.

Mr. DOUGLAS asked what was the actual amount that would be transferred by this Bill?

The PREMIER said if the Bill passed tomorrow, £129,188. The total amount paid into the railway reserves account was £446,000, and the total expenditure had been a sum less than that by £129,000, leaving a balance of that amount to the credit of the various railway reserves accounts in the aggregate.

Mr. DOUGLAS said the figures which the hon. gentleman had quoted seemed to him really to be a justification of the action taken when the Railway Reserves Bill was passed. That action amounted to this—that having a large public estate, which at that time was not open to sale or selection, portions of that estate were thrown open for these purposes, and they had just now been told what had been realised from that source. The hon. gentleman had told them that he did not approve of the system because it did not in fact supply any reliable source of revenue or income; but the simple announcement that £440,000—a large proportion of which would not have been available at all except for the passage of that Bill—had been received, seemed to him a justification for the action that had been taken. He would a little further explain what that action was:—They had set apart a large portion of their territory by way of leasehold, which was not available for sale; but, having arrived at the conclusion that it was desirable to make railways there to open up the country not then available for sale by auction, the Railway Reserves Bill was passed to create the very fund which was to provide the means of paying interest upon the additional indebtedness incurred, and ultimately to pay the capital amount. The hon. gentleman had often referred to the fact that even the interest was not obtainable, but the figures he had stated to the House this evening showed that over and above the interest there was a balance in favour of the transaction. The hon. gentleman had chosen to repeat his assertion by way of unbelief in this system, and he (Mr. Douglas) thought it desirable to draw attention to the fact that they had created a special reserve altogether apart from the question of the public credit. The statement of the hon. gentleman was that this was an untrue way of satisfying the public creditor—by setting apart certain funds—but he (Mr. Douglas) maintained it was a matter with which the public creditor had nothing whatever to do. He did not propose to follow up the conclusions at which the hon. gentleman had now arrived with regard to the necessities of the State, and that it was now expedient, in view of the deficiency which had been disclosed in the revenue, to appropriate the balance in its favour, and, in fact, to transfer the funds derived under the Railway Reserves Bill to the credit of failing revenue, for that was just what this Bill did.

It showed that this very Railway Reserves Bill, which had been so much despised, was now the means of enabling them, if this Bill were passed, to reduce their indebtedness to that extent. It had created resources which were not previously available.

The PREMIER: No, no.

Mr. DOUGLAS maintained that it had, and they had now the tangible fruits of the operation of that Bill from the sale of land in these areas. It was true a portion of that, no doubt, arose from the annual income which was previously received; but in addition to that there had been large sums received for the actual sale of land which would not have been available, and could not have been attached to make them applicable to this purpose, unless that action had been taken. It seemed to him that what the hon. gentleman must do eventually was to practically extend the operations of that very much despised Railway Reserves Bill. Instead of attaching a part of the public estate, he presumed the hon. gentleman intended, at some future period, to attach the whole. If the hon. gentleman did not intend to attach the whole, then he (Mr. Douglas) presumed he intended to attach a part, and that was simply reverting to the principle of the Railway Reserves Act. If there was a repeal of those provisions of the Railway Reserves Act, it was simply an admission of the fact that the time had arrived when there must be a much larger amplification of the very system from which they had benefited to such a large extent. It was very evident that the action of the Government during the present session involved the necessity of a revision of the whole question, with a view to the extension of the very principle which was embodied in the Railway Reserves Act; and possibly, as the hon. gentleman had maligned the principle on which the Bill was carried into force, they might see a day when he would be instrumental in having it carried out on a much larger scale.

Mr. DICKSON said that the Bill was a fulfilment of one of the promises made by the Premier in his Financial Statement; and to his (Mr. Dickson's) mind it should have been accompanied with the fulfilment of all the promises then made, one of which was a revision of the tariff, from which the House was led to expect there would be an increase of revenue. He was led to believe that if the amended Bill before them was passed, their dealings with their real estate would revert to previous conditions, which, as hon. members must know, were not in the direction of their obtaining that large assistance from the lands which they had been able to obtain under the existing Acts. Therefore, if the lands reverted to their original position the consequence would be

that the revenue would be exactly less the amount hitherto received under the Railway Reserves Act, and it was for that reason that he should have liked to have heard the Premier, whilst making the present proposition, afford some guarantee that the revenue would not be a sufferer. The hon. gentleman promised that there would be a revision of the tariff by which the revenue would be protected, and that if these reserves were abolished he would clearly show to the House that he had available resources at his command for making good the amount previously received under the Railway Reserves Acts. The hon. gentleman had told them that there was a sum of £200,000 to the credit of the Railway Reserves Fund, and that that sum would stand him in good stead in the present condition of the revenue; but the hon. gentleman had not shown to the House that he would have the power to obtain in future a revenue to correspond with that sum, which covered interest to a considerable extent on these public loans. In fact, the whole policy of the hon. gentleman at the present juncture of affairs should have been one attended with a provision for the future—for meeting the interest on their debt, which was this year assuming such a gigantic charge on the revenue of the colony. He (Mr. Dickson) used the word "gigantic" advisedly, inasmuch as the interest on their public debt this year would amount to £600,000; and when it was considered that the estimated revenue for the year was only £1,600,000, it must be admitted that the sum they had to pay to the public creditor was a very heavy strain on their resources. His hon. friend, the member for Maryborough, stated that if the Railway Reserves Act was not in operation they would not have obtained such a large land revenue; in fact, the Railway Reserves Act was the great justification of their having embarked in such large railway undertakings. He (Mr. Dickson) therefore regretted to see that system departed from without having some other equally good substituted for it. It was well known, and was kept constantly before the eyes of the public, that they had dedicated large areas of land to be an asset against the construction of large public works, and that was a principle which should be kept constantly in view by every statesman of the colony. They had a large estate which had not hitherto been productive to its full extent, and they would have to make it contribute in future much more than it had done in the past. It was with that view that he contended that the system embodied in the Railway Reserves Act had been a salutary one for the country, and that a repeal of that measure, so far as regarded the special dedication of the funds arising from those reserves, should

have been accompanied by some other scheme by which the Premier could have shown that his revenue would be maintained equally to what it had been under the operation of that Act. He (Mr. Dickson) was afraid they would find that the revenue accruing from their real estate would show a very diminished return. The hon. gentleman's contention was that the position of having large amounts to the credit of the Reserves Fund, whilst the Consolidated Revenue exhibited an indebtedness, was not a correct one; but he would remind the hon. gentleman that there were several trust accounts with balances to their credit, notwithstanding the falling-off of the revenue, to which the same remark might be applied. Perhaps the strongest argument in the hon. gentleman's favour was this, that after all it was a mere fanciful division of the revenue; but to his (Mr. Dickson's) mind that division was made as being the only provision which would justify the country in undertaking the large public works they had been undertaking, and therefore he was of opinion that it would have been only prudent for the Premier to have accompanied the promise, made in his Financial Statement, which he was now carrying out, with the other promises then made by the hon. gentleman. He took it that the hon. gentleman's promise to deal with the tariff was not likely to be carried out during the present session; at the same time, the hon. gentleman should have brought forward some scheme for providing for the large interest accruing on their public debt which he had this year helped largely to increase.

The COLONIAL SECRETARY (Mr. Palmer) said he did not know which to be most amused at—the speech of the member for Maryborough claiming for the Railway Reserves Act financial results which must have considerably surprised the House, or the exceedingly long-winded and long-worded corollary of the member for Enoggera. The whole scheme of the Railway Reserves Act put him (Mr. Palmer) in mind of the story of an old woman which he used to hear in his youth. She had a certain income—say, £1,000 a-year, and by way of doing great things put half of it into an old stocking. The consequence was that, having only half of the income to live upon, she got into debt, and then thought she found out a wonderful way of relieving herself from her difficulty by taking the hidden half out of the old stocking. That was exactly what the railway reserves had been in Queensland—simply that and nothing else. The Government had been putting by a certain amount of money from the revenue of the land.

Mr. DOUGLAS: We created it, too.

The COLONIAL SECRETARY said the hon. gentleman had indeed performed wonders,

if in addition to the financial creation he had also created the land. But he would remind the House that he and others told the late Government, over and over again, that the Railway Reserves Act would create no revenue; and the only effect that Act had had upon the revenue was to give the men who had bought land within the reserves peculiar privileges which did not exist outside. That was what the Railway Reserves Act had done—given the purchasers peculiar rights of pre-emption enabling them to take all their pre-emptions in one block. To say that the Government were hindering in any way or appropriating to themselves the railway reserves fund by what the Colonial Treasurer proposed to do was a downright absurdity. It was the same as if a man had £5,000 in one bank and drew it out to pay it to another. That was exactly what the Bill proposed to do; it was a mere trust account which the Bill proposed to take out from one fund and to pay to another, and why the House had heard so much about it from the two hon. gentlemen on the other side he was altogether at a loss to know.

Mr. GARRICK said he hardly saw the soundness of the Colonial Secretary's reasoning when he told the story of the old woman with her thousand a-year. The analogy did not hold good, for the income in the case under consideration had been undoubtedly increased by the passage of the Railway Reserves Act.

The PREMIER: No, no.

Mr. GARRICK repeated there was no analogy whatever. Since the passing of the Western Railway Act they had received about £440,000; and the question was whether, under the ordinary system of land alienation, they would have received any such sum. They had two things: first, a commodity and a way of creating a market for it; and bringing a supply forward to create a demand for it. He did not say whether this had been done rightly or not, or whether the creation of a demand by the passage of the Bill was a good one. He was simply dealing with the fact that the revenue was increased by the passage of those two Bills. Their passage had enabled the Executive to deal quicker than heretofore with the lands. It was said that under the Act of 1869 they had the power to do anything that was done under the Railway Reserves Act and the Western Railway Act; but they could do at once by those Bills what otherwise they would have had to give six months' notice of, and had not from time to time to give notice as previously.

The PREMIER: You do exactly the same thing.

Mr. GARRICK: Under those Acts we take power to deal with half of the runs at once.

HON. MEMBERS on the Ministerial side: No, no! Nonsense!

Mr. GARRICK: I say that the revenue has been increased, according to the Treasurer's own showing, £440,000 by the operation of these Acts.

The COLONIAL SECRETARY: Nothing of the sort! Absurd!

Mr. GARRICK said that the Premier had to pay a large part of his interest to build the railways in the West, in precisely the same way as was proposed by the Acts he had mentioned—that was to say, he looked to the lands through which the railways would pass, and to the increased demand for them, for the additional revenue he would require. The principle was precisely the same, and if there was any difference it was merely a financial one, and he (Mr. Garrick) did not see any increase secured to the public creditor by what the hon. gentleman proposed. He (Mr. Garrick) certainly did think that those two Acts afforded an increased means and an increased revenue—and the Premier had, in fact, said as much—for the payment of interest for so much of the land as would go to build railways. The only difference, then, was a matter of trust—should it go to a specific account and there stay, or should it go to the Consolidated Revenue?

Mr. MOREHEAD said that if the original idea was that the £440,000 collected under the Railway Reserves Act was to go into revenue it had not been carried out, and he took it that the object of the present Bill was to bring it into the Consolidated Revenue. The hon. member for Moreton said that under the Railway Reserves Act the Government had power to at once take possession of halves of the runs without giving six months' notice; but he would inform the hon. member that six months' notice was necessary in every case, and was given before the land was put up for auction. He considered it was his duty to correct the hon. member, although he had been a Minister for Lands.

The MINISTER FOR LANDS (Mr. Perkins) said that one would imagine, from the statements of hon. members opposite, that the same prices could not be realised for lands now as were realised under the Railway Reserves Act, and that the lands could not be operated on in the same way. Perhaps those hon. members would go further, and say that the public credit was better under that Act than it was before, and that if that Act was repealed tomorrow the security to the public creditor would be lessened. He must confess that to his mind the security to the public creditor had been in no way increased by the passing of the Act, and it would not be decreased by the passing of the Bill before the House, and therefore the sooner that cry was done away with the better.

Question put and passed, and, the Bill being read a second time,

The PREMIER moved that the Speaker leave the chair, and the House go into Committee for the consideration of the Bill.

MR. GRIFFITH said there was not sufficient reason given why the usual rule should not be adopted. The Bill was only introduced yesterday, and being of considerable importance it was not customary to rush such a measure through the House without giving every member an opportunity of expressing his opinions on it. It would be only fair to give an opportunity for full discussion; but if it were passed through Committee to-night it would go without discussion at all. Twelve hours was rather too short notice to give. It was only last week the Treasurer justified his action in suspending the Standing Orders to pass the Loan Bill, although it was so early in the session. The Bill could very well go through Committee, to-morrow, the third reading could be taken on Thursday, and it would reach the Council this week.

The COLONIAL SECRETARY knew of no rule against proceeding as they proposed to do; and it had only been the practice of the last two sessions. What was the object of opposing going into Committee? If the Bill were advanced a step further in the House now it would go more quickly to the other House. In addition to that, if they delayed the third reading until Thursday it might be made not formal.

MR. GRIFFITH: That will not happen.

The COLONIAL SECRETARY said that another object to be gained was to get the Government business out of the way of the private business on Thursday, and get as much private business through this session as they could. If any serious objections were made to going into Committee, his hon. friend, the Premier, would possibly withdraw the motion; but, for himself, he could not see any objection to proceeding. So far from having had no notice of the Bill, the Premier had mentioned it in the Financial Statement, and had intimated then, some four months ago, his intention of bringing in a Bill to repeal the Railway Reserves Act.

MR. REA said that, if any hon. member had been asked what they expected this repealing Act would be like, they could not even have conjectured, much less have given a definite idea of the shape it would take. He hoped hon. members of the other side of the House would consider that the bad precedent they were establishing now would recoil on them on a future occasion.

Question put and passed, and the House went into Committee to consider the Bill in detail.

MR. GRIFFITH said it was poor satisfaction to him to endeavour to aid the Govern-

ment in conducting the business of the House. It was hard to keep his temper when the Government, taking advantage of their majority, attempted to force a Bill through, the object of which no one had heard till yesterday, when it was brought in by message instead of in Committee. He was beginning to regret having attempted to assist Government in the conduct of business. Both he and those who sat with him had done their best to conduct business in an orderly manner, without any more delay than was absolutely necessary, and the only result was that whenever there was some particular point to be gained, as there seemed to be in this case, the Government endeavoured to force things on without any regard to the proper course.

The PREMIER said that there was no intention on the part of the Government to force business; but at this time of the session they were justified in taking every legitimate means to get business through. They wished to expedite private business as well, and by pushing this Bill through to-night they would attain that object. They had shown very good reasons for going into Committee. The hon. member knew all about the Bill, and in introducing it to the House he (Mr. McIlwraith) could not have said more than he did in making the Financial Statement; and, besides, the hon. member must admit that, from the criticisms which were made on the second reading, the object of the Bill was acquiesced in by both sides of the House.

MR. GRIFFITH said the hon. member was treating them like children. They knew that the only way to secure private business being done was for the Government to keep the House together for their business. The hon. gentleman knew as well as possible that as soon as the Government business was disposed of any private business would be shelved. Was this the only Government business to be disposed of when there were no less than thirteen Orders of the Day on the paper? The Bill was to be disposed of now in order to facilitate the passage of private business. They had very much to thank the Premier for, seeing that Thursdays and Fridays were already set apart for that purpose by a sessional order. This was an important change in the policy of the country with respect to the construction of railways, and ought not to be rushed through within twelve hours of the time it was first introduced. The Government seemed to desire to rule by force. He was anxious to treat them with all possible courtesy, but he was beginning to get to an end of his patience.

MR. DOUGLAS said there was a good deal of Government business on the paper which might be disposed of without giving precedence to this. However, the Government

must in matters of this kind be to a certain extent the judge of their own business, and, though they were somewhat straining the usage of the House, they would have to accept whatever terms the Government imposed upon them. There were some matters connected with the Bill on which information was desirable. What did the Minister for Lands contemplate doing with the lands in the Central Railway Reserve, and in the Kennedy Reserve, during the recess? He understood there was a considerable demand for land in both those reserves, and especially in the neighbourhood of Charters Towers. If such demand existed, was it the intention of the Government to gratify it? Up to the present time the amount of land sold in the extreme north was very small indeed, and he thought that, especially in the neighbourhood of Charters Towers, the demand for land should be gratified to the utmost possible extent. Were any special means likely to be taken to make the land available as much as possible to the general revenue? No attempt was made in this Bill to repeal the clauses in the Western Railway Act and the Railway Reserves Act, whereby special powers for purposes of sale were given. Those conditions were peculiar, and differed from those attaching to the sale of land in any other portion of the territory. Those clauses should also have been dealt with, if it was the intention of the Government to make a uniform system applicable to all lands.

The PREMIER replied that the Government certainly did intend to gratify all legitimate demands for land in the Central and Northern districts, and not only in those reserves, but all over the colony. As to whether they were doing anything special to stimulate the demand for land, he scarcely knew what the hon. gentleman meant. They had not put any catching advertisements in the Southern newspapers; but he could assure the hon. gentleman that, in the present state of the revenue, the Government would do all they could to satisfy the demand for land.

Mr. DOUGLAS said the whole of the land north of Cape Palmerston sold up to the present time did not exceed 100,000 acres. Seeing there was a considerable mining population there, and that their prospects were moderately fair, it might be fairly anticipated that a certain portion of their profits would find an investment in land.

Mr. MACFARLANE (Ipswich) said the Government were displaying hot haste in endeavouring to rush the Bill through in one day. Some little respect ought to be shown to members on this side, especially considering the great amount of attention the Opposition had given during the session to Government Bills.

The PREMIER said that, had this been an elaborate Bill requiring much study, he

should not have asked the House to go into Committee upon it this evening. It was extremely simple, and its purport had been known to hon. members throughout the session. No serious objection had been brought against their procedure. He was, as he had said before, anxious to facilitate private business, and, if necessary, would give time for it on Government days.

Mr. GRIFFITH said he saw no reason why this Bill should take precedence of other important measures on the paper, some of which had been brought in weeks ago. No doubt the Premier thought that with a thin House he would get it through without discussion; if so, it was an unfortunate way of doing business. The Premier said no serious objection had been raised against this procedure. He (Mr. Griffith) did not know what the hon. gentleman meant by a serious objection; but he had objected that it was unusual, and that there were no special reasons for rushing it through to-night. Surely that was as serious an objection as could be made; if not, he would also point out that there were many things to be considered in connection with the Bill. For instance, if the proceeds of all land sales were to go to the same fund, why should there be any difference in the mode of alienation? That was a question which would have to be raised and discussed with the seriousness it deserved.

The COLONIAL SECRETARY said the serious importance of the Bill was whether money should be taken out of one pocket and put into another. If any serious objection was raised, no doubt the Premier would move the Chairman out of the chair, but he had not heard any so far.

The PREMIER said his only object in pushing the Bill forward now was to facilitate private business; but that object could easily be defeated by making speeches outside the Bill. Although no objection which he considered serious had been raised against going on with the Bill, still, as the general objection had been raised against pushing a Bill of this kind through Committee on the same day on which it was read a second time—although such was quite in accordance with precedent—he would move the Chairman out of the chair.

The CHAIRMAN left the chair, reported no progress, and obtained leave to sit again to-morrow.

#### RAILWAY AND TRAMWAYS BILL— SECOND READING.

The MINISTER FOR WORKS said the advantage which would result to the State from the passing of such a measure as was proposed was obvious. It would make possible the construction of low-cost railways through the thickly-settled parts of

the colony at a much cheaper rate than they could be made under the present system, by enabling the Government to deal in a fair and straightforward manner with the owners of the land through which the line passed. At the present time, as soon as a railway was authorised, the Government were to a certain extent at the mercy of owners of land. It might be urged that such claims could be referred to arbitration; but it had been found, both in this and other colonies, that the arbitration invariably went against the Government, and the claimant received an unfair amount of compensation. If the Government had to continue paying owners of land at the same rate as hitherto, it would be found impossible to construct branch lines in the farming districts. In the case of the line from Brisbane to Ipswich, for instance, the amount paid as compensation to landowners had amounted to nearly as much as would have sufficed, under ordinary circumstances, to make a low-cost railway. Such a system would tend to make railway construction impossible. The Bill proposed to give the Government power to take a railway or tramway authorised by Parliament along any road, street, or highway, and through any public reserve, and no person or body corporate would be entitled to claim compensation for or an account of any land so used or traversed by any such railway. There was a proviso at the end of the clause which reserved the right of compensation for any overflow of water caused by the making of such railway. It might be said that this was an invasion of the rights of property—an interference with vested interests; but he maintained that property should not have the rights which had been assumed and claimed for it in most cases where railways had been made. The rights of property and of private individuals should, in certain cases, to a very great extent, fall before the rights of the State. This was not the first time a Bill of the kind had been proposed. In 1870 the New Zealand Legislature passed an Act called the Immigration and Public Works Act, the 69th clause of which gave the Government similar powers to those sought to be obtained by the proposed Bill. Laws of a similar kind existed also in several of the States of America, and railways had been run along the public streets and highways there for a long time without causing any serious inconvenience. He would not advocate the running of a railway through any narrow street, but he thought it was right the Government should have power to run a railway along a highway that the Government itself had made, and which, if a railway were run nearly parallel, would become in reality of little public use. As an example, he would refer to the Fassin Railway, plans of which had just

been laid on the table of the House. Hon. members would see that the line started from Ipswich, and from there to Harrisville ran nearly all the way parallel to and within a short distance of a good solid road made by the Government. What injury would accrue to private individuals if the Government made the railway along any portion of that road as they thought fit? If the Government had such power it would be the means of preventing private individuals from coercing the Government into the payment of exorbitant sums for land. The Bill was very easy to understand, and consisted practically of one clause and a proviso. One or two verbal alterations would be necessary in order to make the application of the measure more simple. He begged to move that the Bill be read a second time.

Mr. GRIFFITH said this was an instance of how simple a thing might appear when looked at from only one point of view; but it should be remembered that there were generally, at least, two sides from which a question might be regarded. The Minister for Works had regarded this simply from the point of view of a Government desiring to construct a railway. If that were the only thing to be considered, Government might make a railway through a man's house, and the rights of individuals would always have to give way. On the other side, there was the point of view of the man who had bought a piece of land either directly or indirectly from the Crown, who had paid a large sum for it, and perhaps invested all he had in improving it, and whose land was to be entirely ruined, taken away, or destroyed, for the benefit of the public. In such a case the rule that private interest should give way to public interest, and the private individual sit down and look on, had never been adopted in any civilized country. Where a piece of a man's land was taken away for a railway it had always been held that the man was entitled to receive compensation. What were the elements in the value of a piece of land? One was the land itself; another the purposes to which it could be applied; and surely the means of access to it was another. If the State sold a piece of land to a man and provided no road to it the land would be absolutely useless; if they sold a piece of land and took away the road the owner would be in a worse position, because he would have improved it on the supposition that access would always be provided. The Minister for Works said that in other parts of the world railways were taken along public streets; which was no doubt true. In Rockhampton the railway line ran along a street; but the street was a dead-level, two chains wide, and had very little traffic in it, and all the traffic on the line was one train which ran early in the morning about

once a week, so that no injury was done to the inhabitants who lived either side. But take the case of a country road one chain wide not perfectly level, intersected by gullies and hills, and along which, in order to make a railway, it would be necessary to make cuttings, embankments, and bridges—of what use would such a road be to the inhabitants of the district? Of course, the road would be absolutely useless, and the Government might just as well take the land unless they provided another road. He did not believe that in any part of the world anything so unreasonable had been done as to provide that the only means of access to a man's land might be summarily taken away. In Great Britain some of the most difficult questions of compensation had arisen in connection with indirect damages caused by the making of railways, and the House of Lords had been appealed to as to what injuries a man was entitled to claim compensation for. He would state a case in illustration: In London, railways ran at a height of twenty feet above the roads and among the houses. In these cases the fact of a railway train going at great speed within a few feet of a man's back window was surely a great injury; and the British Legislature, with that fair play which usually characterised it, had allowed compensation for the deterioration in value of the property. If the Bill passed in its present shape it would amount to this—that the Government might, if they pleased, absolutely close up a public road, and the inhabitants would have no redress whatever unless the Government chose to afford them relief. The Bill should be called a Bill to enable the Government to confiscate lands at their option. Bills for the confiscation of property were introduced in England centuries ago, but he knew of no instance in modern times, and he challenged the hon. gentleman to produce one within the last hundred years. The hon. gentleman referred him to a law passed in New Zealand; but he had no doubt there were other clauses in it bearing upon the question. He had no doubt that there was provision that where the means of access were taken away the Government were bound to provide other means. He quite agreed that it was desirable to allow railways to run along the public roads, but if a man's access to his land was cut off by a railway another should be given to him. He could not understand the Government proposing a scheme to take away or render useless a man's property, and he most sincerely hoped they did not intend to press the Bill without further consideration. What was the difference between the case of a private individual who got compensation for injury suffered through a railway running through his property and the case of the man who was injured by a line run-

ning on the road in front of his house? If the latter sustained injury why should he not get compensation? If the Bill passed in its present shape the Government might construct a line along one of the footpaths in Queen street, at a height of twenty feet, and render quite useless all the buildings on that side. Was such a thing not preposterous? The Government might say they did not mean to do such a thing, but it was a poor argument, when a Bill was introduced which would enable a Government to do such a monstrous and arbitrary action, to say, "Oh, trust us; we do not mean to do any harm." Governments were as liable to commit errors and inflict injuries as other people, and such a power should not be given. The Minister for Works had given no reason in support of the measure, except from one narrow point of view. He would repeat, that railways ought to be made along their public highways wherever it was practicable to do so; but if a man was deprived of access to his property, or of the right to use it, compensation should be made. Public objects ought to be carried out without inflicting private injustice. He could scarcely believe that the Government were serious in introducing a measure of this kind.

The PREMIER said there was no doubt that the Government must have much more extended power for using roads for the purpose of constructing railways than they now had; but he was rather inclined to agree with the leader of the Opposition that they had, perhaps, gone too far in that direction. A great many of the objections, however, that he had brought to bear did not apply to the Bill. It had been introduced, not with the intention of being pushed through, because it would not be fair to bring in a Bill of such importance at the close of the session. It was introduced more for the purpose of discussion. They must have a Bill of this kind before they could proceed to construct cheap lines of railway, and would have to deal with the matter next session. He disagreed with the leader of the Opposition in the statement that the power of taking public roads for railway purposes did not exist in New Zealand. They had undoubtedly the power there, but it was an open question whether the power of claiming compensation did not lie on the part of the individual; if it did it would take away the value of the Act. From the comments made by the hon. gentleman and the few arguments brought forward in favour of the measure, the Government would be justified in not pressing the Bill on to a second reading.

Mr. DOUGLAS was understood to say that the Bill was one of the new class of measures introduced at the tail-end of the session, but which were not to be pressed. Practically they had been asked to indulge in a little harmless flirtation with the sub-

ject. He felt inclined to rather favour the principle of the Bill, and thought it would be a good thing to have some wholesale innovation as regarded their practice of using public roads. If they could avail themselves of the public roads without detriment to the public interest they should do so. The whole question of dealing with vested interests was a very serious and important one, and if such interests were wrapped up in using public roads for the purposes contemplated by the Bill they must be attended to, and a more elaborate measure than this short one would be required. At the same time, he hoped the Minister for Works would not be discouraged by the treatment this little Bill had received; he would have to give it more elaborate attention and provide for the difficulties pointed out by the leader of the Opposition. Wherever public roads could be made available without detriment to public interests the Government should possess the power to use them, and the public should prove their case. If it was necessary to widen a road, let them take the power to do so; but they should not shut themselves off from using roads which were already open and along which railways might be made: and railways being in advance of roads the public would be likely to gain in that respect. Of course, persons who availed themselves of these highways otherwise than by travelling on the railways must have their interests attended to, but their interests should be held subordinate to the higher interests of the general public.

Mr. MACFARLANE (Ipswich) was rather surprised at the turn the discussion had taken. He had thought that the Bill contained just one of the things that was required in the colony, and that it would facilitate the making of cheap railways. The Minister for Works had referred to the proposed Fassifern line in illustration of how the measure would work. He was scarcely prepared for the light that had been thrown upon the measure. He had not thought for a moment that access to his land would be debarred to any person. He did not see why that difficulty could not be overcome by having a right-of-way to a man's property either under or over the railway. Still, the point raised by the leader of the Opposition would remain—as to how far a railway running alongside a man's property would lessen its value. He did not think it would lessen it very much, and, in any case, he supposed the railway would only run on one side of the road, leaving the rest available for the usual traffic. In the city of Glasgow, with a population very much larger than the whole of Queensland, there was a tramway running along the principal street, and it did not interfere with the ordinary traffic. He was very much disappointed that it was not

the intention of the Government to pass this Bill this session.

Mr. RUTLEDGE was also disappointed at the indisposition of the Government to do something towards bringing about the state of things contemplated by this Bill. He had always held the belief that in order to cover the colony with a network of cheap railways it was absolutely necessary to utilise as far as possible the public roads; and he was all the more disappointed in regard to this Bill, because he saw in the action of the Government the indefinite postponement of the construction of the branch lines, for which they had authorised a certain amount on the Loan Estimates. The Government did not intend to press the Bill this session, and, therefore, there would be a good excuse why the experiment of cheap branch lines should not be undertaken for some time to come. Even if they were to authorise the utilisation of the public roads for the purposes of railways next year, it would be twelve or eighteen months before they would see any of the branch lines entered upon. The trunk lines would be proceeded with—there was no difficulty with regard to them—but the branch lines would not, and the responsibility would be thrown upon Parliament, and more particularly upon the Opposition, for having raised objections at the eleventh hour and putting obstacles in the way of the Government carrying out cheap lines of railway. He did not see that there would be any great danger in running lines of railway along our principal thoroughfares. He understood that steam cars were used in many American cities, and he did not see why railways could not be run on such a road as that from Brisbane to Sandgate, for instance. He was sorry that the Government had not expressed their intention to abide by the Bill.

The MINISTER FOR LANDS said he had no desire to prolong the debate, but wished merely to reply to one or two remarks made by the leader of the Opposition. There was no doubt, looking at the matter from a legal point of view, there might be something in what he said; but it was rather strange if all those irregularities had been going on in this country, which was so sparsely populated, where there were roads in all directions, and where few travellers were to be met except near towns of some importance. The hon. gentleman had endeavoured to make out a case with regard to the injury that would occur to purchasers of land; but the object of these branch railways which his hon. colleague intended to make along the highways was to benefit the purchasers of land. He denied *in toto* that any injury would accrue to these people. As a rule, when these people got a railway they were not content; their next desire

was to get it as near as possible to their farm or house, and, having secured that, the next bone of contention was to get the station as near their doors as possible. He maintained that these public roads, which were now seldom used, except by cows and goats and an occasional wayfarer, should be utilised for railway purposes whenever they were at all suitable and the contour of the land would admit of it. He denied *in toto* that the running of trains would be any inconvenience whatever to the public, or that the starting of the engine would attract any more attention than the steam-roller at present used in the streets of Brisbane. He denied that the hon. gentleman had advanced any argument whatever against the Bill.

Mr. MILES thought the Government were open to a charge of insincerity in regard to this Bill, which the Minister for Works intended to withdraw.

The MINISTER FOR WORKS: I mean to do no such thing.

Mr. MILES understood the Premier to say that the Bill would be withdrawn. He was not prepared to endorse the Bill exactly as it stood, but thought if they intended to make railways through the farming districts of the colony that some measure of the kind was necessary. The remarks of the hon. member for North Brisbane, he thought, applied more particularly to carrying railways through a city, where the value of property might be seriously injured. He thought due provision should be made for compensating those whose property was injured. Even in going through farming districts it would be necessary that private individuals were protected, and that their lands were not rendered useless or inaccessible. The Minister for Works knew a case on the Maryborough and Gympie line where the railway went through the property of a farmer, and, because there was a level crossing about half a mile distant, he was compelled to fence in about two or three miles of his land. If under this Bill proceedings of that sort could be perpetrated he would be no party to it. He hoped provision would be made to give access to property in the event of it being divided by the railway. He believed that on the line from Warwick to Killarney most of the land had been alienated; and that, if the railway had to go through private property, it would take an enormous amount of money. It was therefore necessary that a measure something similar to this should be passed to give the Government power to construct railways along the roads—always making due provision for access to the property of individuals along the line. He hoped the Minister for Works would push the Bill to a second reading.

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

The MINISTER FOR WORKS moved that the committal of the Bill be made an order for the following day.

Mr. GRIFFITH asked whether the hon. gentleman really intended to force the Bill through Committee to-morrow, as he had understood from the speech of the Premier that the Government were not anxious to carry it beyond the second reading? One thing was certain—that the Bill was so contrary to justice that, if it went into committee, it would have to be much enlarged, and not consist of more than a few lines when it came out, as it would be the duty of hon. members who took an interest in the matter to provide for the real state of the cases.

The MINISTER FOR WORKS said that, for the information of the hon. member, he would state that he intended to try and get the Bill passed, notwithstanding all the alterations the hon. member and others might intend to make in it.

Mr. DOUGLAS said he had clearly understood from the remarks of the Premier that this Bill was one of those innocents which were always immolated at the end of a session, and that the hon. gentleman himself intended to be a party to the harmless homicide—without, however, imbruing his hands in its blood or personally assisting in the tragic *dénouement*.

Mr. MILES said he was perfectly satisfied that if they had railways in the farming districts they must have some such measure as that before them passed, and therefore he trusted the Minister for Works would go on with the Bill.

Question put and passed.

#### VICTORIA BRIDGE LANDS SALES BILL —COMMITTEE.

On the motion of the MINISTER FOR LANDS, the House went into Committee for the consideration of this Bill.

Preamble postponed.

On clause 1—Governor in Council to authorise sale of lands—

Mr. GRIFFITH said there was something wrong with the clause, as it was impossible to tell from its construction what it meant. It said the Governor might authorise the sale by public auction, but it did not say of what.

Mr. KINGSFORD asked if it was intended to adopt only one system of disposing of the lands?

The MINISTER FOR LANDS said that that was a matter of detail. The Government must first get authority to sell.

Mr. GRIFFITH asked if there was any object in putting in the words “subject to such terms and conditions;”—whether there was any reason for asking for these powers in addition to those conferred by the Land Act of 1866?

The PREMIER said it was quite possible the Government might find it advisable to sell some of the lands on conditions—for instance, they might insist upon a certain class of buildings.

Mr. DOUGLAS said it really seemed as if a new light had dawned on the hon. gentleman in consequence of what had been said by the hon. member for North Brisbane. There certainly was something wanting, and it struck him that that something was an Attorney-General to look after the phraseology of the clauses. There had not been a Bill introduced during the present session which had not been put into decent shape by the hon. member for North Brisbane.

The COLONIAL SECRETARY said the light referred to by the hon. member had dawned for many years in other colonies, where a certain class of buildings was often insisted upon. All the lands round the racecourse in Sydney, for example, were sold under certain conditions as to buildings. It was quite in the power of Government to impose such conditions.

Mr. DOUGLAS: Is that the intention here?

The COLONIAL SECRETARY said nothing about intentions—their intentions were strictly honourable; but, in order to meet the feelings of hon. members who prided themselves on their legal phraseology, he moved a verbal amendment, by which the clause would read “one” or any of in place of “all” or any of.

Mr. KINGSFORD asked whether the whole of the lands would be sold at once, or at different times; and whether any part was to be reserved for sanitary purposes?

The MINISTER FOR LANDS replied that the manner of disposing of the lands was a matter of detail which might be left to Government, who would sell the land to the best advantage. The convenience and welfare of the inhabitants would be strictly studied: further than that he was not prepared to go.

Mr. AMHURST said the country had taken up the debt of the municipality, and now the municipality to be formed in South Brisbane wanted to have the lands back for purposes of recreation. That was not fair.

Mr. DOUGLAS said there should be some reservations of these lands made, because they would contribute to the value of and assist to sell the portions, and a better price would be realised.

Mr. MILES said that whatever money was derived from the sales should go in reduction of the debt on the bridge. He agreed with the hon. member for Mackay that this land had no right to be set apart for recreation grounds and parks, since it was dedicated to the special purpose of recouping the expenditure on the bridge.

It ought, therefore, to be applied to that purpose and that only.

Clause, as amended, passed.

Clause 2 passed as read.

Mr. GRIFFITH moved the insertion of a new clause. There was a necessity for making some provision about the deeds of grant. Every deed of grant of a portion of this land would be issued under the authority of this Bill, and would be subject to a mortgage of £120,000. It would be a serious thing if the Registrar-General were to issue every deed, as he undoubtedly would under the Bill as it stood, subject to such a mortgage. It was therefore desirable the Bill should contain some provision that a special memorandum should be endorsed on the deeds of grant, stating that the Government indemnified the grantee. He moved a new clause to that effect.

Question put and passed.

On clause 3—Proceeds of sale to be paid into Consolidated Revenue Fund—

Mr. GRIFFITH said he objected to the clause in this form, as he did not see why the Consolidated Revenue should be preferred to be credited with the proceeds of sales rather than the bridge fund itself.

Mr. PATERSON said that one of the reasons for the land reverting to the Crown in order that it might be disposed of in the usual way was, that it was intended to supply the Fitzroy and the Mary with bridges which should in like manner be a charge upon the country.

The PREMIER said he saw no force in the argument of the hon. member (Mr. Griffith). The money for the construction of the bridge had been paid out of the Loan Fund, and the proceeds of the land set apart for that purpose ought certainly to supply its place in the Consolidated Revenue. As to the notion that the Government wanted the money to supplement the Consolidated Revenue, it was too absurd to answer.

Mr. MILES said he had at last discovered how the Government were going to make both ends meet without having recourse to increased taxation;—they were going to sell these lands and put the money to the general revenue. He trusted the Committee would not allow them to do anything of the kind. The land was set apart for a special purpose, and for that purpose only ought it to be used.

Mr. GRIFFITH said it was evident the Government had not read the Victoria Bridge Act of 1877, or they would have proposed to repeal the clauses referring to this matter. There was no doubt that if the proceeds of the land went into the general revenue, it would go to make up the deficiency of the present year; and in order to tide over a temporary difficulty, this £120,000 would be made a perpetual burden on the colony.

Mr. GARRICK asked how much the lands were likely to realise, so that the Committee might know how much the Consolidated Revenue would benefit from this source.

The COLONIAL SECRETARY replied that the hon. member might be certain the Government would get all they could for them.

Mr. RUTLEDGE said they ought not to have two contradictory statutes in existence at the same time. If the proceeds of the sale of the land were to go into the Consolidated Revenue, that portion of the existing Act should be repealed which provided that they should go into another channel altogether.

Mr. GRIFFITH said the Government seemed to think it nothing to transfer money from one fund to another. The effect of the clause would be to take money from loan and place it to revenue, by which a perpetual burden of £120,000 would be laid upon the country. To relieve the exigencies of the present, the Government would burden the country for ever. The Premier did not seem to care a bit what happened after this year—after him, “the deluge” might come. To test the question, he would move that the words “Consolidated Revenue Fund of the colony” be omitted, with the view of inserting the words “Brisbane Bridge Account.”

The PREMIER said that in the Act, which the hon. gentleman himself passed through, it was provided that the interest on the loan accruing on account of the bridge should be a charge on the Consolidated Revenue.

Question—That the words proposed to be omitted stand part of the clause—put.

The Committed divided :—

AYES, 19.

Messrs. McIlwraith, Palmer, Perkins, Hill, Macrossan, Amhurst, Cooper, Norton, Low, H. W. Palmer, Swanwick, Stevenson, Stevens, Hamilton, Sheaffe, Lalor, Persse, Morehead, and Archer.

NOES, 14.

Messrs. Griffith, Rea, Miles, Garrick, Kates, Macfarlane (Ipswich), Grimes, Rutledge, Price, Meston, Hendren, Horwitz, Kingsford, and Douglas.

Question, therefore, resolved in the affirmative; and original question put and passed.

On clause 4—Short title—

Mr. REA said the Bill should be called a Bill to enable the Colonial Treasurer to break the law; or else a Bill should be passed to repeal the two clauses in which provision was made that proceeds from sales of those lands should go to a special fund.

Mr. GRIFFITH said he would point out that the proceeds of land sold before the

mortgage was paid off would go into Consolidated Revenue, and the proceeds of lands sold afterwards would not go into Consolidated Revenue. If the bank wanted to wind-up they might be willing to take the guarantee of the Government instead of a mortgage, in which case the proceeds of the sales would go to a different fund.

The PREMIER said no Colonial Treasurer during the next fourteen years would be so foolish as to buy back the debentures, for that was what the remarks of the hon. gentleman tended to.

Mr. RUTLEDGE suggested that the two clauses in the Victoria Bridge Lands Act, which related to the destination of proceeds, should be repealed.

Question put and passed.

The preamble was adopted; the Chairman reported the Bill to the House, and the third reading was made an Order of the Day for to-morrow.

#### CROWN LANDS ALIENATION ACT AMENDMENT BILL—COMMITTEE.

The House went into Committee for the further consideration of this Bill.

The MINISTER FOR LANDS moved that clause 8—Extension of homestead areas—stand part of the Bill.

Mr. GRIFFITH said, if he remembered rightly, the Committee, when last sitting, were considering whether the area should be absolutely extended to 160 acres, or whether power to extend was to be given only. He did not understand that the Government wished to prevent themselves from restricting the homestead area, if necessary. In some cases 160 acres might be too much to give away at 2s. 6d. per acre. He understood that it was intended to make this a clause to enable the Government to extend the area to 160 acres. He could conceive instances where 160 acres would be too large an area to dispose of at 2s. 6d. per acre; for instance, if land was worth £6 an acre, it would be absurd to let it go at 2s. 6d. He did not know whether it was the intention of the Minister for Lands that in all homestead areas the quantity which a man might take up should be 160 acres, without any power of the Government to restrict?

The MINISTER FOR LANDS said eighty acres was the limit now for a homestead selector on a homestead area, and the desire of the Government was to enable the selector to double his selection—to take up 160 acres.

Mr. GRIFFITH said that, as the clause stood, any homestead selector could take up 160 acres at 2s. 6d. per acre, and would have the priority of all other classes of selectors. He understood that the Government wanted the power to extend the area to 160 acres, but not to give the selector

the right to take up that quantity. In the case of a rich homestead area, 160 acres might be too much to part with at 2s. 6d. per acre.

The MINISTER FOR LANDS would repeat that the intention of the Government was to enable a homestead selector in a homestead area to double his eighty-acre selection, as eighty acres was considered too small for a man to make a comfortable existence. The hon. gentleman now gave a new complexion to the matter. His (Mr. Perkins') desire was to pass the measure, and if hon. members opposite would only render assistance it would not take much trouble to get the Bill through.

Mr. GRIFFITH said it was not a matter of any trouble, if the Government desired the power to extend the area, to alter the clause. As far as he understood the intention of the Government, they did not mean to say that any selector might take up 160 acres. There might be cases in which eighty acres would be sufficient.

Mr. O'SULLIVAN said from the time of the passing of the Land Act of 1876 it was considered that eighty acres was too small; and the intention was to remedy that defect by increasing the quantity to 160 acres. The area ought to be made as high as 320 acres. What difference did it make if the land was rich? The selector would have all the benefit of it, and the country would have the indirect benefit. He was of opinion that the value of land was not much until it was settled. This clause would encourage settlement.

The PREMIER said, in answer to the leader of the Opposition, that the desire of the Government was perfectly plain. At the present time a selector could only take up a homestead of eighty acres in a homestead area. The wish of the Government was to give him the right to take up 160 acres.

Mr. HORWITZ asked whether a man who had already taken up a homestead of eighty acres would have the right to select eighty acres more?

The PREMIER: Yes.

Mr. REA contended that it made a very great difference whether the land was rich or poor. To consider the rich lands of the Downs in the same category as the poor lands of the North would be to handicap the latter and attract all the population to the Downs. To do justice they should give, at least, four acres in the North to every one on the Downs.

Mr. O'SULLIVAN would prefer that there should be an absolute right to the selector to take up 160 acres, and that the matter should be taken out of the hands of the Government.

Mr. RUTLEDGE said that in the case of very rich land eighty acres was doubtless sufficient; but, as they were only dealing

with the residuum of that kind of land, an extension of homesteads to 160 acres was not too great a concession.

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

Mr. GRIFFITH said they had declared that homestead selections might now be 160 acres. Since 1876, a great number of men had taken up the maximum amount of eighty acres: why should they not be allowed to take up another eighty acres? He had drafted a clause to enable them to do so, as there was no provision in the present Act conferring the right. Under the 50th section of the Act of 1876, a homestead selector under the Act of 1868 or the Act of 1872, who had selected less than the maximum quantity, might take up adjoining land up to eighty acres within a homestead area. The clause was in print, but he did not wish to move it if there was any objection to it. He suggested it as a means of the Government carrying out their own intention.

The MINISTER FOR LANDS said it was thought that the machinery of the Act was sufficient to meet the case; but if this clause made it plainer, or gave greater facilities to selectors or intending selectors, the Government would offer no opposition to it.

Mr. O'SULLIVAN was very much pleased with the amendment so far as it went, but was afraid it would not meet all cases. It would only apply to those who had Crown lands adjoining their selections, and there would not be many of such cases, because all the adjoining land would have been taken up, and many selectors would not be able to take advantage of the clause.

Mr. RUTLEDGE thought the fact of the adjoining land being taken up would be proof that the land was of superior quality and the people believed they could make a living off eighty acres. He did not think selectors should be allowed to make fresh selections at a distance from their former selection, because they would not be able to use the land in the way contemplated.

Mr. O'SULLIVAN said the fact of land alongside selections having been taken up was not proof in all cases that it was first-class land. It might be proof that it was near a railway, or that the selectors had relatives near. He knew many cases along the railway line where eighty-acre selections had been taken up, where there was not as much good agricultural land as the size of the floor of the House.

Mr. REA was understood to say that the objection of the hon. member for Enoggera would not apply, because, when a man had the bulk of his eighty-acre selection under cultivation, he might require a further area for his cattle.

Mr. GRIFFITH said if the Government would accept the clause he would move it,

but, if not, he would rather not do so. He moved the following new clause, to follow clause 8—

When any person shall have selected a homestead under the Crown Lands Alienation Act of 1868 or the Homestead Areas Act of 1872 or the Crown Lands Alienation Act of 1876 in any homestead area set apart under the last-mentioned Act the extent of which homestead is less than one hundred and sixty acres such selector may also select as a homestead so much of any vacant Crown lands adjoining his first selection as shall not together with such first selection exceed the quantity of one hundred and sixty acres but so that the external boundaries of the combined selections shall not be other than would be allowed for one original homestead selection. And it shall be sufficient that the condition of continuous residence be performed on any part of the combined homestead selections. Provided that in no case shall any person except as aforesaid hold two separate homesteads.

Mr. O'SULLIVAN said he would like the word "adjoining" left out.

Mr. KATES was understood to support the omission of the word "adjoining," because it might prevent a selector from taking up land a few chains distant.

The PREMIER said the Government could not accept a proposition of that kind. A man could not live in two places at once. The clause would only apply to a few cases.

Mr. O'SULLIVAN did not think the objection of the Premier applied very much. He did not suppose a man was expected to live in two places at once; but he understood the intention was to enable a selector to take up 160 acres of land; but as the clause stood it would only apply to cases where the adjoining land was unselected, and there were very few such cases.

Mr. RUTLEDGE said all the land dealt with would be in homestead areas; and if a piece was five or ten chains away from one selector, why should not the selector whose land it adjoined be allowed to take it up?

The MINISTER FOR LANDS said he believed it was the desire of the Committee in passing this Bill to shut out dummyming by all expedients possible; but he had no hesitation in saying, from his experience, that if the word "adjoining" were omitted it would open the door again to fraud. It was desirable to prevent bad examples. The success which attended the operations of a few persons some years ago led many others to look with carelessness upon our laws, and he thought it would be a great misfortune if people were encouraged to take up land for speculative purposes. The amount that a selector paid for his eighty-acre selection did not pay the cost of collection, and they should do nothing to encourage people to do as they had done in the past.

Mr. O'SULLIVAN said, as both sides of the House were against him, and as he had no desire to encourage dummyming, he would withdraw his objection to the word "adjoining."

New clause put and passed.

Mr. REA moved the following new clause:—

Homestead selectors in the districts of Port Curtis and Leichhardt shall be entitled to select double the area allowed to homestead selectors in the district of Darling Downs in such cases as the commissioner in the former districts may designate as grazing land only.

He did not consider it fair that selectors in those districts should be restricted to the same areas as selectors on the rich lands of the Darling Downs.

The MINISTER FOR LANDS pointed out that the lands in the North were offered for sale at a very much lower price. The motion of the hon. member would, if carried, only tend to complicate the working of the Bill.

Mr. REA said there were no lands in the district he represented half as valuable as those in the Darling Downs. He had drawn up the new clause in as simple language as possible to avoid confusion, and he should divide the Committee upon it.

Question—That the proposed new clause stand part of the Bill—put.

The Committee divided:—

AYES, 5.

Messrs. Rea, Miles, Macfarlane (Ipswich), Grimes, and Price.

NOES, 24.

Messrs. Palmer, McIlwraith, Griffith, Kates, Stevens, Amhurst, Sheaffe, Stevenson, Archer, H. W. Palmer, Hill, Hamilton, Rutledge, Low, Hendren, Morehead, Lalor, Swanwick, Douglas, Perkins, Horwitz, Persse, Cooper, and Norton.

Question resolved in the negative.

Clause 9—Repeal of part of 40th section Crown Lands Alienation Act of 1876—put and passed.

On clause 10—Repeal of sections of Crown Lands Alienation Act of 1876—

Mr. GRIFFITH moved the following new clause to precede clause 10:—

The Governor in Council may before declaring any land open to selection cause such land to be surveyed in blocks of sizes within the limits allowed by law to be selected and may by the proclamation declaring such land open to selection also declare that it shall be so open as surveyed land

When any such land is declared open to selection as surveyed land every application to select the same shall state that the land is already surveyed and shall comprise one of such blocks and no more and shall conform to the boundaries as surveyed and any such application not complying with the provisions of this section shall be rejected.

The MINISTER FOR LANDS said he thought when he told the hon. member that this land had been surveyed and numbered, and other means of identifying it provided, the hon. member would see that there was no necessity for his clause.

Mr. O'SULLIVAN considered the amendment was opposed to the Land Act of 1868, which gave power to take up land either before or after survey.

The PREMIER pointed out that the hon. member was mistaken, as under the Act of 1868 land could not be taken up before it was surveyed.

Mr. DOUGLAS said that at the present time there were lands surveyed which were not open to selection.

The MINISTER FOR LANDS said that the object of surveying land before selection was to provide reserves for schools, &c., and for water and other reserves; also, in order that every intending selector might know what he was applying for.

Mr. REA said that one vital objection would be, that in some cases such large areas would be applied for that the small men would be shut out altogether.

New clause, as read, agreed to.

Mr. GRIFFITH moved a new clause, to follow the last new clause—Surveyed blocks to be applied for as such.

Mr. O'SULLIVAN said that meant that land might be so surveyed that a man with small capital could not take it up and would always have to stand out.

Mr. ARCHER said there was another objection to the clause as worded—there might be surveys in such small blocks as would not make it worth while to take them up. If the clause were amended so that a person had a right to take up in surveyed blocks as much as the Act allowed as the maximum area to be selected, it would be better.

The COLONIAL SECRETARY said that there was something in the objection which had been taken to the clause, and he proposed to amend it by striking out the words which defined the quantity of land to be taken up as (one) "of such blocks and no more," which was to conform to the boundaries as surveyed, with the view of inserting words enabling an applicant to take up one or more of such surveyed blocks—provided that the total area comprised in the application should not exceed 160 acres, and that surveyed blocks of a larger quantity than that area might be selected if the selections were enclosed on two sides by the boundaries of the block.

Mr. GRIFFITH hoped the hon. gentleman would put the amendment he suggested to the Committee. It was a good one; the only mistake in it was the statement of 160 acres as the maximum area. It would not interfere with any of the advantages of the clause or the powers of the Government.

The PREMIER said the clause was best as introduced, though it was open to the criticism of the hon. member for Blackall. They might have all the land surveyed in blocks of ninety acres or in blocks of 10,000 acres each. He would suggest that the hon. gentleman (Mr. Griffith) should withdraw his amendment, and the Bill could be re-committed for the purpose of striking out the clause previously agreed to.

Mr. ARCHER said the amendment opened up a large question, which could be far better dealt with in a new land Bill.

Amendment put and negatived.

Clauses 10, 11, and 12, passed as printed.

On clause 13—Penalties for trespassing on pasturage reserves—

Mr. GRIFFITH hoped the Government would not press the clause, for it absolutely made it an offence to camp on a reserve when travelling with stock. Everything really necessary in the clause was provided for in the 91st and 98th sections of the Act of 1876.

The MINISTER FOR LANDS said it was a notorious fact that the grass on reserves set apart for the use of the public was eaten off by stock belonging to men who lived a hundred miles away, or by cattle belonging to persons in the neighbourhood who had no land at all. The power to prosecute was vested in the Commissioner of Crown Lands, who was not likely to exercise it vexatiously or unwisely.

Mr. GRIFFITH said a reserve was set apart for public purposes, and everybody had a right to go upon it unless he was forbidden by some regulation. The power to make regulations was conferred upon the Governor in Council by the 98th section of the Act of 1876.

Mr. ARCHER said it was necessary that something should be done to protect the reserves. The reserves were made for the use of carriers, who were entirely dependent upon the grass they found on the roads. He had known Crown tenants travel sheep over reserves, and many people without an inch of land kept stock which they fed on the reserves. If the Act of 1876 gave power to punish trespassers, it had never been put into operation.

Mr. MILES disagreed with the hon. member (Mr. Griffith). He knew an instance of one reserve which had been completely monopolised by small selectors around, so that carriers had to put their horses or bullocks into paddocks and pay for them. It was absolutely necessary that something should be done, as the reserves were in many cases simply nurseries for the propagation of Bathurst burr.

Mr. PERSSE was very glad to hear the remarks of the hon. member (Mr. Miles) about reserves. The inhabitants of the places ate up every blade of grass, and the

carriers had to pay agistment for their cattle. Trustees should be appointed, with power to impound stock, so that the reserves might be utilised by the *bonâ fide* traveller and carrier.

Mr. RUTLEDGE said there was no necessity for the clause. Under the Divisional Boards Bill the boards would have control of the reserves, and make the necessary regulations.

Mr. GRIFFITH said the hon. member (Mr. Miles) misapprehended him. He had not the slightest objection to reserves being protected, and was aware that they had been abused. The clause either made everybody or nobody liable; he did not know which.

Mr. ARCHER said he understood the expression "lawfully claiming" in the clause to mean that leaseholders would have a right to the grass; although he considered that they should not have that right.

The PREMIER said the regulations would show who had a right to depasture. With the regulations the thing would be complete.

Mr. GRIFFITH: Under the clause of the Act of 1876 the thing is complete without any regulations.

Mr. O'SULLIVAN said he had generally found that the Crown lessees occupied the reserves and claimed the right to keep everybody else off. Reserves throughout the colony had been the beginning of townships, and people who settled upon them should not be hunted off without good reason. The Crown lessees always watched those who used the reserves, so that the services of a commissioner would not be required. He also doubted whether trustees could be found in the outside districts, and altogether he should be inclined to oppose the clause.

Question put and negatived.

Mr. PERSSE proposed, in the temporary absence of the member for Burnett, a new clause providing that any holder of a conditional purchase selection under the Land Act of 1876 who had fenced in the whole of his land with a good and substantial fence should be deemed to have fulfilled the conditions of improvement required under that Act. It was a very great hardship that men should have to effect the improvements required under the Act of 1876; in fact, in the majority of cases men had to make improvements which were of no benefit to them. When a man took up a piece of country, the first thing he had to do to make use of it was to fence it, but this was simply ignored under the Act. It was well known that to comply with the law numerous improvements were made which were merely temporary and were not the slightest value to the owner or the colony. When the owner got his certificate he simply pulled down these improvements, and the money spent upon them would be as good as wasted; whereas, if he erected

fences, they were *bonâ fide* permanent improvements that were beneficial to himself.

Mr. DOUGLAS hoped that the Government would take a stand on this matter. He had felt that the Bill ought to have been narrowed down to something less than it had been, and had been loth to deal with amendments of the land law generally introduced in this way. The Bill was originally brought in to deal with the Allora lands, and then came further amendments on the general law, which would have been far better relegated to another Bill. Now they were asked, in the form of an amendment of which notice had been given by a private member, to deal with one of the most important principles of the Land Act, and he hoped the Government would declare that they were opposed to doing so. It was beyond the intention of the Bill, and involved a very serious amendment of the law of 1876. The principles of the law in this particular matter were properly discussed, and the decision arrived at should not be re-opened in the way now proposed. A contract was made between the selector and the State that, if the former did not pay the money to the State, he must put a certain amount into the land in the shape of improvements. It was now proposed to condone that condition by substituting another, which did not require that that should be done, and consequently they would be diminishing by so much the value that the State would receive by virtue of the land occupied.

The PREMIER said he did not know how the hon. gentleman got the information that the Bill was to be confined to the Allora lands. Such was not the case, however. Seven clauses of the measure referred to the Allora land, and the rest up to the fifteenth referred to the general land laws of the colony.

Mr. GRIFFITH said that in an extremely thin House they were asked to make a most important change in the land law, and all in favour of one class. Under the Act of 1876 the same conditions were imposed upon every selector; so much per acre had to be paid in cash to the State, and so much per acre had to be expended upon improvements, but now differential rates were to be put on to favour the large selectors. They knew very well that fencing a large selection did not cost 10s. per acre, and that the effect of the amendment would be, if carried, that the holders would not have to expend even 5s. per acre to comply with the conditions of improvement required by the Act. Why should the small selector be handicapped by being compelled to pay 10s. per acre for his improvements; whilst the expense to the large selector would be considerably less? It was rather too bad to have a motion of this kind conferring a serious favour upon one class of selectors intro-

duced, and at a time when no serious legislation should be passed.

Mr. BAYNES said the hon. gentleman who had just sat down talked of legislating for one class, but he could not see that the amendment was not for the benefit of all classes. It would be a great benefit to the colony if carried. As the Land Act was now working it was driving capital out of the country. He did not see why the hon. gentleman should be jealous of seeing the same class of immigrants coming here as were going to New Zealand, New South Wales, and the other colonies. Such people should be invited to come here. The Minister for Lands had said the land law of 1876 was not a success:—forfeitures to a considerable extent were being made every day under it. In his district, on the 17th April, 1877, 566 miles were thrown open for selection at Nanango; at the same place, in December, 1878, 1,023 miles were thrown open; and the same time, at Gayndah, land was thrown open, making in all 2,100 square miles. It was impossible for a selector to carry on, year after year, with three bad seasons following in succession, if he was not able to go to a merchant or banker for help, as he could do under the Act of 1868. Under that law, a man who had fenced could get assistance from a merchant or banker by being able to give his certificate as security. Now, however, it meant plain forfeiture to many, for a man had not only to pay for his land, but to spend 10s. per acre upon it. It gave the poor man no chance whatever. He had known men in the adjoining colonies spend £500 upon a hen-house, and others to build chapels upon their lands, and consider them improvements. Men who had the capital to do such things were the only ones who could succeed under the land laws of this colony. The clause which the amendment was designed to remove was most arbitrary and most impolitic. He should like to know how the Premier hoped to form "close settlement" in the west without amending the Land Act. They were simply driving away the best class of selectors to New Zealand and New South Wales. The Treasurer calculated receiving £65,000 from conditional purchases for the year; but he would not get one-third of it in the district he (Mr. Baynes) represented, because there was no selection going on there—the land agent had nothing to do. The hon. member did not know anything about these reserves or the working of the Land Act. He regretted that he had been compelled to be absent, and having only just arrived by train he was not prepared to go fully into the matter; but he was thankful to the hon. member (Mr. Persse) for bringing it forward.

Mr. O'SULLIVAN said that under the Act of 1876 the improvements might be made in any way up to 10s. per acre; but, under the Act of 1868, the improvements were not

calculated according to money value, but there must be a sort of regulation fence; they did not recognise buildings or fencing-in paddocks in the body of a selection, and he thought this would be a good opportunity to make the two Acts alike. He agreed with the hon. member for Burnett (Mr. Baynes) that the restrictions were too high; but he would like to see an amendment that would reach all. He could state that a selector in his electorate, who had held 556 acres for four and a-half years, and expended on buildings and other improvements £302, was refused his certificate at the Ipswich Land Office, a few days ago, because he had taken up the land under the Act of 1868. He certainly ought to have got it, and he (Mr. O'Sullivan) thought it would be much better if the improvements under the two Acts were assimilated.

Mr. BAYNES said that under the Act of 1868, before a purchaser could get his certificate he had to fence his land, and it was with a view to assimilating that Act with the Act of 1876 that this amendment had been brought forward on his behalf. He did not see that it applied to one class more than another; it was for the benefit of the whole colony, and probably against his own interests as a pastoral lessee; but he contended that, in place of placing restrictions in the way of settlement, they should endeavour to facilitate it as much as possible.

After some further discussion,

Amendment, on the advice of Mr. Norton and Mr. Douglas, withdrawn; and remaining clauses and preamble were passed.

The CHAIRMAN left the chair, and reported the Bill with amendments.

The Bill was re-committed to consider the new clause following clause 9; the CHAIRMAN reported the Bill with further amendments, and, the report having been adopted, the third reading was fixed for to-morrow.

On the motion of the PREMIER, the House adjourned at twenty-six minutes to 12 o'clock until to-morrow.