

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 19 AUGUST 1880**

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**LEGISLATIVE ASSEMBLY.***Thursday, 19 August, 1880.*

Question.—Motion for Adjournment.—Conduct of Business.—Rabbit Bill—committee.—Alienation of Crown Lands on Goldfields Bill—second reading.—Burr Destruction Bill—second reading.—Queensland Iron.

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

**QUESTION.**

The Hon. J. DOUGLAS asked the Colonial Treasurer—

Whether it is the intention of the Government to introduce a Bill this Session for the Construction of a Transcontinental Railway on the principle of Land Grants?

The COLONIAL TREASURER (Mr. McIlwraith)—

Yes.

**MOTION FOR ADJOURNMENT.**

Mr. KATES said he rose for the purpose of moving the adjournment of the House, in order to draw the attention of hon. members to the unsatisfactory answer he received last week from the Minister for Works to a question put by him, whether he intended to proceed with the erection of a telegraph office at Allora, the money for which had now been standing on Loan votes for more than two years. The hon. gentleman replied that the business transacted at Allora did not warrant the erection of a post and telegraph office; but he (Mr. Kates) hoped to be able, before he sat down, to convince that hon. gentleman that it did. If that hon. gentleman would make inquiries, he would find that during the last year between twelve and fifteen thousand letters passed through that office, and about £2,000 went for money-orders, savings-bank receipts, and telegraph receipts to that office. Hon. members must be aware that the Government were at present paying rent for an office that could not be called an office; it was about 12 feet long, 8 feet wide, and 7 feet high, and the officer in charge had to perform the duties, in that small hole, of postmaster, savings-bank master, and money-order and telegraph master. £500 was voted two years ago for the erection of a telegraph office, and £5,000 had also been voted for a new hospital at Warwick.

He should like to know what had become of the money? Allora had received nothing from the Government, though it had been a little gold-mine to the Treasury; and if the hon. gentleman would take the trouble to look at the records of the Lands office, he would find that, during the last fourteen years, no less than £40,000 had been paid for lands sold in that district. It was therefore entitled to some consideration; besides, it was creating a bad precedent, and if the Government of the day appropriated money that had been placed on Loan Vote for other purposes, a future Government might appropriate money that had been voted now for the extension of trunk lines, or other works, to some other purposes. Tenders had been called for the erection of the Warwick hospital and Allora telegraph office, and he had himself seen the plans and specifications in the Colonial Architect's office, last year. If the hon. Minister for Works would advertise afresh for tenders, he would be able to get the building erected for less than £500, owing to the low prices of building material. It was his intention to ask the hon. gentleman whether that money had been appropriated to some more favoured constituency than the one he had the honour to represent? He should like to know why he did not proceed with the erection of that post and telegraph office? He hoped it was not because he and his colleague were sitting upon that side of the House that his constituency was to be punished. They were entitled to that building, because the money had been voted by a previous Government. Plans and specifications had been made out, and the business at Allora warranted the erection of that building, notwithstanding the remarks of the Minister for Works. He begged to move the adjournment of the House.

The MINISTER FOR WORKS (Mr. Macrossan) said he had nothing to add to the answer he gave to the question before. The answer was quite correct.

Mr. O'SULLIVAN said there was scarcely a member in the House who could not make the same complaint against Ministers as that which had come from the other side of the House. He could give the hon. member a case in point, to show that there was no partiality in that way. He (Mr. O'Sullivan) knew that £700 was granted for a bridge in his district at Cresbrook Creek, and, if he was not mistaken, tenders were actually called. Whether it was true that there was no money available he did not know, but, at any rate, they had not got the bridge. There were very faithful supporters on the Government side of the House to whom the Ministry refused to grant money for different works. The excuse given to him was that there was no money; but there was a telegraph office in his district that had been closed which he had great reason to complain of, and that was at Fernvale. They had the Brisbane River to cross, and several low-level bridges that were impassable in high floods. If doctors were wanted the rivers could not be crossed, and there was every necessity for a telegraph office; yet they had not got it. If members wished to raise complaints, they could raise as many as possible; but his only object in rising was to show that there were members on his side of the House who had as much to complain of as the hon. member.

Mr. MILES said there was a difference between the erection of a telegraph office at Allora and a bridge, because the £700 mentioned by the hon. member for Stanley came out of revenue, but the £500 for telegraph office at Allora was granted out of loan. The Government, when they placed that £500 on the Loan Estimates, must have been satisfied that the telegraph office was required. He must confess that he

did not know much about the grievances of the people of Allora, but his hon. colleague, who lived in the neighbourhood, would be more likely to understand those matters. If this was a very serious grievance he most probably would have heard of it; but there was this to be said, that the Government were paying £25 a year for rent for some hovel that his hon. friend had described as doing duty for a telegraph office. £25 a-year was a great deal of money to pay for such a place, and was almost sufficient to pay the interest on £500. Did the Government refuse to erect this office because it was a member of the Opposition who was applying for it? He hoped the Government were not so degraded or corrupt as that—though he was free to admit they were corrupt. He hoped they had not come so low that they were going to punish a constituency because a member of the Opposition represented it. He really thought the Minister for Works should proceed with the construction of this work at once.

The MINISTER FOR LANDS (Mr. Perkins) said that when the hon. member (Mr. Kates) moved the adjournment of the House he promised that he would show, before he sat down, that there was a necessity for the telegraph office at Allora. He (Mr. Perkins) happened to know something about Allora. In his last inquiries at Allora about this matter, he found that the postmistress had been dismissed or superseded on the representation of the hon. member (Mr. Kates), who represented at Allora that it had been done by the Postmaster-General. He also learned from the statistical returns that there was a loss to the country of £80 a-year through the Allora office. There was a great difference of opinion among the people whether they required a telegraph office. The people so distrusted the mode of conducting business there, that they preferred to send all their messages over to Hendon by special messenger, on the railway line, rather than put them through the local office, simply because there was a certain gentleman there who knew everything of importance that passed through the place. If a poll of the people were taken, he believed it would be in favour of having no office. He was justified in saying that they did not trust the office with their business. There might be a difference if they were not represented by their present member, and if he had not interfered with the exchange lands and prevented settlers from coming there. If he had not done that those lands would now be occupied, and there would be some chance of the telegraph office paying its expenses. The people had now a distrust, and would not use the office, because they stated that the hon. member was made aware of every important message by the telegraph officer. He (Mr. Perkins) had had telegraph offices closed in his own constituencies, which he regarded as a very great hardship, and he could make out a very much better case for restoring telegraph communication in his constituency than had been made out by the hon. member; and there were other members of the House who could make equally strong claims. The telegraph station was within three miles of Allora, or only twenty minutes' ride at the outside. He was giving the information to the House for its guidance. This was a time of economy, and that was the reason the money was not expended, and not by any effort on his part. He had inquired into these matters when he was last at Allora, and he thought that when the hon. gentleman wished to indulge in the luxury of building telegraph offices which would cost £500, he should make out a much better case than he had made.

The HON. J. DOUGLAS said he thought that the case had really been made out already.

Parliament had authorised the outlay, and he failed to see that the hon. gentleman had any right to set up his opinion against the decision of Parliament.

**THE MINISTER FOR LANDS:** It is the opinion of the people of Allora.

**MR. DOUGLAS** said the authority for the expenditure of this money was the authority of Parliament, and surely the hon. gentleman should respect that. The excuses the Minister for Lands had made were unreasonable. If there had been a telegraph master at Allora who did not do his duty, of course the Postmaster-General was bound to dismiss him; but why should the hon. gentleman relate those stories which had been told to him of the untrustworthiness of the officer who was stationed at Allora? He (Mr. Douglas) knew nothing against that officer; he believed he had been exchanged, but whether the statements that were made were founded on fact was another thing altogether. It was a most cruel thing to say of an officer in the service of the Government at the present time that he had been in the habit of showing telegrams to the hon. member, Mr. Kates. The Minister for Lands stated that it was commonly reported that the Allora telegraph master used to show the contents of the telegraph messages to Mr. Kates.

**THE MINISTER FOR LANDS:** I did not say "show."

**MR. DOUGLAS** said that what the hon. gentleman said amounted to the same thing—that the telegraph master conveyed the contents of these telegrams to Mr. Kates. That was a very grave assertion to make, and, if it was true, the telegraph master merited instant dismissal. It was one of those things which ought to be inquired into and decided. Certainly the officer, ought not to have been accused in that general sort of way on mere rumour of such a gross dereliction of duty. He did not object to economy being practised. If it was necessary to replace this officer by someone else, of course that was a function of the Administration which they were perfectly entitled to exercise. But he thought it was extremely hard and cruel, and showed something like a vindictive spirit, that Allora should have been treated in that way. The Government, he believed, had paid as rent for the present office an amount of money that would, if expended in the way Parliament had said it ought to be spent, have built the new office. The money authorised by Parliament for this purpose was now lying idle. It was simply a part of the large balance standing to the credit of the Government on loan account in the banks. It seemed to him that it was wrong that upon the mere opinion of the Government—an opinion which he believed was not founded in fact—the people should be denied these things in an old township like Allora which had contributed very largely to the revenue, and where there had been very little, if any, money expended;—where there was a settled and industrious population asking for some small convenience of this kind, and they were denied it on the ground of some rumour that an officer who was once stationed there had supplied the hon. member (Mr. Kates) with information; it was for this reason the Government wished to set aside the injunctions of Parliament. It was very humiliating to listen to the reasons assigned by the Minister for Lands—that if the hon. gentleman had been more politic in connection with the exchange of the Allora lands a short time ago, there would be a greater reason for this telegraph office than there was at the present time. He (Mr. Douglas) had known Allora almost from its foundation, and it was one of the oldest townships in the colony, having been estab-

lished nearly twenty years ago. It was not a very large place, but it was a place where there was a settled and industrious population, and it was exceedingly hard and cruel that they should be denied this little convenience in the sort of vindictive way that they were. The Government ought to erect the building by expending the money voted for the purpose, in the way which Parliament had indicated, and he thought Mr. Kates was perfectly justified in calling the attention of the House to this dereliction of duty on the part of the Government.

**THE HON. G. THORN** said he should like to say a few words on this subject. Hon. members must bear in mind that this money had been voted out of loan, and could not therefore lapse. He would point out, also, that a similar thing had occurred in many parts of the colony where sums of money had been voted for a specific purpose out of loan for the erection of such buildings. He did not see why the work in the present case should not be done, as he thought the hon. member had made out a very good case for Allora. He was aware of many places in the colony where the present Government had called for tenders to erect such buildings; the Minister for Works knew of them, also. It was certainly due to the township of Allora, where they were already paying the money needed as rent for the present building, that a telegraph office should be supplied. It was simply absurd to go on paying this rent, and he hoped the Minister for Works would at once call for tenders for this building in the same way as he had already called for tenders for buildings in many other parts of the colony.

**MR. GROOM**, as a member who had known Allora from the time when it was first incorporated as a township of New South Wales to the present hour, could testify to the fact that there was no community in Queensland more hard-working, industrious, or less given to appealing for public support. A reference to the Registrar-General's report would show that amongst the municipalities of Queensland, many of whom had contracted debts from £120,000 downwards, Allora stood almost pre-eminent in having a balance to its credit in the banks. The sum referred to by the hon. member for Darling Downs was moved for by the late hon. member for Warwick several sessions ago, and assented to by the House; and there was no reason why it should not be applied to the purpose for which it was voted. If the sum were considered to be too large it might be reduced; but by some means better accommodation should be provided than the wretched hovel—barely fit to keep a dog in—which at present did duty for a post office. The Minister for Lands had made a statement to the effect that the contents of telegrams passing through the Allora office had been communicated to the hon. member for Darling Downs. Of course it was impossible for him to contradict a statement of that nature; but he would say without hesitation that if it was true, the postmistress or postmaster, whichever it was, had no business to be there. Secrecy, of all things, was most important in matters of that kind. There was also a bank in the town, and if it were to be believed that the contents of telegrams were not safe no one could say where the mischief would end—public confidence would be destroyed and no telegrams would be sent at all. He believed, however, that there was another explanation of the circumstances referred to by the Minister for Lands. For a long time past parties had preferred sending messages through the Hendon office, as those sent through Allora were often kept waiting whilst Melbourne, Sydney, and other business was being transacted. A message sent by way of Hendon often reached

Toowoomba quicker than one sent *via* Allora. He would, however, take higher ground, and say that from his knowledge of the hon. member for Darling Downs, extending over a number of years, he did not believe the hon. member desired to know the contents of telegrams, or would stoop so low as to avail himself of any information of the kind; though he might perhaps, from motives of curiosity, inquire how many telegrams were sent. If doubt of the secrecy of the telegraph office were once established, it would spread to other places, and there was no knowing where it would stop. He understood that for the present miserable office the country was paying £25 a-year, so that on the score of economy it would be advisable to have a building constructed which would belong to and be under the control of the Government. If he was rightly informed, the present office—which was used as a savings bank and money-order office, and where, consequently, money was kept—had been broken into recently and valuables stolen therefrom. Therefore, on the ground of security a new building was required, and the necessity would increase as the large areas around the town came to be settled upon and the town increased in importance. He could not believe that the Minister for Works would lend himself to punish a member for sitting on the Opposition side of the House by delaying the carrying out of such a work; and he should recommend the hon. member for Darling Downs to table a motion to take the opinion of the House on the subject. If the sum was considered too large it might be reduced to £300, at which price a building might now be constructed which a few years ago, when timber was much dearer, would perhaps have cost the larger sum.

Mr. KATES said the Minister for Lands had had the impudence to tell the House that he (Mr. Kates) had seen telegrams at Allora which had been shown to him by the telegraph officer.

The MINISTER FOR LANDS: I said I had been informed by the principal residents there that the information had been communicated to the hon. member.

Mr. KATES said, then the person who informed the hon. gentleman had told a deliberate falsehood. During the twenty years he had been a resident of the district he had never seen a telegram except those directed to himself, and he could not believe that the hon. gentleman had been so informed. He had also brought this subject forward to call attention to the fact that £5,000 was voted out of the loan at the same time for the Warwick hospital—plans and specifications of which were in the Colonial Architect's office—and to ask why that money had not been spent for the purpose for which it was voted? Notwithstanding the opening of a post and telegraph office at Hendon, the business at Allora had increased, and the erection of a proper building was now even more needed than it was a few years ago. This was not the first time the Minister for Lands had taken upon himself to sit upon him, and he would tell the hon. gentleman plainly that he would not have it. It appeared that the hon. gentleman was the bully of this Government; but whatever possessed him to say that telegrams had been shown to him he could not understand. Nothing of the sort occurred, and he would not have looked at a telegram even if it had been handed to him for inspection.

Question put and negatived.

#### CONDUCT OF BUSINESS.

The PREMIER said he understood the arrangement made last night was that, hon. members consenting, the private business should be

postponed until after the further consideration in Committee of Ways and Means of the tariff. He therefore moved that the Orders of the Day intervening be postponed until after the consideration of the first Order of the Day, Government business.

Mr. GRIFFITH said he could not imagine how the Premier could understand that such an arrangement had been made. He had offered that arrangement on the condition that members should have an opportunity of considering to-day the tariff resolution moved by the Premier; but the hon. gentleman, after first offering to accept the proposal, afterwards refused, and then he (Mr. Griffith) distinctly withdrew the offer he had made to allow Government business to take precedence to-day.

The PREMIER said he understood the hon. gentleman to say that he would consider about withdrawing the offer, but he did not understand him to have done so. The question, however, did not rest with the hon. gentleman; and if private members would consent to the postponement, he was prepared to go into Committee of Ways and Means.

Mr. GRIFFITH said there was one Bill on the paper which was in his name, and, as a private member, he should not consent to its postponement. It was not the usual thing for Government to take a private business day without the consent of hon. members.

Mr. MILES said there was an important measure—the Rabbit Bill—on the paper, and he proposed that the House should deal with that and leave the tariff arrangements until a Government day.

Mr. DICKSON said it was very unfair that the business of private members should be placed at a disadvantage. If hon. members on the Government side chose to postpone their business, that was their matter; but with regard to other hon. members it was a very arbitrary proceeding to insist upon a private members' day being occupied by Government business. Last Thursday had been given up to the Government, and if the Government declined to give hon. members an opportunity of proceeding with their business they would be asserting a claim to carry matters with a very high hand.

The PREMIER said he thought he commenced to see the tactics of the leader of the Opposition. When the hon. member submitted his amendment on the tariff resolution last night, he (the Premier) was very much in doubt whether the hon. member, who was so clever in dealing with matters generally, and particularly well up in the forms of the House, could possibly have framed his amendment as he did by mistake. The effect of the hon. member's amendment was to prevent any useful discussion of the tariff during that evening. He (the Premier) had offered every facility for the discussion on the tariff, and was willing that the discussion should take place on a private members' night if hon. members had no objection to postpone their business. Hon. members on his side of the House agreed to postpone their business, and that was going a great length to facilitate the discussion of the tariff. They now found members of the Opposition saying in effect that they would not have the tariff discussed. Between the freetraders and the protectionists the leader of the Opposition did not know exactly what to do, and he was ingeniously trying to throw the blame on the shoulders of the Government of preventing discussion. The Government had no desire to shirk discussion of the tariff. The discussion could take place when the Customs Bill was before hon. members, and it would have taken place last night but for the action of the leader of the Opposition.

Mr. GRIFFITH said it was no use for the Premier to try to carry on the business in this unconciliatory manner, nor for him to attempt to misstate or misrepresent the facts of the case. Last night he asked the Premier whether he would afford an opportunity for the discussion of the tariff on its merits, quite distinct from the general financial question, and, in order to obviate any delay of Government business, he said that if the request he had made was acceded to he was willing—and he believed hon. members on his side of the House were willing—to give up their private business to-day. The Premier at first said he would agree to that arrangement, but afterwards he refused to enter into it, whereupon he (Mr. Griffith) said that he would withdraw any concession which he had said he was willing to make. Thus, matters now stood in the ordinary way, and private business should take precedence of Government business. As far as he knew, no arrangement had been come to between hon. members. The Premier should not attempt, because he had a majority at his back, to deprive private members of the right to proceed with their business if they thought fit to do so. If the course now proposed by the Premier were adopted private members would soon have no rights at all. It was not likely that the private business on the paper would take up any great length of time, and after it had been disposed of Government business could be proceeded with. He objected to private members' business being passed over in a summary way without any notice being given of the course of procedure to be proposed. It seemed to him as though the Premier was attempting to drive the Opposition, against their will, to obstruction; he had been of that opinion for some time. If the Government practised a policy of violence they could only be met by a policy of obstruction; that was the only thing the weak could do against the strong. He emphatically protested against any proceeding on the part of the Government tending to interfere with the liberties of the House; he objected to any arbitrary exercise of power on the part of the Government, and always should do so. He was not afraid of the protectionists or freetraders; he was quite prepared at any time to express his opinions and vote according to his convictions. A motion of the kind proposed had never been made without the consent of hon. members, and if he were alone he should divide the House against it.

The COLONIAL SECRETARY said the hon. member for North Brisbane reminded him of a gale of wind in a butter-boat. The hon. member knew as well as he did that there was no intention of putting the question to a vote. If one hon. member objected to it, it could not be put. The hon. member got up and talked about conciliation, but he did so in his usual snarling manner, which did not tend to conciliate anyone, particularly hon. members on that side of the House. The hon. member acted in the same way on every occasion when he rose to address the House. When the hon. member was allowed to rise a second time he did not answer the Premier, but gave them a long tirade about nothing at all. If the hon. member's speeches were stereotyped *Hansard* would be saved a great deal of trouble. They had the hon. member's speeches *ad nauseam* in the same tone, the same spirit, and with the same looks. One would think that the Premier was trying to ride rough-shod over the Opposition. The Government were willing to allow hon. members to express their views respecting the tariff, and when they made a motion which would have that effect the hon. member for North Brisbane jumped up and talked about dividing the House and insisting on the rights of free discussion. The hon. member's braggadocio

was not wanted in the least. The Premier had no intention of forcing his motion on the Opposition.

Mr. GRIFFITH: Why did he not say so?

The COLONIAL SECRETARY said that the Premier did say so. If one hon. member objected to the motion there was only one way of getting it carried, and that was by a majority of the House voting for it. It was not likely that the Government would take such a high-handed course, even if they had the power. That course was taken on rare occasions, but on a question of this kind it would be perfectly absurd, and no one knew that better than the hon. member. The hon. member had blocked all discussion on the tariff by the absurd amendment which he submitted last night. He was puzzled to know whether the hon. member submitted his amendment in ignorance of its effect, or whether it was cunningly devised so as to block discussion on the tariff; the act showed either a good deal of cunning or a vast deal of stupidity. The Premier had given way so as to allow the tariff to be discussed, but it had been disposed of as far as the Committee was concerned, and there could be no useful discussion on it until it came up in the form of a Bill.

Mr. DOUGLAS said he certainly understood that the Government were going to press the motion, as the Premier made no qualifying remarks respecting it. The remarks of the leader of the Opposition were, he thought, perfectly justified, because if such a resolution were put and carried there would be an end to the sessional order which gave private business precedence. He was not present last night when the so-called arrangement was made, but he did not see anything in *Hansard* to bear out the statements made one way or the other. The hon. member for North Brisbane had not been fairly treated with respect to the amendment which he submitted last night. The amendment was not submitted with the intention of preventing further discussion, but when it was discovered that it would have that effect the hon. member expressed a desire to alter the form of it.

Mr. ARCHER said he thought the misunderstanding had arisen through the undecidedness of the leader of the Opposition. He (Mr. Archer) left the House last night under the impression that an arrangement had been come to that private business would not be taken to-day. He knew that was the impression left on the minds of several hon. members who left the House at the same time as he did. The hon. member for North Brisbane tried to put all the blame on the Government, but he ought to take a share of it himself, because of his inconclusive way of dealing with matters.

Mr. WELD-BLUNDELL said he was only present during a part of the discussion which took place on the previous evening on the question now being considered, but he certainly understood the leader of the Opposition to say that he was perfectly willing to give up private business to-day in order to secure a debate on the financial question. Having come to such a decision there was no reason apparent why it should have been withdrawn afterwards by the hon. member, unless something fresh transpired. However, whether it was withdrawn or not he could bear out the statement made by the member for Blackall. He was in the refreshment-room when a number of members came in at the end of the debate, and in reply to a question they all stated that the financial question was to be brought on to-day before the private business.

The PREMIER said that in moving the motion he spoke under the impression that it

could not be put unless by the general consent of the House. He knew it was only by the courtesy of the House that it could be carried. It was not intended to be an extraordinary motion. It must be moved simply by consent of the House, and he thought that consent would be readily obtained. He was under the impression that he was granting a concession by promising that the Committee of Ways and Means should be opened to-day, but as the concession would not be accepted, hon. members would see that he could not give the time that he promised last night, the promise being made on the condition that a private day would be given up for the discussion. Government business must be taken on Tuesday and Wednesday. He begged to withdraw his motion.

The SPEAKER said he might point out to the hon. the Premier that the motion was perfectly in order, and that similar motions were frequently made here and in the House of Commons, the Orders of the Day being the property of the House.

Motion withdrawn.

#### RABBIT BILL—COMMITTEE.

Mr. STEVENS moved that the Speaker should leave the chair, and the House resolve itself into a Committee of the Whole to consider this Bill.

Mr. GRIFFITH said he wished to explain that the Opposition were perfectly willing to go on with Ways and Means after the private business had been disposed of; but what he objected to was precedence being given to Government business on a private members' day without the consent of hon. members. He hoped that the House would be able to dispose of Ways and Means that evening. So far as he knew, the private business on the paper would not take a great deal of time.

Question put and passed, and the House went into Committee.

Preamble postponed.

Mr. STEVENS moved that Clause 1—"Live rabbits not to be introduced into the colony"—should stand part of the Bill.

Mr. THOMPSON said he saw that all Bills were now punctuated, and thought this was the proper time to raise the question. An innovation of that sort should not be introduced without authority, and he was of opinion that unless it was authorised it would be competent for the Chairman to ignore punctuation. Who was to be responsible for the correct punctuation of the Bills? Was it to be the Government Printer, the Chairman, or the Clerk who examined the Bills? It would be very desirable to punctuate, but owing to the way they carried on business it would be quite impossible, and he would point out that the effect of misplacing a comma or full-stop might be enormous.

The COLONIAL SECRETARY said he did not expect that the point would be raised on a private Bill, seeing that every measure which had been introduced by the Government this session had been punctuated. Why had not exception been taken to the first Bill which came before the House? In punctuating their Bills the Government were only following the practice of the Imperial Parliament, and he believed it was a very great advantage to do so. For the lawyers, no doubt, it would not be so good a system as the old one—they would not get quite so many actions through the meaning of Acts being obscure. He considered it right that they should follow the practice of the Imperial Parliament, and if a majority of the Committee objected to punctuation they must move a motion that it should be omitted.

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Mr. KING thought the alteration was more important than the Colonial Secretary seemed to think, and would point out that this was really the first opportunity hon. members had of discussing the question. With regard to the argument that the Imperial Parliament punctuated all their Bills, it must be remembered that at home there was a staff of parliamentary draftsmen, who received very high salaries for looking to these matters, amongst others. If they were to have Bills punctuated it would also be necessary to punctuate amendments. The question was, who was to be responsible for the proper punctuation of Bills? They certainly could not authorise the Government Printer to do the work, as commas and full-stops might be put in altering the whole meaning of a clause. He fancied that if they adopted the practice, the responsibility of seeing that the Bills were properly punctuated would devolve upon the Chairman. At all events, as this was the first opportunity they had of discussing the matter, it was desirable to have an understanding as to what the practice should be, and as to who should be responsible for the accuracy of the punctuation. The system would entail a great deal more labour upon the readers, and, as he had already remarked, the misplacement of a full-stop or comma might alter the sense of a clause.

Mr. GROOM said the aim of Parliament should be to make its laws as clear and intelligible to those who had to administer them, and to laymen generally, as was possible, and unless punctuation were adopted confusion would result. The Divisional Boards Act was an instance in point. Hon. members had heard of the absurd, ridiculous way in which it was being administered in some localities, and the reason was because the clauses were not clear through the want of punctuation. It had been said that it would be difficult to punctuate, but, taking the measure before the Committee, no one could say that it was wrongly punctuated. He entirely concurred with the remarks of the Colonial Secretary, and hoped that for the future the practice of the Imperial Government would be followed—no matter what the expense might be. He could not see that any real difficulty would arise. Punctuation would certainly make their laws more intelligible, and as a necessary consequence help to avoid litigation; and on that ground he would support the adoption of the system. He might mention that in the New South Wales Legislative Assembly a motion that Bills should be punctuated was brought forward, but was lost; and by the division list he noticed that all the legal gentlemen voted against it, very likely because they thought it better to their interests that the words of the clauses should read right on without any punctuation to assist in discovering the meaning. In the Electoral Rolls Act, plain as the hon. member for Blackall endeavoured to make his amendments, endeavours had been made to place a construction upon the measure the very opposite of that which was intended. This construction had led to no great harm up to the present time, but it might in the future prove exceedingly harmful and mischievous, and had the Act been punctuated there would probably have been no misunderstanding whatever.

Mr. THOMPSON said he could afford to treat with indifference the usual reference which had been made to lawyers; but he desired to know who was to be held responsible for the punctuation? He presumed the Clerk-Assistant would not assume the responsibility, and he was sure the Government Printer should not. He did not suppose, either, that the Chairman would care to make himself responsible. Was the punctua-

tion of a Bill to remain in the form in which it was introduced, or were the Committee, in criticising the Bill, supposed to correct its punctuation?

Mr. ARCHER did not know that anything surprised him more than the fact that the whole of our Acts had been passed without punctuation. He supposed the practice originated in England, at a time when educated gentlemen knew nothing about punctuation.

Mr. GRIFFITH: Do they know much about it now?

Mr. ARCHER said they had, at all events, made some progress—they now had school boards. It was undoubtedly the duty of legislators to make their measures understood as clearly as possible. He supposed the only reason our Acts had not been punctuated was that we came of an old stock which was intensely conservative of precedents. In instituting a new system they might at first make mistakes: of course, hon. members could not be supposed to punctuate so accurately as men who had devoted their lives to the study of grammar. He had no doubt in his own mind that Acts would be far more intelligible with punctuation than without it. Punctuated Acts would be far more intelligible both to lawyers and laymen, and there would most probably be less litigation.

Mr. GRIFFITH said he agreed with the general principle that a punctuated Bill was better than an unpunctuated Bill; but who was to do the punctuation? That was the question to be decided. Punctuation was an art which, he regretted to say, was very little known; and at the present time he did not know of any two men who entertained the same opinion with regard to it. Some people thought he was wrong in his views, while he thought others wrong in their opinion. Then, again, printers had a method of punctuation entirely different from that laid down by grammarians. Which method was to be adopted, and who was to be responsible for its adoption? Here lay the practical difficulty. It might turn out that a punctuated Bill would lead to more controversy than an unpunctuated Bill. No doubt the reason why punctuation had not been adopted lay in the risk which would be incurred of putting stops in the wrong places. Only the other day he received a letter which, owing to the misplacing of a comma, he had to read several times before he could understand its meaning. A mistake of that description in an Act of Parliament might originate serious difficulty. The only alternative they had, then, was to make Acts as intelligible as possible without punctuation. That could be done with a little trouble. A comma, perhaps, might save five minutes' labour in drawing up a clause; but unless they were certain of obtaining the services of a punctuator who knew exactly what the House meant, it would be safer to put up with a little extra trouble and do as we had done in the past. The experiment seemed to him to be a very hazardous one; and as to its causing less litigation, he thought it likely to lead to more, unless the practice were carried out with extraordinary care and accuracy.

An HONOURABLE MEMBER: It could be done by the parliamentary draughtsman.

Mr. GRIFFITH thought it would be by no means easy to procure a draughtsman who would understand the intention of the House. In England there was a Bill office with a competent staff attached to Parliament, for the preparation of private Bills—not what we called private Bills; but Bills introduced by private members on any subject. There was also a large staff of draughtsmen. He was inclined to agree with the Speaker and the hon. member

for Ipswich, that it would be safer not to alter the practice.

The ATTORNEY-GENERAL said the absence of the practice in England was owing, not so much to the fear that the punctuation would be inaccurate or that any difficulties would arise in connection with punctuation, as to the fact that Bills and deeds were an old form of document originating at a period when stops were not in use in the English language. In point of fact, the adoption of stops was like the adoption of accents in the Greek language—it was a necessary definition. It was a great misfortune; but in these degenerate days we needed stops, and he feared we had reached that point when we required stops in our Acts of Parliament as well as in other documents in general use. He did not think hon. members very likely to make mistakes in punctuating their amendments. On the contrary, stops would assist them to make their amendments more intelligible, and to give them the exact meaning they desired.

Mr. NORTON said he had looked over most of the Bills introduced during the present session, and, as far as he could see, they were very much improved by their punctuation. He did not mean to say that the punctuation was perfect; but it was so far an improvement upon the old system that it made the longer clauses more clear than they seemed to have been hitherto to those who were unaccustomed to reading Acts of Parliament. After all, those who objected to punctuation were inconsistent; because, upon reference to Acts of past sessions, they would find full-stops, parentheses, breaks, and hyphens. There was always a break and a capital letter when a fresh sentence commenced; and if hon. members who now objected to punctuation were consistent they would object to that. To be consistent they must run a clause on without any distinction of sentences whatever. If the full punctuation of the Bill before the Committee could be called an innovation at all, it seemed to him to be a most sensible one.

Mr. KING said he must point out that the argument of the hon. member for Port Curtis led to an absurd conclusion; because, if those who objected to punctuation were so consistent as to object to breaks between sentences, it might also be said that they should insist upon any break between the preamble and the clauses, or between the clauses themselves. The system of punctuation was invented to enable people to make clear the meanings of involved sentences, where, in the absence of punctuation, a comparatively large number of words would be required to make them intelligible. There was no doubt that it facilitated the labour of ordinary writing; but extraordinary care would have to be exercised if it were used in Acts of Parliament. For instance, take the case of a Bill sent to the Printer upon leaving Committee. When it was returned to the House, and presented for the third reading, the Chairman had to certify that it was a correct copy of the measure as agreed to by Committee of the Whole, and, if the measure were punctuated, he would have to ascertain that the punctuation was exactly the same as when the Bill was sent to the Printer—that was to say, he must be sure that the Printer had not misplaced a comma or stop, and thus altered the meaning of the sentence in which it occurred. In the first two clauses of the Bill he held in his hand he found that the preamble, according to his own ideas of punctuation, should have three more commas, that the first clause should have three more, and the third clause five more.

Mr. THOMPSON thought there were too many commas in the Bill.

The COLONIAL SECRETARY said they might continue to argue an abstract question of



this character for an indefinite time without arriving at any conclusion, for there was, properly speaking, no question of punctuation before the Committee. Could either the hon. member who thought there were too many commas in the Bill, or the hon. member who thought there were insufficient, point out a comma which interfered with the sense? That was the only point they had to consider. Great stress had been laid upon the necessity for rendering someone responsible for the punctuation. There need be no difficulty upon that point. In the first instance, he supposed the Government Printer, or the hon. member introducing the Bill, was responsible; and when the Bill had passed through Committee he presumed the responsibility would rest upon the Chairman, who would only be occasioned a little extra trouble in looking through the Bill to see that the stops were in their original and proper places. He decidedly objected to the appointment of an officer to place the stops. Such a person would be practically a law maker. He was satisfied that the innovation was a good one, and that the House would do well to give it a trial. He was also sure that there would be less diversity of opinion upon the punctuated than upon the unpunctuated Acts.

Mr. ARCHER said that if it could be shown that the scarcity or superabundance of commas created any difficulty in the understanding of the Bill, the discussion might be useful; if not, there could be no objection against going on with the Bill in its present form. If they went on with the Bill they would soon discover whether the commas ought to be retained or eradicated.

Mr. AMHURST was of opinion that, to save future trouble, all the commas ought to be taken out.

Mr. RUTLEDGE said the punctuation did not obscure the meaning of the Bill; but it might be made into a precedent and lead to a universal system of punctuation in other Bills, which might result in trouble.

The COLONIAL SECRETARY said the dreadful evils that had been predicted to follow the punctuation of Bills had not arisen in Victoria, Tasmania, and New Zealand. In those colonies all the Bills were punctuated.

On the question that clause 1 be passed as printed,

Mr. GRIMES congratulated the hon. member (Mr. Stevens) on introducing the Bill, and said that with a few alterations it would be a useful measure. Rabbits had already become a serious evil in other colonies, and the present Bill was a step in the right direction. In order to make the Bill more useful, he would move that the words "and hares" be added after the word "rabbits." In a very short time hares would be as troublesome to agriculturists, if not to pastoral tenants, as rabbits. It might be objected that hares did not increase so fast, and that they might be kept down with guns. That might be so in open plains, but not in the neighbourhood of scrubs or cultivated farms. Complaints had already been made with reference to hares. On the south side of the river an individual desirous of having a little coursing had turned out a few hares, and they had increased considerably in a very short time, and they were frequently seen about the canefields, from which it would be a difficult matter to dislodge them. Hares were also very troublesome in orchards by nibbling away the bark of young trees, and complaints to that effect had already been made in the neighbourhood of Brisbane.

The COLONIAL SECRETARY said the amendment, being beyond the title of the Bill, could not be put. The hon. member might as well add elephants or tigers.

Mr. ARCHER said that, while sympathising with the hon. member in his endeavour to put down all noxious animals, he would point out the fact that by pressing the amendment the result would be that the Bill would not pass. It was better that a rabbit Bill should pass than that nothing at all should go through. Everyone knew what a curse rabbits were; but, with regard to hares, many people did not consider them so destructive; they did not burrow, and they could be kept down by shooting. He did not object to the introduction of a Bill against hares, but the present amendment would simply have the effect of destroying the Bill. He would advise the hon. member to withdraw it.

Mr. PERSSE said he trusted the hon. member would withdraw his amendment. The hon. member (Mr. Stevens) had taken a great deal of trouble with the Bill, and it would be a pity if it was not allowed to pass—which would be the result if the amendment was passed. He knew perhaps as much about hares and rabbits as anyone in the Committee, and he maintained that hares could be got rid of at a very few days' notice; they were the easiest animals in the world to be snared or trapped. The rabbit nuisance was daily growing, and, if the Bill was not passed this session, would grow to as great dimensions as the marsupial plague. Some property which he formerly possessed in Ireland was completely destroyed by rabbits—turned into nothing but morass. Neither shooting nor trapping would keep them down; when they once got possession of land they became absolute monarchs, and nothing could dislodge them. He trusted the Bill would be allowed to pass.

Mr. GROOM said he had been requested by several genuine sportsmen on the Darling Downs to support the Bill, but on no consideration to allow hares to be included in it. Hares had already been let loose on the Downs without being very destructive; on the contrary, they had been a source of genuine amusement to gentlemen interested in sport of that kind. The Bill, as introduced, was a very useful one, and if carried would accomplish its object; and if hereafter it was discovered that hares were likely to be injurious, it would be easy enough to bring in a Bill to remedy it. At present that was not the case, and he hoped the hon. member for Oxley would not press his amendment.

Mr. SIMPSON said he took great interest in the Bill, and felt it would be a pity if anything should prevent its being passed. It was a very good Bill for the purpose for which it was introduced, and he hoped it would be allowed to pass very much in its present shape.

Mr. AMHURST said that while hares might, in certain circumstances, become an intolerable nuisance, yet he hoped the Bill would not be lost by the introduction of any amendment not generally acceptable.

Mr. KING said that as many hon. members seemed anxious that the Bill should pass, he should not place any obstacle in the way; but his experience had shown that rabbits, whenever they had been turned out in the colony, had not been a success. Four or five years ago rabbits were turned out at Woody Island, near Maryborough, and for some time people used to go there for a day's shooting and bring back large numbers. At present, as he had been informed on his last visit to Maryborough, there was hardly a rabbit to be seen. They had been exterminated, it was said, by the iguanas, who preyed on the young ones. Besides, if they had not a rabbit nuisance they would have a marsupial nuisance, and he did not think they would be worse off with the former than with the

latter. He would not oppose the Bill; at the same time, he thought it was perfectly unnecessary.

Mr. SIMPSON said, on the Murray, some thirty years ago, rabbits were tolerably numerous, and then disappeared totally for a time, so that not one could be seen for hundreds of miles. But, as a matter of fact, they were there all the time, and that particular part of the country was now dreadfully infested with them.

Mr. NORTON said his experience of rabbits in Queensland had been precisely the same as that of the hon. member (Mr. King). On the station adjoining his run, some years ago, several rabbits were turned out, and for the next twelve or eighteen months they increased very largely; when all at once they began to decrease, and there was now not one to be seen. The same thing happened on another station, forty or fifty miles distant from his own. He did not pretend to offer any explanation of the fact. On the other hand, rabbits turned out in New South Wales had increased enormously, and what had occurred there might occur here, even if it had not done so already; and it was their duty to learn from the experience of other colonies and protect themselves from what might otherwise prove an enormous evil. He did not agree with the amendment of the hon. member for Oxley, and hoped it would soon be disposed of. The only amendments he had to propose were of a verbal character, and there were one or two in the clause under consideration which he would move if the hon. member would withdraw his amendment.

The CHAIRMAN said that according to the 167th Standing Order, there was some question whether the amendment could be put. The Order said:—

"All Committees of the whole House, to whom Bills may be committed, have power to make such amendments therein as they shall think fit, provided they be relevant to the subject-matter of the Bill: but if any such amendments shall not be within the title of the Bill, they shall amend the title accordingly, and report the same specially to the House."

The question was whether the proposed amendment was relevant to the subject-matter of the Bill.

Mr. GRIMES said he quite agreed with all that had been said by hon. members as to the necessity of the Bill, and, rather than jeopardise its passing through Parliament, he would, with the permission of the Committee, withdraw his amendment.

Amendment withdrawn accordingly.

Mr. NORTON moved that after the word "land" the words "or any person whatever" be inserted. The object of that amendment was that the clause should not only apply to masters of vessels, owners, and drivers of conveyances, &c., but to any other person.

Mr. FRASER said it was well known that there were many islands along the coast, which were unsuitable for any profitable occupation, on which rabbits might very well be introduced, and he would suggest to the hon. member in charge of the Bill whether it would be well to make it so sweeping in its character as it was. If rabbits were allowed on the islands along the coast the mainland would be protected from any damage from them. He did not wish to oppose the Bill, but it would be quite competent for the hon. member to so modify it as to accept the suggestion he now made.

Mr. STEVENS said there would always be a chance of rabbits being taken from an island and turned adrift on the mainland, and therefore he could not agree to the hon. member's suggestion.

He did not think the Bill was too stringent; it would, in fact, be almost worthless if it was not made as stringent as possible.

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

Mr. NORTON moved that after the word "conveyance," in line 10, the words "or by any other means" be inserted.

Mr. GRIFFITH said that before the amendment was put, he would draw attention to the wording of the clause which said "allow" to be carried. That word "allow" unaccompanied by the word "knowingly" had been interpreted by judges in a variety of ways, and he could not conjecture how the clause would be interpreted if it remained in its present form. There was a difference between allowing and knowingly allowing.

Mr. PERSSE suggested that the difficulty might be met by inserting the word "knowingly."

Mr. AMHURST said he thought the clause was not too stringent, as there could be no excuse for a man saying that he allowed a thing to be done not knowing it was against the law.

Mr. STEVENS thought the clause would do very well as it stood.

Mr. GRIFFITH said that his only reason for drawing attention to the matter was that he never liked to allow anything to pass unnoticed which might lead to litigation afterwards.

Mr. WELD-BLUNDELL thought the insertion of the word "knowingly" would not do any harm or affect the Bill in any way. For instance, supposing the captain of a vessel had on board a package in which there were live rabbits of which he had no knowledge, to his (Mr. Blundell's) mind no act could make him responsible for a breach of a law.

Mr. AMHURST pointed out that by inserting the word "knowingly," it would be necessary for the prosecutor to prove that a man "knowingly" committed a breach of the Act.

The ATTORNEY-GENERAL said that, as the clause stood, if a person put into another person's pocket or buggy a live rabbit, on that rabbit being discovered the owner of the buggy or the man in whose pocket the rabbit was found would be liable. He thought, therefore, it would be better to insert the word "knowingly."

The PREMIER thought that the clause was quite right as it stood. What the hon. Attorney-General had suggested was what might take place any day under the Customs Act, whereas if the word "knowingly" was inserted the onus of proof would lay with the prosecutor, who would have to prove the man knew he was doing wrong.

The ATTORNEY-GENERAL said that supposing a man had a box on board a steamer in which there was a live rabbit, and carried it from Sydney to Brisbane, who would be responsible—the owner of the rabbit or the master of the steamer? He presumed under this Bill that the master would, for having on board the box containing the rabbit, yet he might be utterly ignorant of it, as how could he know the contents of every package on board his vessel?

Mr. RUTLEDGE said that if there was any doubt whether the master knew, the proper thing would be to proceed against the owner of the box. He thought there was no necessity for inserting the word "knowingly."

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

Clause, as amended, agreed to.

On Clause 2—"Manner in which live rabbits are to be kept and confined"—

Mr. WELD-BLUNDELL said that when he had the honour of addressing the House on the second reading of this Bill he spoke strongly against the second clause, which allowed persons to keep live rabbits in hutches or boxes constructed of hardwood timber of not less than half-an-inch in thickness, one side of such hutches or boxes to be enclosed with strong wire netting with a mesh not exceeding one inch in diameter. That was a perfect farce. The intention of that particular clause was simply to allow a certain number of children to have, as pets, a few rabbits to play with, and the immediate consequence of that would be, that after they had got a little sick of their playthings they would let them out or give them to somebody else, the rabbits would be lost, and the whole of the benefits of the Act lost also. He had spoken very strongly about it, and there seemed at that time to be a good number in the House who were inclined to agree with him. For the purpose of giving effect to his views he moved that clause 2 be omitted with a view of introducing the following—

"After three months from the passing of this Act it shall not be lawful for any person to have in his possession, or keep on his premises, any live rabbits; and after the expiration of the said three months any constable may enter on any premises on which any live rabbits shall be kept, destroy such rabbit or rabbits, and the owners shall not be entitled to any compensation for the destruction of the same."

His object was, in the first place, to allow a few months to those who had, perhaps, valuable rabbits to get rid of them. Of course it would be a great hardship not to make some provision of this sort, for he did not wish people to suffer any loss. He wished to give people time to give up their rabbits, and after that let there be stringent measures for destroying them. It would be perfectly useless to pass a measure forbidding people to keep them in their possession as tame rabbits unless they allowed somebody to go on the premises to destroy them. He felt himself compelled to make this part of the clause, so as to enable the constables to enter upon the premises and destroy the rabbits without any compensation whatever. The question might possibly arise as to whether this clause could be passed, whether it was legal, or whether a constable could be given full power to enter without warrant or anything else into premises and destroy the rabbits there. That was a technical question which he admitted he was not able to deal with; however, unless an amendment of that sort was passed, the whole Bill might be thrown into the waste-paper basket. There would be some people who would look upon this clause as exceedingly stringent. It was stringent, but not more so than the rest of the Bill. He trusted a good many members on both sides of the House would support that clause, because the Bill would be quite useless without it.

Mr. MACFARLANE said it was no doubt necessary to take some steps with a view to preventing rabbits from overrunning the country, but the proposed clause went too far in the direction of interfering with the liberty of the subject. Clause 2 would be quite sufficient to meet any danger that might accrue to the country, and therefore the proposed amendment was not necessary. The Colonial Secretary spoke last night about robbing a poor man of his beer; this clause, if passed, would have the effect of robbing the poor man's children of the innocent pleasure of keeping rabbits. He should oppose the amendment.

Mr. AMHURST said he was disinclined to oppose an amendment which had been drafted

by the Attorney-General, but he could not support a clause which would give a constable power to enter a house or bedroom in search of rabbits. The Bill was quite stringent enough, and it would be better to adhere to it in its present form.

Mr. RUTLEDGE said if the Bill was to be allowed to pass, hon. members had better cease tinkering at it. The Bill was a very good one as it stood, and had the sympathy of people outside; but if it was made too stringent its supporters would disgust the public and defeat their own object. A constable who went poking about in people's houses in search of rabbits might lay himself open to a charge of trespass.

Mr. GRIMES considered the Bill more likely to pass without the amendment than with it. Clause 2 provided that proper care should be taken to prevent tame rabbits from getting loose.

Mr. WELD-BLUNDELL said the hon. member for Enoggera had referred to people outside; but the House had only to consider what was beneficial to the country, and whether it was advisable that rabbits should be destroyed altogether. If the House passed a law prohibiting the importation of rabbits into the colony, it might go further and prevent children from keeping them as toys. As to the provision requiring that the rabbits should be kept in a certain kind of hutch, who was to see that it was carried into effect? In the centre of a town rabbits would no doubt be safe enough, because they could not thrive there; but the case was totally different in the country where, if they got loose, they could breed and increase. The Bill was undoubtedly stringent, and this clause was only in keeping with the remainder of the measure.

Mr. GROOM said the proposed new clause, if passed, would be an example of over-legislation, and he felt perfectly sure it would not have the remotest chance of passing in another place. Hares were not to be included in the prohibition, and what greater objection could there be to the few domestic rabbits kept for pets by children? He spoke feelingly on this subject, as his own children were keeping such pets at the present moment. It was a means of innocent amusement to them, and could result in no harm. Why should children be debarred from such enjoyment on account of the possible injury that might be done by rabbits in places hundreds and thousands of miles away? When public attention was drawn to the subject, the good sense of the public generally would ensure the adoption of all necessary precautions against any harm resulting.

The COLONIAL SECRETARY said if the Bill was to go through, it had better not be amended at all. It was quite stringent enough, and if made more so it would not pass. Had it not been for these amendments the Bill might have been through by this time, and it was hardly fair to the hon. member who had taken so much pains with the Bill to move them. He should vote against the amendment.

Mr. STEVENSON said he thought the amendment which had been proposed would be a useful one. His experience was that rabbits which were kept as toys often got loose and bred in the neighbourhood. If hon. members wished to see the effect of allowing tame rabbits to go loose they should visit "The Warren," near Sydney, the property of Mr. Thomas Holt. He knew a house within three miles of Brisbane where rabbits were kept as toys for the children, but the rabbits became such a nuisance that they had to be shot. To get rid of the pest they must adopt very stringent measures, and if the proposed amendment were not agreed to the Bill might as

well be withdrawn. He could not understand people talking about rabbits as toys for children; he should not like any child of his to make one of the stinking things a pet.

Mr. LUMLEY HILL said there was a lot of sentiment in people with regard to their children, and they would not like to deprive them of any pets. Still they would not allow their children to play with dynamite or any other dangerous compound; and if they only realised that rabbits might do more harm to the community than a good deal of dynamite they would not allow their children to keep them. There was always a danger of rabbits getting loose, and people could not take too much care if they wished to keep them. Rabbits ought to be exterminated; but he questioned the advisability of passing the amendment, because he thought there was a good deal in the objection that if the Bill contained such a provision it would not be passed by the other Chamber.

Mr. PRICE thought it a most extraordinary thing to propose that a boy should not be allowed to keep rabbits. They might bring in a Bill to destroy a man's principle, but let them not destroy the pets of a man's family. His boy had rabbits, and why should he be compelled to kill them? He quite approved of provision being made to prevent the importation of rabbits and to punish people who let them loose. If they had sufficient rabbits in the colony they would export them very quickly—they would even freeze them.

Mr. WELD-BLUNDELL thought it extremely desirable that provision should be made to keep down rabbits altogether. As some hon. members seemed to think that the passing of the amendment would endanger the Bill in the other House, he would withdraw it.

Amendment accordingly withdrawn; and original clause passed.

Clause 3—"Straying rabbits may be destroyed"—put and passed.

On clause 4—"Turning rabbits loose an offence against the Act"—

Mr. GRIFFITH thought the clause contained rather a serious provision. It provided that if a man let rabbits loose he should be liable for the damage caused by them. Suppose a rabbit got away and bred, would the man who owned the rabbit which escaped be liable for the damage done by all the progeny? If so he might be ruined.

Mr. AMHURST said if the hon. member would propose an amendment which would give some protection to the squatter whose land was likely to be overrun by rabbits which broke loose from their hutches, he should be very happy to support it.

Clause put and passed.

On clause 5—"Return to be made by person keeping rabbits"—

Mr. MACFARLANE said he did not think the clause necessary for the purposes, and it might therefore be omitted.

Question put and passed.

On clause 5—"Live rabbits not to be sold"—

Mr. GRIFFITH could not see the necessity for the clause. He could hardly see why, if one person was allowed to keep rabbits in hutches, another should not be allowed to buy them.

Mr. AMHURST said the clause was intended to prevent the practice of selling rabbits.

The COLONIAL SECRETARY said it would be better to leave the clause out. It was very like over-legislation, and there was no necessity for it.

Mr. GROOM said some societies offered very handsome prizes for the best pair of rabbits exhibited. He had seen several rabbits shown in that way, but the clause would prevent anything of the kind. It was exactly as he said before—by over-legislation they would defeat the object in view.

Mr. STEVENSON agreed with the leader of the Opposition that since clause 2 was passed there could not possibly be any use for clause 6. The children of the hon. member for Toowoomba had rabbits in hutches, and why should not he (Mr. Stevenson) be allowed to buy rabbits for his children? He therefore thought that now the 2nd clause was passed the clause before the Committee might be struck out—sorry as he was to differ from the hon. and learned Attorney-General for the Rabbit Bill (Mr. Amhurst).

Clause put and negatived.

Clause 7—"Penalties and their recovery;" clause 8—"Short title;" and the "Preamble"—put and passed.

The Bill was reported to the House with amendments; the report was adopted; and the third reading made an Order of the Day for Tuesday next.

#### ALIENATION OF CROWN LANDS ON GOLDFIELDS BILL—SECOND READING.

Mr. GRIFFITH said he introduced the Bill in order to remove a great difficulty existing with respect to Crown lands on goldfields. At the present time miners were not able to get a secure title for their residences on goldfields, and the only tenure they had was that of residence areas or business licenses, which was a sort of tenure which certainly did not tend to encourage permanent settlement on goldfields. Of course, in the case of goldfields which were in their infancy the tenements were of the most unsubstantial character; but where an advance was made and the field turned out to be permanent, the houses and streets were the same as those in large towns. Previous Governments did not feel justified in selling land outright because of the auriferous deposits either known or supposed to be under the surface, and, in either case, it would be undesirable to sell the land out-and-out. A Government should not sell land on goldfields in this way until it was ascertained whether there was any probability of its being required for mining. At the same time, in a place like Gympie, where there was an immense settled population living in houses built in streets, it seemed absurd that there should be no fixed tenure. Such a state of things tended to discourage improvements and enterprise, and was a condition of affairs that could be justified only by extraordinary circumstances. If those circumstances were such that the difficulty could not be removed without also obstructing or retarding the development of the auriferous resources of the goldfield, they had better remain in the position they now occupied. But the difficulty was one that could be got over, for there was no reason why, on a settled goldfield, they should not apply the same rule as in Great Britain, and sell the surface of the land apart from the mineral below. Power was usually given to trustees of settlements, on selling land, to reserve rights to mine underneath the surface. The Government might safely be intrusted with the discretionary power necessary in order to enable them to deal with Crown lands on goldfields in the same manner as land was dealt with in England. The present Bill was introduced to give effect to this principle, and he would briefly state the mode by which the object sought by the Bill was to be effected. He did not propose to alter the law of alienation of

Crown lands : that was provided for by the Act of 1876, under which land might be obtained by purchasing at auction, conditional selection, or as homesteads. There was no reason why the land should not be sold in that way if the circumstances justified ; but that method of alienating land on goldfields might discourage mining. Clause 1 proposed that land on goldfields might be sold, subject to a reservation of mines or minerals. The form of reservation was such as might be found in any treatise on conveyancing. Clause 2 provided that the deed should contain the proper reservations. He did not think it necessary to define the reservations ; but they might be left to be prescribed in regulations issued by the Government. They might also be modified from time to time, under the advice of the Crown law officers, to suit the circumstances of the colony. The third clause related to holders of miners' rights, and gave them the right to mine under land sold subject to reservations of mines. At present there were no regulations on the goldfields dealing with mining claims except on the basis that the miner was entitled to the surface of the land. The fourth clause provided that anyone undermining should make good damage done to the surface. He believed the Bill would be useful if passed ; he anticipated that the Minister for Mines would agree to it, and that it would not meet with any serious opposition.

The PREMIER said the Bill introduced by the hon. member for North Brisbane seemed, at first sight, a very unpretentious measure, and his speech made it appear still more unimportant ; but it was in reality a measure of vast importance, and the matter with which it dealt should be treated in a much better and more comprehensive way. The hon. member had shown no reason why the principle contained in the Bill should be carried out. The principle was that the Government should have the power in all deeds of grant of reserving the right to minerals. He thought he could show that the Government, by proclaiming the whole colony a goldfield, could convert this measure into a Bill which would give them the right to sell the whole of the lands of the colony with no right to minerals. He understood a goldfield to be a certain piece of land with certain specified boundaries, which boundaries were proclaimed in the *Government Gazette* and signed by the Governor. The Governor in Council could proclaim any portion of Crown lands a goldfield ; and if he could proclaim one portion, why could he not proclaim the whole colony ? He believed that step was taken in reference to a large tract in Victoria years ago. Under this Bill, therefore, the Government would have the power to reserve the right to minerals upon all land alienated up to the present time. The question whether the lands of the colony should not be sold with minerals reserved was well worthy of debate, and he was quite prepared to discuss it. He might possibly support the principle, but the power of reserving the minerals subject to the restrictions of this Bill—with restrictions, by the way, which could be widened so as to include the whole colony—was a power that he thought should not be delegated to any Ministry. No doubt the hon. member was right when he said that the right to minerals was often separated from grants in England ; but he did not know any reason why that course should be pursued here—restricted to certain portions of land which might be accidentally proclaimed goldfields. But that was a matter which should be dealt with in connection with the question of mining on private property. A measure founded upon the principles of the Victorian Bill, for example, would deal not only with the lands which had been proclaimed goldfields and lands

which might be alienated in the future, but with all lands the mineral of which had not yet been extracted. The object of the hon. member for North Brisbane would be gained by such a measure ; he did not believe there would be any difficulty whatever in passing it through the House ; and it certainly would not be open to the objections to which this small Bill was subject.

Mr. GARRICK said he understood the hon. member for North Brisbane to say that the Bill was introduced for the benefit of the two classes of persons who held real estate upon the goldfield areas—the holders of business licenses and the holders of residence licenses. They were holdings at will, and the Bill gave a power of severance. He regarded that as a very useful and desirable provision in places where the surface was available for various purposes, and where beneath that surface there were minerals. It was extremely desirable that there should be a severance of the two interests, and that was what the Bill intended to bring about. The Treasurer's objection that the Governor in Council might proclaim any area of Crown lands a goldfield reserve was extremely weak, and looked as though he were searching for an excuse to get rid of the Bill. He did not believe for a moment that any Ministry would advise a Governor to evade the spirit of the law, as the Premier had suggested. His hon. friend the member for North Brisbane had pointed out to him that the Bill would only apply to reservations of gold.

The MINISTER FOR WORKS said the hon. member for North Brisbane professed to bring in this Bill in the interests of the miners. He would like to know whence the hon. member obtained the information that warranted him in saying that the miners desired a Bill of this kind ? Did the hon. member mean to say that the miners desired the right by which they lived to be taken from them for the purpose of getting the right, as it were, to live in a house ? The first object of goldfields was to permit of the extraction of gold from beneath the surface ; and the hon. gentleman, in introducing the Bill, made the excuse for interfering with that object that the miners had not a secure tenure for their residence or business allotments, seeing that they might be taken from them at any moment. He was rather surprised that the hon. member should have made such an excuse. The tenure under which miners held residence areas was an indefeasible tenure. So long as they continued owners of a miner's right and resided upon their area, no person could take it from them.

Mr. GRIFFITH : The Crown.

The MINISTER FOR WORKS said that was when the miner chose to leave. All the miner had to do was to go to the warden and register a residence area for a certain period—three, six, or twelve months. The right was then given him, and in some new regulations he proposed to introduce matters would be still further simplified. The same course was pursued with reference to business allotments. Under the pretence of selling land to a few people at Gympie who desired to buy it, the hon. member introduced a Bill of this kind—a Bill which would throw a greater damper upon the interests of miners than had ever been thrown upon them, either by legislation or administration, since he came to the colony as a miner twenty years ago. He had been connected with mining for the past twenty years. He had mined in the whole of the Australian colonies where mining was carried on, and he had never yet heard the miners express a desire to be put in possession of the fee-simple of the land upon which they lived. The thing was monstrous ! It was proposed to

give the Government the power to sell any quantity of land on a goldfield, the only right reserved to the miner being the right to burrow, if he could, from the outside. The miner required to dig down upon the spot; he did not want to go outside an area, sink a shaft of 500 feet or 600 feet, and then tunnel another 1,000 feet, before he could reach the gold. At Gympie, at the present moment, there were nearly 6,000 acres of land alienated, although not in fee-simple. The holders of this land—under a Bill introduced by the hon. the Speaker in 1870, now known as the Goldfields Homestead Act—up to forty acres had the right to obtain the land upon payment of 1s. per acre per annum. The land was theirs for ever; no one could take it from them. The Crown could take the land for public purposes, but when it was taken the Crown had to give compensation. What more was wanted? He made bold to say that if the thousands—including the miners of Gympie—of miners now in the colony of Queensland were polled, not a hundred of them would be found in favour of it. In order to sell a certain portion of the Gympie goldfield it was proposed to give away the right the miner now possessed to go anywhere in search of gold. Even under Mr. Speaker's Bill, tending though it did in some cases to the advancement of the goldfields, prospecting for gold had been to a certain extent interfered with. The moment the miner was asked to pay a tax for breaking the surface, that moment he ceased to prospect it. Miners, as a rule, were not capitalists, but men who lived by the sweat of their brows, and the moment they were obstructed in the search for gold anywhere, from that moment the goldfields would decline. The hon. gentleman cited England as a place where minerals were severed from the ownership of the land. That was quite true; but in England the owners of mines were capitalists, and the working miners were wages men employed by them. The miners of Queensland were as independent as any man who worked for himself. Under the system proposed they would soon be reduced to the condition of miners in England. In Victoria, the effect of selling land on goldfields had been that the miners had actually had to buy back thousands of acres from the owners of those lands. That would be the case here, for under the Bill if they touched the surface they must pay compensation to the owner of the land. Miners in Victoria had paid away thousands of pounds for the right to mine which ought never to have been taken away from them by the Legislature. The miners of Queensland wanted no such right. The few traders in one portion of Gympie who had induced the hon. gentleman to bring forward the Bill had done so not in the interests of the miners and scarcely of themselves—for what was the use of having a few traders on a goldfield when the miners were driven off because they were not allowed to interfere with the surface? The hon. gentleman knew nothing whatever about the subject of the Bill. He knew much less about gold mining and its practices and the feeling of the miners themselves than he (Mr. Macrossan) knew about law, and he did not pretend to set himself up as an authority on that subject. The hon. gentleman taking upon himself to introduce a Bill of that kind in the interest of the miners was just as absurd as if he (Mr. Macrossan) were to introduce a Bill in the interests of lawyers or to amend the law. He hoped the good sense of the House would not allow the Bill to pass its second reading. As a miner of more than twenty years' standing he protested against the Bill, because it was not needed in any part of the colony. If the hon. gentleman really had the interest of the miners at heart, he would frame a Bill—as he could do

very well—to legalise mining on private property. The necessity for such a Bill was not at present pressing, but it soon would be if they went on selling land upon goldfields. If the hon. gentleman would prepare such a Bill, they might have the remedy before the disease. He should certainly oppose the second reading of the Bill.

Mr. MILES said that as hon. members might desire time to further consider the Bill, he would move that the debate be adjourned.

The MINISTER FOR LANDS said he gave the hon. member (Mr. Griffith) credit for not introducing a Bill without knowing what he was about, but he had certainly not shown any necessity for the Bill now before the House. As far as he understood the hon. gentleman, his excuse for introducing it was that miners were unable to get a title for their holdings. To such a statement he was able to give a distinct denial. There was no miner or any other person on the goldfields of Queensland who desired to acquire a permanent residence there without every facility being afforded to him to do so. At present the township of Ravenswood was under survey, with the object of selling allotments to those who were inclined to buy them; and no difficulty or complication would arise in the way of title. At Gympie, it had occurred two or three times since he had been in the Lands Office, that persons and denominations had applied for allotments of land, and no difficulties had cropped up. It was the business of a plaintiff to prove his case, and that had not been done in the present instance. It was useless to encumber the statute-book with an additional measure about the sale of land—there were, unfortunately, too many there at the present time; and if he remained at the Lands Office for a period which he would not indicate, he intended to repeal them and bring in a comprehensive measure dealing with the whole subject, so that persons going about the country in search of land by selection or sale could carry in their pockets a pamphlet containing the whole law on the subject, instead of going about without knowing what they were in search of, and getting information at the land offices sometimes at variance with the Acts in force. This measure must have been brought in for some purpose which the hon. gentleman had not disclosed, either intentionally or through negligence. If any member or other person desired to acquire freehold of land there were no difficulties in his way, and there was no more reason why there should be special legislation for that class of property than there was in the other colonies. In the other colonies, when a goldfield was settled, the first thing done was to survey a township in the locality and offer it for sale to the first-comers. The process was very simple here, and no one, as far as he was aware, had complained of it. Any person on a goldfield, whether a miner or not, who desired to become a freeholder—to get a better title than he held on a miner's right, or business license, could do so, and there were no insurmountable obstacles placed in his way. Every difficulty had been cleared away in the Lands Department. The hon. gentleman ought to have shown that some disability or inconvenience had arisen to one or a number of individuals. But he did not do so, and they were left to surmise what was the object of the measure. It might be intended for Gympie or for any other place. He (Mr. Perkins) had at present under consideration matters relating to the Gympie goldfields. As his hon. colleague had said, if the hon. gentleman had ever resided on a goldfield he would have been slow to introduce such a measure. It was no use occupying the time of the House with this matter, as the Government had the

machinery at the present time necessary to attain all that the hon. member desired, and they had the ability to put it in force whenever it was desirable to do so. That being the case, there was no necessity for the present Bill. In Victoria and in New South Wales much inconvenience had arisen from mining on private property; and every popularity-hunter or gentleman who intended to go into Parliament had put forth as one of his leading ideas that he would introduce a Bill for mining on private property. Yet, notwithstanding that agitation had been going on for twenty years, such a law was not yet in force. The Bill itself was a suspicious document on the face of it; and as there was plenty of public business of a national character which would affect the whole community already before the House, without troubling themselves with this matter, he would recommend the hon. member to withdraw it until the whole question could be dealt with in a comprehensive way. The hon. member must know that there was no case of individual hardship that was not met by the present law, and that those who administered the law were anxious to make the miner's tenure as good as the laws of the colony would permit. Believing that the hon. member had not paid sufficient attention to the matter, and that he could not have discovered that there was any necessity for such a measure, he would urge him to withdraw the Bill. But if, on consideration, the hon. member was able to show that there was any case of hardship, or that two or three individuals were labouring under disabilities that the proposed Bill would remove, he should have his (Mr. Perkins') heartiest support.

Mr. BAILEY said that the Bill applied to a large class of men who were spoken of by hon. members opposite as a migratory population, and its object was to settle that population by giving them the opportunity of securing for themselves freeholds. At present there was no inducement to a man to live in a state of comfort on the goldfields, as he was merely a Crown tenant, and, if he left his home for twenty-four hours, anyone was at liberty to jump it. Again, a miner might be doing well for several years and able to place his family in a state of comfort, to build a house, make a nice garden, and do everything to make his home comfortable, but the time might come when trouble overtook him—when his claim was worked out, and he got down in the world, and then he would find that the home on which he had spent so much money was worthless to him, as no one would advance any money on it as he had no title—in fact, that he had not that right to a home which every man in the country had a right to expect. It seemed by their opposition to the Bill that hon. members opposite were determined that things should remain as they were, and that miners should continue to be a migratory population. The Minister for Works wished the House to believe that if the Bill was passed miners would be prevented from mining on any freehold; but nothing of the kind was intended, as the first clause said:—

“Upon the sale or alienation of any Crown land situated within the limits of any goldfield, it shall be lawful for the Governor in Council to except or reserve all or any of the mines and minerals in or under such land, and to reserve such rights and powers as may be necessary and convenient for working, getting, and raising the same by the Crown, or its grantees or licensees.”

That was all the miner wanted—he wanted the free right of entry, to have the means of raising gold, and the necessary conveniences for working, and all that was provided by the Bill. He could assure the Minister for Works that every time he had been on or near Gympie representa-

tions had been made to him of the difficulties under which the miners laboured owing to their insecurity of tenure and of the desire generally expressed to have land sold. The Minister for Lands said that he was going to sell some land at Ravenswood without reserving any rights; but that would be a great mistake, as it was uncertain where gold would be found in a few years; it was therefore dangerous to sell any land on a goldfield without such reservations as were contained in the Bill before them.

Mr. HAMILTON said that the Bill attempted to meet some of the objections urged against the sale of lands on goldfields, but failed to do so satisfactorily. According to clause 3 of the Bill, the surface must not be interfered with; therefore, the only possible way to prospect private property according to the provisions of the Bill would be to do so from some adjoining Crown lands. Such a provision would not only retard prospecting, but if gold were discovered in the ground so prospected the discoverer would, by having to work it under such unfavourable conditions, be unable to render ground remunerative which would be so if he were not forced to work it in this particular manner—in some instances it would be impossible to work ground at all. If land were sold on a goldfield it would be much more desirable that it should be sold under some such reservation as contained in this Bill than under the present conditions, but he felt certain that if the Bill were passed it would have the effect of encouraging the sale of land on goldfields by apparently taking away one of the objections urged against its sale, but, at the same time, not in reality dealing with those objections satisfactorily. For any Ministry who wished to sell land this Bill, if passed, would be an argument in favour of their doing so. He recollected in the Governor's Speech, when the last Ministry was in power, that it stated a Bill would be introduced for the alienation of lands on goldfields; and he believed from a conversation which he had about that time with the leader of the Opposition, who was then a Minister, that the intention they had in introducing the Bill was not so much to protect the miner as to give them an excuse for selling more land on the Gympie goldfield. He felt confident, from the opinions expressed by the present Ministry regarding the sale of land on goldfields, that there was little chance of it being done during their term of office. He believed in a greater security of tenure being given to residents on goldfields than they already possessed, and a Bill was now being introduced for that purpose. What they wanted was a Bill to regulate mining on private property; such a Bill would not only effect what the Bill under discussion proposed to effect, but it would be what this Bill was not—it would be retrospective. Under no circumstances would he support any measure which had the effect of alienating the land from the miner, no matter under what guise it was introduced; and for that reason he should vote against this Bill.

Mr. PRICE said he agreed with the objection of the hon. member for Gympie to selling land on goldfields.

Mr. GRIFFITH said he did not make a long speech in introducing the Bill, because he assumed that hon. members were sufficiently familiar with all the circumstances not to require a lengthy explanation. He referred very briefly to the difficulty which had arisen with regard to the sale of lands on goldfields, because he thought hon. members knew as much as he did about the matter. He did not pretend to have an extensive knowledge of the art of mining, but he knew that during the time he was in office such difficulties had arisen, demands were continually made for the alienation of goldfields lands—lands which

abutted on streets, and upon which the occupiers had erected substantial buildings. He remembered that when he was at Gympie the member for Gympie introduced a deputation to him which requested that some measure to deal with the difficulty might be brought in, and he knew from several years' experience that some such measure as this was much desired, not only on Gympie, but on Ravenswood and Charters Towers, and every mining township where the population had ceased to be migratory and had become settled. He did not bring in the Bill for the benefit of two or three individuals, as had been suggested, but for the benefit of the community at large. What had been the arguments that had been used by the Government against it? He did not believe that any one of them had seen the Bill until that evening, for their arguments were contradictory and mutually destructive. The Premier said the principle was good, but that it ought to go further. He also used the argument that the Bill would not do, because the whole colony might be proclaimed a goldfield. So that, according to the Premier, the Bill was at once too large and too small. The hon. gentleman's objections were evidently far-fetched. The Minister for Works, who talked about his vast practical knowledge of mining, and said that he (Mr. Griffith) had none, which was a poor argument—the hon. gentleman argued that to alienate Crown lands on goldfields in a wholesale manner was very objectionable. Who ever advocated wholesale alienation of land on goldfields? He (Mr. Griffith) disapproved of it, and the Bill proposed nothing of the kind. He had referred to a difficulty which had arisen on all the more settled goldfields where the people had ceased to be migratory, and desired to be allowed to improve their holdings, but could not do so with safety. He believed it would be for the benefit of the country that they should do so. The Bill gave the Government discretionary power, not to do more than they could at present, but less. It empowered them to give residents on goldfields a secure tenure, without in the slightest degree interfering with the mining industry. The difficulty that beset the present, and every Government, was that, if they desired to give a settled population security for their improvements, they could not do so without running the risk of interfering with the mining population, because under the present law the land must be alienated out and out, and no miner could enter, there being no law giving the right of entry. The Bill would leave mining exactly as at present, and tend to encourage settlement without discouraging mining. The Minister for Lands said the Government had the power already to alienate, and that whenever miners wanted to purchase their holdings they could do so. The Minister for Works had just previously pointed out that it would be an iniquitous thing to alienate on goldfields. He was inclined to agree with the Minister for Works that it was undesirable to sell goldfields' land under conditions which might restrict mining operations; and for that reason he had brought in the Bill. He had brought in the measure not at the request of a few individuals, but to comply with a promise that he gave at Gympie to a deputation which was introduced by the member for Gympie. Another objection was that it would be impracticable to mine upon land sold under this measure. Under the present law it was impossible to mine on alienated land without the consent of the owner; but under this measure it would not be so unless the Government made it. It was said that a miner would have to go half-a-mile away to get access to the land he might wish to mine; but what sort of Government would that be who would alienate land on goldfields in

such large blocks? What he was referring to was small town lots. Surely the Government would take ordinary precautions and not lay out the lots so that no access could be got (except under the circumstances stated) to the land proposed to be mined. But even if they did not take ordinary precautions, the difficulty raised was provided for; the Bill provided for the deed of grant reserving full right of access. All the objections that had been made were not objections to the Bill, but supposed that some dark and sinister purpose was involved in the measure. Could not Ministers avoid making such suggestions regarding every proposition that came from the Opposition? Could he not be trusted to introduce a Bill without having these extraordinary insinuations made? He should begin to wonder soon whether he was not some fiend in human shape who was always suggesting evil projects. He believed the Minister for Works thought him to be that. Well, he felt complimented by his opinion. As to the statement of the Minister for Works that he had regulations which would meet the difficulty, he was quite sure that regulations would not give a man such a title as would make it safe for him to erect substantial improvements which would be an asset to him during his lifetime. He did not see why miners should not have the same right to deal with property as other people. He did not say the Bill was perfect, but he had hoped to have the assistance of practical miners, like the Minister for Works and the member for Gympie, in making it so. To his own knowledge and within his own experience, difficulties such as he had described had arisen, and he was sure the Bill would meet them all.

The MINISTER FOR WORKS said the hon. gentleman was very much mistaken when he said it had been insinuated that he had a dark and sinister motive in introducing the Bill. He had heard no member of the Government insinuate any such thing. So far as he (Mr. Macrossan) was concerned, he knew the motive which actuated the hon. gentleman, and he had told him. A few individuals in Gympie had asked him to bring in the Bill, and he had introduced it in their interest.

Mr. GRIFFITH said he had no communication with any resident of Gympie, except at the deputation to which he had referred.

The MINISTER FOR WORKS said he also was interviewed by a deputation at Gympie. He maintained that the difficulties which the hon. gentlemen said had arisen had not actually arisen. He had not made any boast about his knowledge of mining, for he knew that a man might be the best practical miner in Australia and yet know nothing about legislation; but he had said that his long experience on goldfields gave him a knowledge of the wants of miners, and he maintained that the hon. gentleman had not got that knowledge, even with the member for Wide Bay at his back. He knew very well that the few people who interviewed him at Gympie were the cause of the Bill being brought in. What was their objection? That at present they were paying £4 per annum for a business license, and they wanted to get rid of that and secure the fee-simple of the areas that they occupied. He contended that the miners of Gympie or any other goldfield had never asked the hon. gentleman or any other Minister for Mines to bring in a measure to sell a foot of land on the goldfields. Land had been sold on goldfields. Land in the township of Gympie had been sold for years, and also in the township of Charters Towers, but that was about all. Ravenswood had been surveyed for sale under a promise made by a previous Government. As far as he was concerned he did not believe in selling land at all on goldfields. As the



hon. member for Gympie had stated, this Bill, if passed, would be a justification and inducement to future Governments to sell land on goldfields, and it would be a bar and hindrance to mining. At the present time, where land had not been sold, miners had a right to dig all over the place and search for gold; but immediately the land was alienated they would be deprived of that right, unless they paid compensation for surface damage. The labour which the miner gave in prospecting for gold was quite sufficient payment without having to give compensation to owners of land. He could produce many letters received from miners on Gympie since the interview referred to, in which the men complained that the operation of the Goldfields Homesteads Act had interfered with their industry and been a bar to prospecting. The hon. member for Wide Bay said that if a man left his homestead he was in danger of not finding it again, but if the hon. member had ever read the Bill he would know that that was not the fact. The 14th clause said—

"On receipt of the application for lease, together with the surveyor's plan and the report of the Gold Commissioner recommending the issue thereof, a lease shall be granted to the applicant, which shall be in force as long as he shall pay the rent as prescribed in clauses 6 and 7."

That might be for ever and a day after. It was his own property, and no one could interfere with it unless under the power which the hon. gentleman proposed to extend, and upon payment of compensation for surface damage. That power existed in the present Act, and had been liberally exercised, no less than 6,000 acres of land at Gympie being held under that Act. In some cases the homesteads had actually encroached upon the miners and prevented mining. If this Bill were passed it would be a further bar, and he entered his protest against it in the name and on behalf of the miners he represented, whose feelings on the subject he knew well.

Mr. GRIFFITH: The present Act does not apply to townships at all.

The MINISTER FOR WORKS said, under the present Act each miner on every goldfield had the privilege of holding land at 1s. per acre, in the possession of which he could not be interfered with except by the Crown, or by miners who must pay for surface damage. Then, for residence he could hold about a quarter of an acre simply under the title of his miner's right, and no one could interfere with his holding as long as he kept his right and lived on the land. If he left it for six or twelve months he could secure it by simply giving notice at the warden's office. He (Mr. Macrossan) had made no boast of introducing regulations, but he had announced his intention of giving the miners, by regulation, a still further privilege in the way of residence. The law said that the miner's allotment must be of the value of £50, and therefore the miner, in making his application, declared his allotment to be of that value, and no one inquired into the truth of the declaration. Very often these declarations were untrue, and the regulation he proposed to issue would require that the value of the allotment should be £5 only. That was the only alteration he intended to make so far as residence under miner's right was concerned, and that was a liberal regulation. With regard to business licenses, the holders had a right to a large allotment of ground, and they also had the privilege of trading. In many instances such holdings had been sold for hundreds of pounds, showing that the land in that case was a very valuable chattel.

Mr. DOUGLAS: Is not that an argument for the Bill?

The MINISTER FOR WORKS said it showed that the title now granted was sufficiently good to enable men to put up buildings.

Anyone who had been on the goldfields, especially on Gympie, must have seen miners' gardens and allotments upon which £500, £600, and even £1,000 had been spent; and yet the hon. members for Wide Bay and North Brisbane said that the miners, not having a tenure, had not sufficient inducement to settle upon goldfields. He did not believe there had been any general request from miners for sale of land. Certain township allotments had been sold on Gympie and Charters Towers, but they were simply for business people. So far as the miners were concerned every acre sold was a bar to them, unless they undertook to pay surface damage.

Mr. GRIFFITH: The miner can't go into a man's house and prospect.

The MINISTER FOR WORKS said under the proposed Act the Government would be able to sell land for other purposes than building. As soon as a man obtained a piece of land he enclosed and improved it; and the more improvements he made the greater amount of compensation was demanded from the miner who wished to prospect on it. Gympie was one of the least prospected of goldfields, although the oldest in the colony, for the simple reason that alienation of land under the Goldfields Homestead Act had been a bar to prospecting.

Mr. DOUGLAS said that although he had not the special experience of the Minister for Works, he had often casually come across miners who had expressed to him their opinions on the subject. The question was no doubt a difficult one to deal with, but it was one which might possibly be met by some such Bill as that proposed by the hon. member for North Brisbane. From the admissions of the Minister for Works, it seemed that there were some grounds for the introduction of such a Bill. According to him there had been certain absolute alienations upon goldfields, townships had been surveyed, allotments absolutely sold; and it was very questionable whether land on goldfields should be allowed to be alienated for any purpose whatever. This Bill proposed to allow the Government the power of alienating land whilst securing to the miners all the rights at present enjoyed by them. The hon. gentleman must admit that it would be desirable in the future, when laying out a township, to have the power of selling allotments subject to the qualifications provided in this Bill. Under this measure the Government would possess powers which they did not at the present time, and privileges would be secured to the miners which they did not now enjoy. He had not examined the details of the Bill to enable him to speak with authority: but admitting, as the Minister for Works did, that under the Goldfields Homestead Act the operations of miners were restricted, might it not be possible to devise some scheme by which the surface of the land might be alienated without any of the rights of the miner being surrendered? No doubt on the first outbreak of a goldfield it would not be desirable to alienate the land, but when the alluvial was exhausted such a power might with advantage be exercised. The Bill might not be perfect, but the result sought to be arrived at by it was a *desideratum* which should in some way be obtained. The Minister for Works with all his experience should not have met this Bill in the way he had. It was a genuine and reasonable attempt to solve a difficulty which demanded a solution, and which could not be met by mere administration. He entirely differed from the Minister for Lands in this respect, believing that no administration would meet the case; and he considered that the Bill, as an attempt to meet an existing difficulty, was deserving of consideration.

Mr. HAMILTON said that he thought Mr. Griffith had made a mistake in stating that he

(Mr. Griffith) promised a deputation introduced by him at Gympie to bring in a Bill to alienate lands on that goldfield, in answer to a request made by them to that effect.

MR. GRIFFITH: I made no definite promise; I said I would consider the matter.

Question—That the debate be now adjourned—put and negatived.

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

The House divided :—

AYES, 17.

Messrs. Griffith, McLean, Fraser, Bailey, Rutledge, Hendren, Kates, Garrick, Douglas, Miles, Macdonald-Paterson, Grimes, Thompson, Macfarlane, Davenport, Horwitz, and Groom.

NOES, 19.

Messrs. Palmer, McIlwraith, Beor, Macrossan, Fecz, Hamilton, Hill, Norton, Stevens, Weld-Blundell, Scott, Stevenson, Perkins, Swanwick, Cooper, H. Palmer, Simpson, Amhurst, and Archer.

#### BURR DESTRUCTION BILL—SECOND READING.

MR. DAVENPORT, in moving that this Bill be now read a second time, said that the Rabbit Bill and the Bill that he was now moving the second reading of were very important measures. The hon. member who introduced the Rabbit Bill told the House of the great fructifying power of rabbits, but he (Mr. Davenport) could assure hon. members that, as far as fructifying powers were concerned, the noxious plant that the Bill proposed principally to deal with entirely outstripped the rabbits. In favourable seasons the plant had two or three growths in a year, and the seed of it was being carried all over the continent of Australia. It was rapidly spreading in the agricultural districts, in which the hopes of the colony were so much concerned, and its growth ought to be checked if possible. The plant was noxious to the wool-growers as well as to the agriculturists. The Bill had been carefully prepared, and if it went into committee and one or two amendments were made in it, it would be one of the most useful measures that would be passed this session. The great feature of the Bill was that it followed up the legislation of last session by giving the divisional boards power to exterminate the weed on lands within their division. Under clause 3, the divisional boards were appointed to administer the Act. The next important point of the Bill was contained in clause 8, which was a transcript of the powers given to municipal authorities, by which the boards could let land belonging to persons unknown for the purpose of recovering compensation for the destruction of the weeds on such land. The Bill was not confined to burr, there being a provision in it empowering the Governor to apply its provisions to any other weeds. He had no doubt that many hon. members would bring specimen plants and state their names with a view of having them inserted in the Bill. On the whole, he felt sure that the Bill was one which would be very acceptable to the country. In committee he should propose an amendment giving the divisional boards power to destroy the weeds on public roads and Crown lands generally. Such a provision as that was necessary, as if the weeds were not cleared off public lands private holders would be put to a great deal of useless expense.

MR. AMHURST said he approved of the object of the Bill, and he thought it could be so amended in committee as to make it a very useful measure.

MR. MILES said he hoped the present Bill would not meet with the opposition a similar Bill met with last year. He was prepared to give it all the support in his power, because there had

not been a measure introduced during the present or any previous session entitled to so much consideration as that now before the House. The country was overrun with burr, thistles, and prickly pears, and it would be well for the House to create some power to prevent the spreading of those noxious weeds. The preamble would require some amendment, because it might include almost everything under the head of noxious weed. They all knew that burr, thistles, and prickly pears were noxious weeds, and there was indigo, also; but it was necessary they should be more clearly defined. But the Bill would not be of any use unless the hon. member could get the Government to give the divisional boards the power and the means of destroying burr on reserves. There were reserves all over the colony, and they seemed to be a sort of nursery for propagating burr. He hoped the hon. member would succeed in passing his Bill, and not receive the opposition an hon. member on his (Mr. Miles') side of the House received when introducing a similar Bill last year. Bathurst-burr and thistle could be traced all over the colony; and, further than that, he (Mr. Miles) had an opportunity of tracing it from Leyburn as far as New England, and to the valley of the Hunter, where the land was completely ruined by it. The motion of the air created by the train passing along caused the seed to find its way into the carriage windows, and also to be continually carried further and further. If the Bill had been passed years ago, the colony would have been greatly benefited. A clause ought to be inserted by which the Government should take the responsibility of paying the expenses incurred by destroying weeds on Crown lands. Last year the hon. member (Mr. Groom) met with a great deal of undeserved censure for introducing a similar Bill, particularly from the Colonial Secretary; but that hon. member did not own a single acre, and could not be charged with being prompted by interest in bringing forward such a measure. He hoped, however, now that a Bill for the same purpose was in the hands of a supporter of the Government, there would be no such opposition.

MR. ARCHER said the hon. member who had just sat down had informed them that the Government opposed a similar Bill last year, but he (Mr. Archer) did not remember anything of the kind having happened. The Bill introduced last year was not similar to the present Bill, because it proposed to tax the owners of property not infested with burr, whereas the present Bill was for the purpose of compelling owners of land to keep it clear of burr for their own benefit as well as the benefit of others. It did not call upon other people to pay for clearing the property. He thoroughly agreed with the principle of the Bill; and had the Bill of the hon. member (Mr. Groom) been the same in principle he should not have opposed it. Not nineteen-twentieths or even ninety-nine hundredths of the colony suffered from burr, and why should the owners of the bulk of the property be called upon to pay for the destruction of burr on the remaining hundredth part? There were estates on the Darling Downs overrun with burr, and some of the rich lands to the west were in the same state; but he did not see why the poverty-stricken coast country should be called upon to destroy the burr in those districts. In the present Bill the owners of those properties would be called upon to destroy it themselves. He also was of opinion that the divisional boards should keep the Government reserves placed in their charge clean; for, of all the pests in the country, the greatest pest was that of noxious weeds upon the reserves. From the time he (Mr. Archer) entered the House he had resisted the granting of commonages and reserves—not because they could not be made useful, but because they were never applied to

the purpose for which they were granted. If a reserve was granted for carriers, a man would put up a small hut and turn out his stock to eat up every bit of grass, so that a carrier never was able to make use of it. A piece of land was granted for a town common in Rockhampton—though very much against his (Mr. Archer's) wish—and the result was, that people who had not room for their cattle turned them out. The common was also used by cattle-duffers, who did not buy cattle, but somehow managed to get good herds nevertheless. The land was left unfenced for about eleven years, and no rent was paid by anyone for the use of it. At last the trustees awoke to the necessity of fencing the common and keeping a ranger and charging people for the use of the land. He believed the Bill before the House was a step in the right direction, and should support the second reading. He would do more—he would consider the Bill carefully, and try to make it as perfect as he could in committee. He admired the principle of the Bill, and that was why he intended to support it; and he did not think the hon. member for Darling Downs (Mr. Miles) was at all fair in comparing the present Bill with the Bill of last year.

Mr. GROOM hoped the hon. member in charge of the Bill would not meet with the opposition he (Mr. Groom) met last year. But whatever defects might have been in the Bill then introduced, there would not have been the slightest difficulty in having them remedied in committee. However, he did not think the objection on that occasion was so much to the Bill as to the mover of the Bill, for the same gentleman drafted both the Bills. He should, however, render the hon. member every possible assistance in carrying his Bill. It was true that some of the best lands on the Darling Downs were covered with burr, and he should like to see it destroyed. The divisional boards, however, should have administrative power to carry the Bill into effect as regarded Government reserves. There was a reserve at Spring Creek that very much required to be cleared, for the seeds of burr were being scattered broadcast over the country. There was also a run on the Darling Downs in the same condition; and if the Bill would compel that run to be cleared the hon. member would have conferred a benefit on the colony in bringing it in. He would call attention to clause 4, which was a reprint from an Act already in operation. Under that clause, a selector living outside the town of Drayton was served with a notice by a constable to clear his allotment. The man had to admit that at the time the notice was served burr was growing upon the footpath in front of the allotment, and the magistrate had no alternative but to fine him £5. He thought the fine was rather too high; and that justice would be met if offenders were fined 20s. for a first offence, 40s. for a second, and £5 for a third. He hoped that there would be no opposition to the Bill, and thought it much to be regretted that a measure of this description was not in operation years ago, for it could not have failed to do a great amount of good.

Mr. STEVENS was glad that the hon. member for Toowoomba had introduced this Bill, the second reading of which he would cordially support. It would, however, require amendment in several particulars; and he thought the amendment suggested by the hon. member for the Darling Downs was especially deserving of consideration. To his own knowledge the burr had now spread 500 or 600 miles out west. It was very thick upon the camping places and reserves on the main western road, and travelling stock took it up and carried it further and further into

the interior. He was glad that the Divisional Boards were to superintend the operation of the Bill. Clause 5, by giving the justices power to extend time for the removal of the burr, precluded the infliction of any hardship.

Mr. FEEZ should also support the Bill, but felt bound to point out one or two objectionable clauses. The clause, for instance, which authorised the inspector to go upon the land, might lead to gross interference with the liberty of the subject; but the introduction of the words "from 9 in the morning till 6 in the afternoon" would prevent his intrusion at any very inconvenient hour. He quite agreed with some other hon. members that the fine of £5 was too high.

The COLONIAL SECRETARY said that the hon. member for Toowoomba (Mr. Groom) appeared very anxious to know what course the Government intended to pursue with reference to this Bill, and was pleased to insinuate that the opposition the Government gave to a similar Bill last session was on account of the member who introduced it rather than of any defect in the Bill. The hon. member flattered himself too much. The Government did not care who introduced a Bill, as long as it was a good one. This Bill, however, was a very different measure to that introduced last session, which taxed the whole country for the purpose of clearing the land on the Darling Downs. This Bill, however, was carefully drawn, and, with a few amendments, would answer the purpose for which it was intended. The Government would give it a fair support, and assist hon. members to make it a good measure.

Mr. SCOTT said he should like to have some explanation of clause 12, which seemed rather ambiguous.

Mr. SIMPSON said he considered the Bill an excellent one, and he should have great pleasure in supporting it.

Question—That the Bill be read a second time—put and passed, and the committal of the Bill made an Order of the Day for Thursday next.

#### QUEENSLAND IRON.

Mr. SCOTT presented the report of the Committee of the Whole in reference to a bonus for the production of Queensland iron.

The report, on the motion of Mr. HENDREN, was adopted.

The House adjourned at three minutes to 10 o'clock until Tuesday next.