Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 23 AUGUST 1881

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LEGISLATIVE ASSEMBLY.

Tuesday, 23 *August*, 1881.

Fire Brigades Bill.—Thomas' Railway Bill.—Reply of the Royal Princes to Address of Welcome.—Motion for Adjournment.—Grocers' Spirit Licenses.—Pharmacy Bill.—Relief of Selectors.—Formal Business.—Liquor Retailers Licensing Bill.—Mines Regulation Bill—resumption of committee.—Adjournment.

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

FIRE BRIGADES BILL.

A message was received from His Excellency the Governor, forwarding a Bill to make better provision for the Extinction of Fires in Municipalities and their Suburbs within the Colony of Queensland.

On the motion of the COLONIAL SECRETARY (Sir Arthur Palmer), the message was ordered to be taken into consideration to-morrow.

THOMAS' RAILWAY BILL.

A further message was received from His Excellency, forwarding a Bill to authorise Lewis Thomas to construct a Branch Line of Railway connected with the Southern and Western Railway.

On the motion of the MINISTER FOR WORKS (Mr. Macrossan), the message was ordered to be taken into consideration to-morrow.

REPLY OF THE ROYAL PRINCES TO ADDRESS OF WELCOME.

The SPEAKER stated that he had presented the Address of Welcome agreed to by the House to the Royal Princes, who were pleased to make the following reply :—

"We thank you for the cordial words of greeting and for the good wishes with which you have just welcomed us both on this our first visit to Queensland.

"We deem it a great pleasure to be the means of at once conveying to the Queen the expression of your firm loyalty towards the Throne and Person of Her Majesty.

"Our present is but a passing visit, but we assuredly hope, as does our father, the Prince of Wales, that opportunities may hereafter occur, both for himself and for us, again to come amongst you, and to further witness the development of this very extensive and promising portion of the Queen's dominions.

(Signed) "EDWARD.
"GEORGE."

MOTION FOR ADJOURNMENT.

Mr. BAYNES said he took this opportunity of moving the adjournment of the House for the purpose of bringing before the Minister for Works the insufficiency of rolling-stock in the shape of sheep-vans on the Southern and Western Railway; at the same time, he might add the inefficiency of the rolling-stock and also the inefficiency of the management. The rolling-stock, as it was at present, was a disgrace to any civilised community. Hon. members might have seen for themselves letters in the public papers relating to the cruelty to animals arising from the way that sheep were loaded and unloaded at the different railway stations. He was surprised—and yet he was not surprised, from what he knew of the way in which the traffic department of the Railway was conducted—that alterations had not been made. He and several others—the late Mr. Davenport being one—waited on the Minister for Works some time ago and proposed certain alterations—such, for instance, as they had in Victoria, where they unloaded a thousand sheep while they were tormenting a truckful here. It was a fact that in Victoria they could unload a thousand sheep while, here, they were getting rid of one truck in their present barbarous way. A letter that appeared in the *Courier* a short time ago was certainly right as far as the facts were concerned. At some stations there were no facilities whatever for loading sheep, and Ipswich was one of those stations. It frequently occurred to those who were travelling sheep that it was necessary to get from one station to another, and, as was well known, there was no food on the road, and as the country became occupied there would be less food for them. The Railway Department, in his opinion, should do all that they could to create and facilitate traffic, but it was quite the reverse. He should be able to prove to the Minister for Works that the gentleman under his control prohibited sheep traffic, or did all that he possibly could to prohibit it, so that it was a crying disgrace to the country. He should also have something to say about the prohibitive rates between Brisbane and Toowoomba, which he looked upon as a relic of the old Darling Downs legislation. Possibly hon. members might not be aware that they charged the same rates from Gatton, Helidon, and Ipswich, to Brisbane, as they did from Toowoomba to Brisbane. This was very discouraging to settlers living between Brisbane and Toowoomba, and he saw no reason whatever why there should not be a larger number of sheep sent from West Moreton. It was a positive injury to West Moreton farmers; there was no reason whatever why every farmer within about six miles on either side of the railway should not have their hundred or so of sheep—not, perhaps, as a pastoral lessee had his, but under a different system of treatment altogether. That was what it would come to, and he hoped to live to see the day when it would come to that. Those men must have facilities for sending down their sheep, and not be charged the same rate that was charged for sending them down from Toowoomba. He would now read the regulation. He had seen letters in the papers on the same subject lately, and he maintained that it was a disgrace to any civilised community that such anomalies were allowed to exist. No man of business or board of directors would allow such a state of things. He would guarantee that if the hon. Colonial Secretary had it in some of the boards of which he was chairman, or a member of the board, he would scout it—throw it out at once. It was a disgrace; it was not keeping pace with the times. The particular regulation he referred to was under "Sheep traffic":—

"Any person requiring sheep-vans at stations between Toowoomba and Brisbane will be required to pay the rate from Toowoomba"—

That was the printed regulation—

"If the empty vans are required to be sent from that station."

What was it to do with the dealer in sheep where the vans had to be sent from? Toowoomba was 100 miles from the metropolis. It was, he repeated, a relic of the old Darling Downs legislation, when the Darling Downs was the colony.

"But not if left by the ordinary trains on the up journey. The department will, however, only undertake to supply vans at such stations on Thursday in each week."

Now, he must remind hon. members that the metropolitan sale was on Thursday, and, therefore, anything supplied by the farmer between Brisbane and Toowoomba was perfectly useless to him, as the sheep would be starving during the rest of the week; and that was why there were not more sheep between Brisbane and Toowoomba.

"And on the understanding that they are loaded and ready to reach Brisbane not later than by the goods train on Friday evening."

Therefore it took two days to send sheep from Helidon and Gatton to Brisbane—a distance of sixty or seventy miles. Here was the letter which appeared in the *Courier* :—

"Through Mr. Jacob Low, M.L.A., we have been made acquainted with a grievance of a gentleman living near Gatton who desires to send a draft of fat sheep every fortnight to the Brisbane sale-yards, but does not think the Railway Department affords him reasonable facilities for doing so. As we understand the matter, he wants vans to be at Gatton on the Wednesday to run down his sheep to Brisbane for sale at the Thursday's market. The departmental reply is that he can have them by paying the rates of carriage from Toowoomba to Brisbane, and that if he does not do that the vans can only be supplied on Thursday, and then to be loaded in time for a goods train on Friday—that is, not later

than 10 a.m. This our Gatton friend considers very hard, and strongly protests that he should have the required facilities on any running day, and at ordinary rates from Gatton to Brisbane."

He could not see why sheep should not be sent by ordinary trains as well as goods. Sheep were not wild animals. One would think that the Government were sending about menageries. He did not know whether the House was aware of it, but the Government would not send a sheep-van with the ordinary trains. He said again, it was a positive disgrace.

"The Department falls back upon its regulation, which runs as follows":—

He knew perfectly well before he read them what those regulations were—that falling back upon these regulations meant what he would call strangling this gentleman with red tape. He knew that very well, because he waited upon the hon. Minister for Works—whom he must say he had admired on several occasions for his ability in conserving the public purse and public works, and he was happy to say that much credit was due to him—but in this case he grieved to say that the gentleman at the head of the traffic department was his (the hon. gentleman's) master; and the moment he rang his bell in his back parlour in this red tape trotted, and the party complaining was strangled with it. An instance of this was given the other day, which was known to the hon. member for North Brisbane, the Colonial Secretary, when some of his constituents—he was speaking of the sub-committee of the Brisbane Chamber of Commerce—formed themselves into a deputation and waited upon the hon. Minister for Works, and they were strangled with red tape. He had no doubt that the hon. Minister for Works would do to him (Mr. Baynes) as he had done to other members of that House whenever they attempted to say anything against the departments under his control—he would snub him; still his snubbing would not snuff him (Mr. Baynes) out. However, he would go on to say what this gentleman from Gatton complained of. The regulations were as follows:—

"Any persons requiring sheep-vans at stations between Toowoomba and Brisbane will be required to pay the rate from Toowoomba if the empty vans are required to be sent from that station."

And so on, as he had read in the rate-table of the Railway Department. He held in his hand a letter signed by the Commissioner for Railways, Mr. A. O. Herbert, which letter should, in a young colony like this, be framed as a relic of the red-tape and sealing-wax department. It was a disgrace to any young colony, much more a colony such as this was—a progressive colony boasting of a progressive Government—and they had a progressive Government, he was proud to say. He hoped that the Government would not consider any remarks he might make as, he was sorry to say, the hon. Minister for Works usually did. When anything was said about the Railway Department, the Minister for Works supposed that the member who said it must naturally be antagonistic to his administration and to the Administration of which he was a member. Nothing of the sort was the case. He considered that it was his duty as a representative of the people to bring these grievances before the House and the Ministry; and instead of meeting him in the way he (the Minister for Works) had met other members of the House, and that recently, he thought he should do as had been done by some gentlemen at the head of other departments—to wit, the head of the Post Office Department, on whom he (Mr. Baynes) had waited to bring certain matters under his notice. That gentleman at once took a pencil in his hand and said, "Sit down and see whether we can remedy it." He met him (Mr. Baynes) in a business spirit, and in nine cases out of ten he (Mr. Baynes) had got everything he asked for—and he had never asked for anything unreasonable. As he said before, the Minister for Works was in error in supposing that a member was antagonistic to his Government if he brought these matters before him. He (Mr. Baynes) did not care who was at the head of the Railway Department, or whether it was managed by a board—which, he thought, would be the proper way—alterations had continually to be made. Every man of business, every merchant, had to make alterations to meet the times. They were in electrical times now; they were not in the old bullock-dray—the old squatting days—and they must keep pace with the times, and he believed it was the wish of the Government to do so. This letter he held went to prove that the head of the Railway Department was not of the telephonic and telegraphic day, but that he was of a past day. He was an encumbrance of the past day; he was in their way, and should be placed aside. He (Mr. Baynes) saw many gentlemen in that House, middle-aged men, who had had to clear their way and push aside encumbrances, and this man was an encumbrance and should be removed, and the Minister for Works must do it. This letter was in answer to a letter sent to the Railway Department complaining of the insufficiency of railway plant in the shape of sheep-trucks. Some trucks were required from Chinchilla for loading sheep on a Tuesday. On the Thursday previous the assistant railway-station master at Toowoomba was asked by letter to supply railway trucks as soon as possible. His reply was that it was not possible to supply them until the Tuesday. Just fancy having to wait from Thursday to Tuesday for trucks! The sheep to be conveyed by the trucks were some 300, part of a parcel of 6,000; and hon. members must know that at present there was no grass on the roads, and waiting for these trucks meant trespassing to an extent that was a positive injury to the holder of the run. The drover knew if he waited he laid himself open to trespass, and he went on with the sheep, and the man was in danger of losing the sale of his sheep. But what did that matter to the Secretary for the Railway? He cared nothing whether a man lost money or not. Men had lost money by the Railway Department for years, and must continue to do so. That was what this man said in his letter:—

"Sir,—Referring to your letter of 11th instant, I beg to inform you the order given by you was for vans to be supplied as soon as possible."

What was more reasonable than that?

"The answer given by the Toowoomba station master was correct, as the vans were in Brisbane, and several orders were in hand for vans to be supplied on the 12th and 13th instant, which orders the Department was bound to supply."

Probably they should be told that it was the Brisbane Exhibition, but what had business men got to do with the Exhibition? There was something else besides that to be considered. The next paragraph was—

"All orders for vans are taken conditionally, and as they come in."

Conditionally—what an idea! This was what he wished to call particular attention to—

"The Railway Department cannot undertake to supply vans on any other terms."

"These terms are well understood (for years past) by all persons sending sheep by rail."

He was sorry to say that they had been understood for years past; but the time had arrived when they should have an alteration, and he would not allow the Government any rest until they had some alteration. It was a disgrace to the Administration to have such a man as this,

who could issue such a letter to a man who helped to support the railway traffic. They were not in a position to pension him—their pension list was too large already for a colony like this—but it might answer the purpose to travel him about. After twelve months' travel he would be a great deal better, even if he only went to the other colonies; or if he went to the old country or to America, he would then get some ideas of business. Why this gentleman was appointed, he (Mr. Baynes) did not know. He would, no doubt, make a very good Under Secretary as head of the red-tape and sealing-wax department, but he was not enough of a business man to fulfil his present position. He was what he (Mr. Baynes) termed a round man in a square mould: he could not fit it. Reverting to the unfortunate sheep, he would point out that the Government were to all intents and purposes a carrying company. The Minister for Works seemed to forget that, and entirely ignored his position. The Government, as an expedient, undertook to do the carrying work of the country; they were carriers, and must be treated as such. What would be thought of a Cobb and Company's manager if he told the public that because they had been inconvenienced for years they must continue to be inconvenienced—that they must hand in their card four or five days before the coach started if they wanted a seat, or to send a parcel? That manager would very soon be superseded by another. He (Mr. Baynes) would rather have a clerk from a firm like Pickford and Company, in England, to fill the situation, than the present Commissioner. They wanted a man who understood business and the organisation of men. That and the shipping of goods was as much a science as engineering. They would have the railways much better managed if attention was given to common business principles, particularly in small matters. Take, for instance, the sheep-yards. A requisition is put in for sheep-yards, and perhaps after twelve or eighteen months they would be supplied with an ordinary square yard, when £5 would buy enough hurdles for the purpose, and anyone who understood about yarding sheep could yard and truck them as he pleased. They were not unmindful of the Government, and did not ask them to wait when the Premier came down to the House and said that he wanted £100,000 to carry on with. They did not stand on form, but voted it, although they had no particular message from the Governor on that occasion. In fact, they formed themselves into a respectable republic at the time and voted the money; but yet they were told by the Commissioner for Railways, when they wanted anything, that they were to wait. If they had adhered to the forms they had always followed, the other night, and told the Premier he must wait for that £100,000, where would the Civil Servants have been? The Minister for Works must not forget that this was a young colony. Nearly every member of that House, as a representative of the people, had won this position by hard work; the hon. gentlemen had done so himself, and had probably thrown many obstructions out of his way. They must do the same with this man, and not allow him to be an obstacle to them any longer. It was a positive fact, which he could prove, that sheep were sometimes kept in trucks for sixty hours. This was not a matter to smile about: it was really a disgrace; it was cruelty. In sending sheep from Gowrie they had to be kept in trucks for forty-eight hours; and, as he had proved by the regulations, it took two days to bring down sheep from Helidon or Gatton. At Ipswich there was no means of loading sheep. He would probably be told that when Supply came on was the proper time to bring this matter forward. The proper time to bring it forward was at the beginning of the session, but owing to the course taken by the leader of the Opposition—who had espoused the cause of an unfortunate or disappointed contractor—he (Mr. Baynes) had not that opportunity and had to take advantage of an occasion like the present. When Supply came on he should have a great deal more to say on this subject, and no doubt other hon. members would do the same. As he had said before, he did not see why farmers in East and West Moreton, within a short distance of the railway, should not keep a few sheep. They all knew how well pet sheep would do about a station, and there was nothing to prevent them thriving with these men. These were the men that should be encouraged. They had paid money for a railway to Fassifern, but what were they to do with it? And the same with the Bundaberg Railway, which went through a sheep district. Speaking of these small lines, it occurred to him that any business man would have known that there would be a rush of business at Gympie. At the beginning of a new thing there was always a rush; and had the Commissioner for Railways been an intelligent business man he would have put an extra hand or two on to have assisted the station master there. There was another matter he must mention, and it was a very important one for the consideration of the hon. Minister for Works. He referred to the heavy tariff on greasy wool. It was considered expedient now, especially in such seasons as the present, to send down wool in the grease; but they had to pay the same on greasy wool as on washed wool. And they were the only carrying people—the railway people—who charged this. Steamships, sailing vessels, and everyone else charged less for greasy wool than they did for washed wool. But, no, the Minister could not see that. He told them that they should employ labour and wash it, whereas it was now well known that this was the worst plan they could follow out. It was said now, "Send the wool home with the yolk in it." By so encouraging traffic in wool he would have a much larger quantity sent down, because it would be sent down in the fresh instead of washing it, and, therefore, the railway would be benefited. He took it that when a railway was rolling it did not matter whether there was seventy or one hundred tons upon it, and so the railway people would be the gainers by the alteration. As to the rolling-stock, he would say that it was now in a disgraceful state. It was only the other day that several members were coming down from Toowoomba. There were three or four first-class carriages to the train, and ladies in every one of them—not a smoking-carriage on the whole of the train. Of course, when a Minister came along a smoking-carriage was trotted out for him at once. But people did not want that. They wanted ordinary convenience when travelling themselves, and that station masters should do something more than stand with brass bands on their caps looking about them. The public ought to be studied in such matters. He had no doubt that it had been noticed how many middle-aged members of Parliament were sufferers from rheumatism caught entirely through travelling in these railway carriages. They were not provided with the ordinary comforts of first-class carriages, and it was well known that members were becoming afflicted with chronic rheumatism by travelling by rail. If they had a good man as Commissioner for Railways he would notice these things. He (Mr. Baynes) would like to suggest to the Minister for Works that at every engine depôt—at every station of any consequence—there should be sheep-trucks and horse-trucks. It was now the greatest trouble in the world

to get a horse from one section of the line to another. He knew of a case only this week where a man had to ride from Brisbane to Ipswich simply because he had not given a nonsensical notice to the station master. It was simply ridiculous, and the man very properly got astride his horse again and rode the distance. They did not do things that way in Victoria. Things could be done properly with no more than the present railway stock if they were only better managed. He knew that when these railways were first started the argument in their favour was always that they would create traffic. That was one of the strongest arguments for forming the lines, and yet the Commissioner did all he could—and especially with regard to sheep, he seemed determined to do all he could—to prohibit traffic. The Commissioner almost told them so, and the hon. the Minister for Works, who was an astute logician, trotted this red-tape man out when they went to him and formed themselves into a deputation to him. And yet the country was suffering all the time. They were a very patient set, but they could not stand it any longer. He had nothing to complain of in the Government, and he hoped no one among the Opposition would think that these remarks he was making in any way affected his position towards them. It did not do so in the least. If they were to suppose so it would be as absurd as when the other night the hon. member for the Northern Downs got up and suggested that the Premier should consider his position, because a measure he had brought before the House had been criticised rather severely from his own side. The thing was absurd. He was not afraid to point out to Ministers their errors. He should do it. It was his duty, and as long as he had a seat in that House he should do it fearlessly. He begged to move the adjournment of the House.

Mr. BAILEY was glad that members on his side of the House had not to apologise humbly to Ministers for criticising minor details of their Administration. They certainly were bold enough to speak out plainly of his faults to a Minister, nor did they call to task behind his back a minor officer when they had a responsible Minister in the House to answer for irregularities. He certainly did not think that such a course was a pleasant one to pursue. He was quite at one with the hon. gentleman in complaining of the bad administration of the Railway Department. They had had a slight experience of it in his district lately. They had a railway about sixty miles long between two most important towns, and yet they had no convenience whatever for goods or passenger traffic. The goods traffic arrangements were indeed so bad that the drays now were successfully competing with the line of railway. He could go into other points, but he hoped they would be amended in course of time, if the present Government remained in office, and the Minister took these matters in hand, as he had promised him (Mr. Bailey) he would. But there was a reason for all these things. If any hon. member had taken notice of all that had been passing lately, he would easily find a full and sufficient reason for the bad administration of this department. The present Government had a theory to prove, and to prove it it was necessary to show that the present mode of carrying on the department was a game which would not pay. And to show how it should be carried out, they would bring on a grand scheme next year to make it palpable to the people that improvements must be made upon the present method to bring about efficiency. In all parts of the colony the great aim of the department seemed to be, not to create traffic, not to assist people in sending produce, but to prevent people from travelling, and from using the line to carry their goods—in fact, to get the whole thing as far behind as possible to make way for the new scheme. He could only understand the matter on this theory. He was, however, far from thinking that the present system was a bad one. On the contrary, if properly administered it was a good one, and would pay handsomely interest on all the money that had been expended upon the lines.

Mr. DE SATGE said that while the details of administration of this department were under discussion he should like to get a better answer about the carriage of the mails in the Western district from Withersfield. He had, at the request of the passengers, drawn the attention of the officer in charge of the department to the fact that the mails, though reaching the railway terminus on Friday night, remained there till Saturday morning, and in this way did not reach Rockhampton until Saturday night, and remained there until Monday morning before delivery. He thought that it would be very little trouble for the manager to put on a night train on Friday, and run the mails through with the passengers who arrived at Withersfield the same night. He had asked for this concession at the request of several Rockhampton men, and the reply he received was a very curt one. He had asked the same question on his return and arrival in town, and he met with the same answer—that they could see no reason to grant it. The mails arriving from the Western district on Friday night were of considerable importance, and the running of one train through a week would be very little expense. The passengers, indeed, would be willing to pay extra for the accommodation, and the detention of the mails was a very serious thing indeed, for if a boat were starting for Sydney on the Saturday morning, the mails would be delayed for several days. He trusted that the Minister for Works—who, he believed, desired to do all he could for the country people—would make up his mind to grant them this concession. It was not much to ask for. As regarded comforts on the line, he must confess that very little was done in that way. He was himself lately a passenger in a carriage in which not a single window would remain shut. It was a bitterly cold, frosty morning, and all the windows came down; and when he brought it under the notice of Mr. Craig, the answer was that it was impossible to take it off the line for repairs. And so the passengers had to suffer the inconvenience in the coldest weather. It was right enough in the summer, but on cold, frosty mornings, with the temperature at thirty-five degrees, it was a very serious inconvenience, and very far short of their present state of civilisation.

Mr. FOOTE wished to make a few observations on this subject, although he did not intend to reflect upon the head of any department. He believed it was perfectly clear to anyone travelling on the line that the cause of weakness was the want of trucks. It was a fact that the Government was strictly economical, and avoided as far as possible any expenditure or outlay they possibly could. It was quite clear to him that the extension of the line to the westward, and also to the southern border, had brought about a great increase in the traffic. The greater amount of mileage made it almost an impossibility that the same facilities could be given to the public with the same rolling-stock, or the same facilities, that the shorter lines had afforded. The traffic from Toowoomba downward had become very great, and there was scarcely an hour in the day at this end of the line at which there were no trains running. There was some considerable difficulty when a little

extra pressure was brought—changes of markets, for instance, causing rushes. The red-tape system complained of by the hon. member for Burnett, no doubt, operated very detrimentally against the proper carrying on of the traffic; but if a station master might act as an ordinary agent, and put on a few more men when occasion required, and have the goods dismissed and got out of the way, the same difficulties might not occur. It was clear that in all stations on the lines at present there were not sufficient hands. At Ipswich he would vouch for the fact that at times the station was so crowded that there was not room to move. There were not hands enough to load the goods, and to see to their delivery. With regard to rolling-stock, it seemed to him that it was very incomplete, and not more than half sufficient for the trade to be done on the line. He concurred with the hon. member's complaint about the scarcity of horse-trucks and sheep-trucks. Another thing was that kerosine could only be carried once a week, which was a very great inconvenience to people. He did complain of the Minister because he had reduced the fares to run the steamers off the river, because when the boats were on they could often get goods as cheap and quicker in that way. It was not only downwards but upwards he had to complain of. He did not wish to reflect upon any person in charge of the department, but something was wanted up there, and the great matter was that trucks could not be got. They could not get facilities for carrying the goods. There certainly must be some arrangement made to facilitate the traffic —something greater than had been done for some time past. Ultimately, he believed, they must have a double line. They could not continue long in this way, and they must have more night trains rather than go on as they were doing. The hon. member suggested that a board should manage the department, on account of its numerous difficulties, but he (Mr. Foote) did not think it was difficult to manage it if it was set about in the right way. But the classification of goods, and roundabout way which was employed in working the traffic of the line now, was ridiculous. It was impossible to deal with it properly in that way, even though the officers on the line were overworked—and in many instances he was told that the clerks worked all day on Sundays. Of this he had been credibly informed. He was glad the hon. member had brought the matter under the notice of the Minister, for it could not be too well known, and the sooner something was done to remedy existing evils the better. Much improvement, he believed, could be effected, and if there were an increase in the rolling-stock only many difficulties would disappear.

Mr. H. PALMER (Maryborough) said that, as the opportunity presented itself, he should like to say a word or two on the subject of railway management. Without making any complaint, or in any way censuring either the Railway Department or the Minister at its head, he could fully endorse the remarks of the hon. member for Wide Bay with reference to the inadequacy of the arrangements made at the starting of the Maryborough and Gympie line, and could even go a little further than the hon. member. After making every allowance for the difficulties which would naturally arise during the first week or two, the arrangements were far short of what they should have been. He was quite aware that during the first week it was not to be expected that all the goods which had accumulated at Maryborough could be conveyed to Gympie. There were then, he believed, about 300 tons of goods waiting, and, on making inquiries at the end of the first week, he was informed that the quantity was only reduced by about forty or fifty tons, additions by steamer having nearly made up for the quantities which had been removed. He was also told by people in authority that the rolling-stock and the locomotives were quite inadequate, and that the store accommodation was short of what it ought to be. Upon arriving in Brisbane, therefore, he had made it his duty to call upon the Minister, and that gentleman had assured him that he would do all that was requisite to make up the shortcomings pointed out. He had full faith in the administration of that hon. gentleman, and his present object was not to censure him, but to draw attention to the subject, in the hope that the matter would be attended to at once, so that complaints of the same kind might not be continued. He believed that the railway, contrary to the expectations of many, would prove remunerative and even pay handsomely. At first he had been inclined to think otherwise, and he had been agreeably surprised at the amount of traffic upon the line since it had been opened. He thoroughly believed that the traffic would continue, and he therefore hoped the Minister would take early steps to rectify the deficiencies which had been pointed out. He would also take advantage of the motion for adjournment to ask the Premier whether it was his intention to ask the House to consent to the appointment of another sitting day in the week—either Monday or Friday—for the carrying on of the business of the country. That was the course taken last session, and he thought the accumulation of business on the notice-paper made the adoption of a similar course now necessary. Property in many parts of the country was in a very alarming state owing to the continuance of the dry weather, and many country members were anxious to get back to the country as soon as they could.

Mr. GRIMES said it was not his intention to refer to the maladministration of the Railway Department; but he would take advantage of the motion to ask the Colonial Secretary for certain information which would be of great service to the House during the discussion of the Distillation Bill. Some time in July, 1880, the officers of the Customs Department obtained samples of wines from the various growers in the colonies to be tested. If the result of that testing could be laid on the table before the Bill came on for discussion, it would no doubt be of great use to hon. members. He had intended to move formally for the information; but, seeing that the Distillation Bill was first on the order-paper, he took the quicker course of asking the Minister for it, in order that the information might be obtained in time.

The MINISTER FOR WORKS said, as no other hon. members appeared to wish to speak on the subject of Railway administration, he would say a few words in reply to what had fallen from hon. members. In reply to the hon. member for Maryborough he must say that he was very much pleased to find that the Maryborough and Gympie Railway had turned out so well. That was a matter for congratulation to all members of the House and to the country. He could also assure the hon. member and the House, that as soon as the traffic justified him in putting on an additional train per day he thought that might be done. Probably that would be the best way to relieve the press of traffic mentioned by the hon. member. The shortcomings referred to as having occurred during the first week might naturally be expected. No one could expect that a new line just starting would be in working order like one which had been working for years. Some little disagreements and inconveniences which had occurred during the first week, and which probably would occur

on the second, would be remedied. So far, however, from the line being under-staffed, the officer who had charge of the station at Maryborough had full authority to employ extra labour whenever required, so that no fault could be found with the department in Brisbane in that respect. Since it had been found that more labour was necessary fresh appointments had been made, and that officer had still the same power. With regard to the remarks of the hon. member for Wide Bay (Mr. Bailey), it was very unfair of him to accuse the hon. member for the Burnett of having apologised for criticising the administration of the department in respect of details. No one could justly accuse that hon. member of making an apology at any time when he relieved his mind in the House; but the hon. member for Wide Bay, instead of apologising in the House, kept his apologies for the ear of the Minister himself. Perhaps it would be better that the hon. member should in future make his apologies in public, so that other persons might have an opportunity of criticising him. As to what fell from the hon. member for Bundanba, the argument he used in favour of a double line, if a good one, was the best argument possible for the construction of the South Brisbane line, and he trusted that when the approval of that line was moved to-morrow the hon. member would vote for it.

Mr. FOOTE: If you go to deep water.

The MINISTER FOR WORKS said that the construction of the line would be tantamount to doubling the present line for the purposes referred to by the hon. member. With regard to the sheep business about which several complaints had been made at various times, it appeared to him (Mr. Macrossan) that the practical remedy was in the hands of the hon. member himself (Mr. Baynes) and others who, like him, imported sheep to Brisbane. As the hon. member probably knew, there was a sufficient quantity of rolling-stock to carry the sheep; but, owing to the system adopted by importers and buyers in the sale-yards at Oxley, the department was obliged to do the traffic of a whole week in two days. The hon. member had promised to try to break down the monopoly, but, whether or not the hon. member had lacked the moral courage to make the attempt, the monopoly was as strong now as it had been at any time. If the hon. member with others would apply the remedy which they had in their hands, and sell on two or three days instead of on one only, there were more than enough sheep-trucks to do all the business. From two to three thousand could be brought down in two days, and if sales were arranged properly, and as they were in every other city, no difficulty could arise. There was nothing whatever to prevent small selectors along the line in West Moreton keeping sheep, except that they had not got them; at all events, the Railway Department or the tariff did not prevent them. The hon. member, he thought, must have some special complaint about something occurring during Exhibition week. That was the first he had heard about the matter, and every grievance which the hon. member had mentioned previously he (Mr. Macrossan) had done his best to remedy. Sometimes he might have been disappointed in seeking for a remedy, but in the matter of sheep-yards the hon. member must be aware that he had been prevented from applying a remedy through no fault of his. A great many complaints were made by hon. members in this House, and many by the public outside, about the Railway Department, its tariff, and the general mode of management; but it would be much better, if there were any seriousness at all in the complaints, that those hon. members who complained should move for a commission of inquiry into the general management and working of the railways. The matter might then be calmly discussed by business men after listening to evidence on both sides, and if anything were shown to be wrong the department would be bound to remedy it. He would do his best to remedy any evils if hon. members would point out how it could be done. Hon. members must, however, remember that a large portion of the revenue of the country was derived from Railway receipts, and that, therefore, the Minister could not make experiments in the direction of reductions of the tariff without running the risk of a loss of revenue; and if the Minister once made a reduction he could never get a corresponding increase if he found he had done wrong. The hon. member for the Burnett had made many complaints about the Railway Department, and it would be most fitting that he should move for the appointment of a commission; and he (Mr. Macrossan) would do his best to assist the hon. member and any other members whom the House might appoint as members of such a commission. He was not going to say that the department was immaculate, or that the tariff might not be amended; but whatever might be said against the Railway Department might be said with equal force about the Railway Departments of the other colonies, and of every other country in the world. Hon. members seemed to imagine that things were better in this respect in Victoria, or in America, but they would find that such was not the case. The railways must be managed for the production of profits, and, so long as the Minister in charge was to a certain extent under the pressure of politicians, railways would never produce the profits which they might if managed by a purely commercial board. No Minister or permanent head of a department could do as he pleased; as soon as he attempted to do one thing pressure was brought to bear to bring things back in another direction. The hon. member knew that, and he (Mr. Macrossan), having been subjected to pressure of that kind, could speak from experience. If hon. members were seriously earnest in the desire to reform, and reformation was required, they should adopt the course which he had suggested, and he should be very happy to assist them to the best of his ability.

Mr. O'SULLIVAN said he acknowledged that this was a very troublesome subject, and one which was everlastingly recurring; but he also thought that the remedy suggested by the Minister for Works for the defects in the Railway system was the very worst that could be adopted, if hon. members might judge from the result of commissions appointed by this House ever since Parliament commenced. As far as his experience went, such commissions had been money and paper thrown away, and he would defy any hon. member to point out any good result arising from any commission that had sat. He could give one or two instances himself. The gentlemen were always packed to bring in a certain verdict, and they did so, and were not ashamed to acknowledge it. The. hon. member for the Burnett had mentioned one subject which appeared to have escaped the notice of the Minister for Works. The hon. member asked how it was that the Gatton farmer had to pay as much for the carriage of his produce to Brisbane as was charged between Toowoomba and Brisbane, and the hon. gentleman had not explained why. That had been a crying evil for the last three or four years, and no attempt had been made to remedy it. He was quite satisfied that if a commission were appointed, and the Minister for Works rendered his assistance, it would be found that the evils complained of were still in existence. What better remedy could the hon. gentleman find than an

alteration of the tariff making the charge for freight according to the distance carried? With regard to the Commisssioner for Railways, it was not right to attack him in the House while his superior was present to answer for himself. He had always raised his voice against the practice of attacking servants of the Government when their responsible heads were present. The Minister for Works was a good subject to attack, and was remarkably well able to defend himself. Perhaps he was a little surly at times, but he was worthy of the ire of hon. members, and they should not allow their temper to carry them any further, as he alone was responsible to the House. He agreed with the hon. member for the Burnett in thinking that some remedy might be found for the grievances complained of, and he thought it might be extended all over the colony. Why should £7 or £8 be charged for carrying a ton of flour to Roma when it could be easily taken for £2? And a ton of ordinary merchandise might well be carried for £6 or £7, as it had been by the slower method before the introduction of the railway. It was monstrous to charge £7 or £8 for a ton of flour, and so make the workman of Roma pay 8s. per cwt. more for his flour than a man of the same class paid in Brisbane. The consequence was that men were driven out of the colony, and a great premium was offered to anyone with a sufficiently enterprising spirit to start a flour-mill at Roma. He was glad the Minister for Works had promised to put on an extra train on the Maryborough line as soon as there was sufficient traffic, and glad that the hon. member for Maryborough had sufficient influence to get the Minister to do what he asked. He (Mr. O'Sullivan) had been asking for the last two or three years that the freight tariff between Toowoomba, Brisbane, and intermediate stations might be in proportion to distance, but hitherto without success. He also disagreed with the Minister for Works that keeping up the high rates was the proper way to increase the revenue of the colony. The proper way was to reduce the rates, and the hon. gentleman had had an instance of this in the Sunday trains. When the Minister for Works first started the Sunday trains, he (Mr. O'Sullivan) suggested to him to reduce the fares to one-half the excursion ticket; but he received the very curt answer that they might as well run the trains for nothing. It was not a very handsome reply. The traffic went on for pretty nearly twelve months, and it scarcely paid; at least, it did not do more, according to returns laid on the table. As a remedy for this, the Minister for Works reduced the fares for Sunday trains to pretty nearly one-half the excursion fares, and the result was that the trains were now crowded. It would be just the same if the tariff along the whole line were reduced; the traffic would increase in exact proportion to the fares or the prices that had to be paid. With regard to the number of trucks, it was said by the hon. gentleman some little time ago that there was enough trucks to last for three years. But the fact was that about 100 new trucks were wanted on the line now. There was a man, the owner of a mine in his (Mr. O'Sullivan's) district, within a few miles of Ipswich, who had to pay £3,000 or £4,000 for a branch line, and yet who was hindered by the want of trucks. He had to employ horses and drays to take his coal to the punts, because he could not get trucks in time. There he was every hour in the day looking for trucks and could not get one. He thought it was the Minister for Works who was responsible for this.

Mr. BEATTIE thought the hon. gentleman was labouring under a mistake. As far as these trucks were concerned, it was really no such thing.

Mr. O'SULLIVAN: I am certain it is.

Mr. BEATTIE said the hon. member's information was very different to the information he had. He rose for the purpose of saying that he agreed with the hon. member for Stanley that it was really unfair to attack the Commissioner for Railways. No member should take advantage of his position to make an attack of that kind. Everyone made mistakes sometimes, and he believed there was no more conscientious officer in the Government service than the Commissioner for Railways. That officer, of course, looked upon it that the Government expected to get the largest possible returns from the railways. If he did not do so, he (Mr. Beattie) was perfectly certain the Minister would not hesitate in taking him to task. He (Mr. Beattie) sometimes had something to do with the Commissioner for Railways, and he had found him a most obliging officer, willing at all times, when any suggestion was made for increasing the traffic on the railway, to fall in with it at once. He thought the hon. member for Stanley was right in saying that more trucks were required. There was no doubt of it; but he (Mr. Beattie) did not blame the Minister for that. The Ministry were making the necessary provision for getting more trucks, as he observed by the papers that tenders were called for quantities of trucks. Some time must be given for getting the necessary appliances for increasing the traffic. With reference to the remark that had been made by the Minister for Works, as to the South Brisbane line, a good deal of the traffic referred to would not go that way, because one of these large proprietors was going to a large expense in the construction of shoots. It was not going to decrease the traffic between Oxley and Indooroopilly; it would certainly increase the traffic. While he thought that members ought to express their views on the matter—and it was very easy to condemn the management of a large department like the Railways—he thought it was unfair to attack the head of the department. He believed the suggestion made by the Minister for Works for the appointment of a commission to inquire into the whole system of conducting the business was a very good one indeed. The commission might take into consideration the defects, and whether it was possible to make any reductions or not. He disagreed with what the hon. member for Stanley had said about the price charged for flour to Roma. He had made some inquiry, and he thought the Minister for Works had been very liberal. He desired to encourage native production. Flour was taken from Warwick to Brisbane at something like 17s. 6d. per ton, and from Roma to Warwick at something like £2 per ton. He believed that the Western districts of the colony were supplied with flour made in the southern part of the colony, and did not come from Adelaide. The facilities given to agriculturists along the line had been to their advantage. If a commission was appointed to take all these matters into consideration, he was sure it would not find such faults as some hon. members seemed to think.

Mr. MILES was understood to say that the hon. member for Burnett had spoken of inconvenience, and the cruelty in connection with the conveyance of sheep. He thought that one cause of this was the large quantity of trucks that had been used lately. First of all there was the Roma Show, and a considerable quantity of trucks had been used for the conveyance of sheep for exhibition. Then there was the Exhibition in Brisbane; a quantity of trucks were used for that, and last week there was the Toowoomba Show. He had been in the habit of taking a large number of sheep by rail, and up to within

the last two or three weeks he had never had any difficulty in getting trucks. He had come to the conclusion that the scarcity which had taken place recently had been owing to the quantity used during the time of these shows. He did not think it would be a right thing to get 100 new sheep-trucks when they would probably only be used one month out of twelve. He believed there was quite sufficient rolling-stock for conveying sheep down to Brisbane within two days. He thought the hon. member in his calmer moments would regret the attack he had made on the Commissioner for Railways. The Minister for Works was present; he was at the head of the department, and from what he (Mr. Miles) knew of the Commissioner, if the Minister for Works instructed him to do any particular thing, he would do it to the best of his ability, were it the reduction of the tariff or anything else, and he thought it was very unfair for the hon. member for Burnett to attack an officer behind his back. If the hon. member had any complaint he ought to make it to the Minister. He (Mr. Miles) was sure that if the Minister for Works was desirous to have anything improved in the conduct of the railway traffic, if he instructed the Commissioner to that effect, that officer would do his best to carry it out. The Commissioner was placed in a peculiar position in having to deal with the whole community; he had to deal with every individual who used the railway, and many of these made complaints about the management; one man complained about the tariff being too high, another complained that his goods were damaged; in fact, the Commissioner had the whole community to fight against. The hon. member for Burnett also complained about the charge for conveying sheep.

Mr. BAYNES: No.

Mr. MILES said he was glad to hear it, because he thought the charge was very reasonable indeed. He thought it was quite possible to make some alteration in the classification of goods. If there was a different classification, it need not reduce the rates, but it would equalise them much better than they were now. He thought the Minister for Works should be very careful indeed in reducing the rates, because it would fall upon the general public.

Mr. STEVENSON said he had never known a more apt illustration of "Satan reproving sin" than the hon. member for Darling Downs censuring the hon. member for Burnett for attacking a subordinate officer in a department. When the hon. member (Mr. Miles) was sitting on the Ministerial side of the House he attacked Mr. Byerley, who was an officer in a subordinate position in the Works Department in comparison with Mr. Herbert; yet the hon. member got up and attacked the hon. member for Burnett for speaking against the Commissioner for Railways. Why, there never was a more unwarrantable attack made in that House than that made by the hon. member (Mr. Miles) on Mr. Byerley, who was in charge of the bridge at Rockhampton. He (Mr. Stevenson) had always found the Commissioner for Railways willing to take his suggestions whenever he had spoken to him. At the same time he sympathised with the hon. member for Burnett in a great deal he had said. Many of the grievances with regard to the sheep that the hon. member had mentioned were severely felt, and Mr. Herbert was blamed. He (Mr. Stevenson) would not speak for himself, but he believed the general public had grievances; he had heard a good many of them, and if he did not hold the position he did in that House, he might sometimes have grievances to bring forward. For instance, the other day he was at Roma. He was travelling with his family, and had a good deal of luggage, and he arrived at Roma just at 1 o'clock. He went out and met one of the porters going to dinner. He asked him when he could get his luggage taken off. All he could get out of the porter was, "I'm going to dinner." He said there was nobody at the station; everybody had gone to dinner, and would not be back until 2 o'clock. He (Mr. Stevenson) said, "I suppose, then, I must wait here until 2 o'clock, and keep a van and two horses waiting." The porter said, "I am going to dinner." He (Mr. Stevenson) asked him his name, and, on getting it, said he would tell Mr. Herbert of his conduct when he got back to Brisbane. The man then evidently thought that he (Mr. Stevenson) had some influence with Mr. Herbert, and consequently he came back soon with another man and they had the luggage taken off at once. If it had been people who were supposed to have no influence, they would very likely have stayed there an hour, keeping a man and a van and two horses waiting; and the station was left completely during that hour. He (Mr. Stevenson) was told so by the man himself. He said that nobody was left in charge of the station, as all the officials were at dinner. That was not a proper state of things. He might also mention that in travelling between Dalby and Ipswich at night the rooms for the ladies were in total darkness, and there were no attendants, and he thought these things ought to be looked into. He agreed a good deal with what the hon. member for Burnett had said. He had not any experience with regard to sheep on this line, but he knew that there were a great many complaints of the same thing on the Central line. He thought the hon. member had done a good thing in bringing these matters before the House.

Mr. WALSH said he rose to protest against any comparison being drawn between Mr. Herbert and Mr. Byerley, because the one was thoroughly competent to perform his duties, while the other was thoroughly incompetent. If the hon. member who had just spoken had visited Townsville, he might have convinced himself there——

Mr. STEVENSON: I spoke only of one particular case in which he did his work very well.

Mr. WALSH said the hon. member complained of the way in which the member for the Northern Downs had attacked Mr. Byerley when he sat on these benches. He (Mr. Walsh) thought the hon. gentleman was perfectly right in attacking him, and that any member did perfectly right in attacking any public officer who was thoroughly incompetent in the performance of the duties entrusted to him. He maintained that the officer referred to was thoroughly incompetent, and he would quote a fact—for a fact, as was well known, was worth fifty arguments—to show this. Mr. Byerley, he believed, superintended the erection of a bridge at Townsville, which cost several thousand pounds. It had impeded traffic and stopped the navigation of the creek, and, in fact, it was impossible to use it for any purpose whatever. The Government had to expend a considerable sum of money, he believed, in removing the obstruction altogether after it had been built, and the whole of its construction was under the direction of Mr. Byerley. He did not know Mr. Byerley at all; he never met him or saw him, and he was, therefore, quite unbiassed and unprejudiced. He had, however, seen the work which had been conducted under Mr. Byerley's supervision, and he said it was a positive disgrace to him or any other engineer. He was brought up to Townsville to supervise the work, while there was Mr. McMillen, a competent engineer, of Bowen, who could have looked after it. He believed Mr. Byerley was not an engineer, and it was

therefore a most extraordinary thing to bring him up there while there was a competent engineer in the district, whose advice was not taken in the matter at all. It seemed anomalous to him, and—as he had said calmly and deliberately before in the House, when the Estimates were being discussed—it would do the colony good to give that officer a thousand a year and let him live in Tasmania, where he would have nothing to do with the expenditure as he had done in the past. He thought there was no comparison whatever between the two officers, and in attacking him hon. members had only done what they had a perfect right to do.

Mr. SCOTT said he did not know what the hon. member alluded to or anything about it, but he was in Rockhampton a few weeks ago, and he saw the work which had been planned and carried out by Mr. Byerley. He was quite satisfied that there was not a better piece of work in any of the colonies than it was. It would stand the inspection of anyone, although there had been considerable difficulty in carrying it out; and he believed it had been carried out to the satisfaction of everyone who had had anything to do with it.

The PREMIER said the hon. member for Maryborough had asked him whether it was the intention of the Government to propose an additional sitting day. So far as the Government were concerned, they would be only too glad to add to the number of Government days. In previous years there had been four days, and it had usually been the practice for Ministers to move for an additional Government day during the session. This year the session was late in commencing, and there was every reason for getting through the work soon, and as soon as he saw a possibility of getting such a motion through the House he would move it. With regard to some remarks made by the hon. member for Oxley (Mr. Grimes), he might say that he would be very happy to give him the information he asked for, as it should be known throughout the colony. He thought it was to be printed in a very short time.

Mr. DICKSON said he was surprised to hear the remarks addressed to the Premier respecting the appointment of another day for taking Government business. Such a thing as an additional sitting day for Government business was never made until the full policy of the Government was before the country. He would ask when the Ministry expected to make the Financial Statement.

Mr. BAYNES, in reply, said he had not intended to refer at length to the remarks on the few comments he had made on the management of the traffic departments of the railways, but after what had fallen from hon. members he thought it was necessary that he should say a word or two. He quite disagreed with the principle laid down by the hon. member for Wide Bay, the hon. member for Stanley, and the hon. member for Darling Downs. It must be patent to every member of the House why the hon. member for Darling Downs should wish him (Mr. Baynes) to denounce the Ministry. He was not going to do anything of the sort. The hon. member would be very glad to see him do it, no doubt; but he (Mr. Baynes) had, perhaps, every bit as keen a sense of honour as that gentleman had. He regarded it as his inherent right, as a representative of the people, to denounce any bad management in a Government department. It did not follow that, because an hon. member was a good administrator, or a good Minister for Works—as he thoroughly believed him to be, and a conscientious one, as he had said before to-night—but it did not follow that he was therefore a good carrier. He maintained that they should have a carrier at the head of the Railway Department, for it was a carrying concern. They did not want a sealing-wax and red-tape man. They might, on the same principle, put a lawyer as put an under secretary into the Engineer's Department. He was sorry the hon. member for Darling Downs was not in his place or he would have referred to him; as he was absent, he might be charged with attacking him behind his back. He did not say there was a man in the House more capable of doing what the hon. member had charged him with than the hon. member himself, and this had been proved over and over again. He denied that he had exhibited cowardice in any shape or form.

An HONOURABLE MEMBER: I did not say it.

Mr. BAYNES said the hon. member implied it, which was worse. He must take exception to what was said by the Minister for Works. It was most unreasonable that he (Mr. Baynes) should be asked to manage the business of the Commissioner for Railways. Why on earth should he leave his business in order to tell other traffickers what they should do? It was the last thing he should think of doing. If anyone began to tell him how to manage his own sheep he would tell him to mind his own business; and it was almost an insult to him (Mr. Baynes) to ask him to manage his (the Commissioner's) business, or to ask any man to carry on his business in a certain way which would suit the Government. He repeated that they should have facilities for all traffic, and business ought not to have to be put aside simply because there happened to be an exhibition here or there. The business of individuals should go on as did that of the country. The present Government was a progressive one, and it should give traders every means of doing their business. Nothing unreasonable was asked for, and he had no reason to apologise for what he said as to the Commissioner for Railways. It was a mere sham for the hon. member for Wide Bay to say he got up to attack a man behind his back. What other means had he of getting at the head of the department than those which he adopted? If he went to the Minister he was taken into his back parlour, the Minister rang for the red-tape man, who was then trotted out, and they were strangled with red tape.

The question was then put and negatived.

GROCERS' SPIRIT LICENSES.

Mr. FOOTE presented a petition, numerously signed, having reference to the licenses granted to grocers under the Distillation Act, and praying for a provision enabling grocers to sell a smaller quantity of spirits than that prescribed by the Act.

Petition read and received.

PHARMACY BILL.

Mr. GRIFFITH presented a Bill to establish a Board of Pharmacy in Queensland, and make better provision for Chemists.

The Bill, on the motion of Mr. GRIFFITH, was read a first time, ordered to be printed, and the second reading made an Order of the Day for the 15th September.

RELIEF OF SELECTORS.

Mr. BAYNES called the attention of the Minister for Lands to the regulations in the Land Act of 1876, and asked whether he intended to introduce a Bill for the relief of selectors.

The MINISTER FOR LANDS replied that the matter had not yet engaged the serious attention of the Government.

FORMAL BUSINESS.

The following formal motions were passed:—

By Mr. TYREL—

That there be laid on the table of the House, a Return showing—

1. The number of Chinese who have paid the admission fee under 41st Victoria No. 8; when and where.

2. The number who have been arrested for non-payment. Penalty inflicted; when and where.

3. Also, the number of Chinese in the colony on the passing of the Act, and the number at the present time.

By Mr. McLEAN—

That the House will, at its next sitting, resolve itself into a Committee of the Whole, to consider the following resolutions, namely:—

1. That it is desirable that a Bill be introduced to enable owners and occupiers of property in certain districts, townships, and cities, to prohibit the common sale of intoxicating liquors within such districts, townships, and cities.

2. That an Address be presented to the Governor, praying that His Excellency will be pleased to recommend to this House the necessary appropriation for defraying the expenses of Elections under the said Bill.

LIQUOR RETAILERS LICENSING BILL.

On the motion of the COLONIAL SECRETARY, the House, in Committee, affirmed the desirableness of introducing a Bill to consolidate and amend the law relating to the sale by retail of Intoxicating Liquors in Queensland, as recommended in the Governor's message of the 25th July.

The resolution was reported to the House and adopted; the Bill was introduced by the COLONIAL SECRETARY, read a first time, and the second reading made an Order of the Day for to-morrow.

MINES REGULATION BILL—RESUMPTION OF COMMITTEE.

On the motion of the MINISTER FOR WORKS, the House went into Committee to resume consideration of this Bill in detail.

Clause 5—"General rules"—moved.

Mr. McLEAN said, when this Bill was being considered in committee before he tried to get the Minister for Works to make some improvement in the 4th clause. It might not be too late to make some alteration now. His contention was that there was no protection whatever to men who worked for wages in a mine where there were less than six miners employed, although the object of this Bill, as had been pointed out by the Minister for Works, was to afford protection to miners. He would like to call attention to a letter which appeared in the *Courier* that morning, and which fully bore out the remarks he had made. The letter was signed by Edward Gittins, and though it referred to coal-mines, and not to gold-mines, they would see that the 4th clause of this Bill was applicable to both coal and gold mines. He (Mr. McLean) would just read a portion of the letter, which was headed "Coal Mining and the Mines Regulation Bill." The writer stated:—

"In the first place: 'The Act to apply only where more than six persons are employed.' Now, a more cruel, unjust Act could not be passed as regards the coal-miner. All coal-mines in Queensland except some two or three have been opened by workmen who received wages; especially so in the case of all coal-mines now in operation, with two or three exceptions—I believe only two. Now, no coal-mine is opened with more than six workmen; hardly ever as many as six; our largest coal-mines are opened with less than six."

That was what he wished to call the Minister's attention to, but he saw that the hon. gentleman was not in his place. This gentleman pointed out that the most serious accidents had been where small numbers of miners were employed. The writer further stated:—

"In those mines where the least number of men were employed has been the greater loss of life. Three men were employed in opening a mine in West Moreton; one was killed, and one narrowly escaped being killed. In a coal-mine in another district with only a few men, one of them was killed; the body of the man was nearly severed in two. Our largest mines are the safest to preserve lives in respect to the falling of the roof or the ventilating of the mine. Thus the evidence of danger to life in two small mines is that more than one-fifth were killed."

He (Mr. McLean) simply brought this letter under the notice of the Minister in charge of this Bill, so that it might be recommitted for an alteration in the 4th clause; and he hoped the Minister for Works would give the matter his serious attention, seeing that the clause simply provided that the Act should apply only to mines in which more than six persons were ordinarily employed below ground.

Mr. FOOTE said his attention had been called to the same matter by experienced persons who had intended to have given him some information with reference to some of the clauses, but who were a little late. He was also about to ask the Minister for Works if he would recommit the Bill to admit of some amendment in the 4th clause. The only amendment that he wanted to move was that the Act should apply to all parties engaged in sinking shafts. He was informed that the most noxious of gases was what was called "black damp," and that it existed in some mines to a considerable extent. It was therefore necessary that the ventilation of these mines should be cared for. He had been referred to several of the most disastrous explosions which had taken place in the collieries of England, and was told that there was more danger in the putting down of a shaft than existed in mines where a large number of men were employed. He was induced to take this course from what he saw the other day in visiting some of the localities where shafts were being put down. He saw that in making a shaft only three men were engaged—two at the top, one at the bottom. For the protection of life he thought it necessary that this Act should apply to these cases, and trusted that the Minister for Works would be kind enough to recommit the Bill.

The MINISTER FOR WORKS said he understood that the hon. member for Logan was induced to ask for the recommittal of the Bill from what was stated in a letter appearing in the *Courier*. He (Mr. Macrossan) might tell him that he had read that letter, and that he had also read the debate which took place in the House of Commons on the Coal Mining Regulation Bill. He must remind hon. members that he wished to press as lightly as possible on mine-owners. In that Bill, which exempted all mines being opened up unless there were more than twenty miners employed, the principle laid down was founded by the wisdom of the House of Commons, assisted, no doubt, by the wisdom of the whole, of the north of England, where coal-mining was a great industry. It was to make the Bill press as lightly as possible upon coal-mining proprietors, and at the same time protect the miners as far as it could. That was his object in this Bill with respect to new mines where few men were employed.

Mr. McLEAN said he did not object to the regulations, but he still objected to the 4th clause. He quite agreed that the course which the Minister for Works had taken with reference to the ventilation of mines was the proper one in dealing with that subject.

Mr. KING said he wanted to draw attention to section B, the first part of which prohibited the storage of any quantity of explosives exceeding what would be required for use during six working days, while the latter part stated:—

"And if stored in the mine, it shall be kept in a drive or chamber separated by a door fixed across such drive at least thirty feet from any travelling road."

It appeared that the latter part of the clause sanctioned the storage of explosives while the first prohibited it, and was, therefore, contradictory.

Mr. SIMPSON said the miners need not store explosives unless they liked; but if they did, they must keep it in a chamber thirty feet from any travelling road.

Mr. McLEAN said, with reference to charges which missed fire, that there was an objection to the use of the little word "may" in Acts of Parliament. The sentence should read—"A charge which has missed fire shall be drawn by a copper pricker." When the word "may" was used many people would think other means might be used, though he was aware that the latter part of the paragraph provided against such a practice.

The PREMIER (Mr. McIlwraith) said the safest plan was not to withdraw the charge at all.

Mr. KING said he had an amendment to make which he hoped would meet the wishes of the hon. member for Logan, and would be accepted by the Minister for Works. It would be impossible to get miners to observe the provision that thirty minutes should elapse between the time of visiting the unexploded charge and the time of lighting the fuse. When men were certain that the charge had missed they would go back to it without looking at watches and waiting exactly thirty minutes. With regard to fuses which hung fire, the Minister for Works himself must have known them to hang fire more than thirty minutes, and even for hours. The only thing to do in such cases was to trust to the experience of the miners, who would know when it was safe to go back. If they fixed a time to prevent possibility of danger they would have to fix twenty-four hours, and no mine could be worked if it had to be deserted for that time should a charge miss fire. It was a good thing to prevent rash men going back to an unexploded charge, but it was impossible by means of any Bill to prevent men going into danger. If this Bill were passed in its present form it would not secure absolute safety to the men, because a charge frequently hung fire more than half-an-hour when the fuse was bad, and, besides, the provision would not be observed, and would only give men a chance to lay an information against a man who had not waited half-an-hour before returning to the charge. He would move that all the words from "but" on page 3, line 5, to the end of the sentence be omitted.

Mr. HAMILTON said thirty minutes was too long a time to elapse before visiting the charges. In the old times, when gunpowder was used, that time was not too long, because hard tamping very frequently caused the shot to hang fire, but at present, when dynamite was used, there was no likelihood of the fuse hanging fire. And now it was simply necessary to go to the fuse and pull it out, so that there was not half the danger there was when powder was used.

Mr. RUTLEDGE said it was necessary to let the section stand as it was. The danger was not so much that the men would rush off to withdraw the charge when it had failed to explode, but that some manager might direct the men to do so; and if this provision were excepted from the clause, the manager might direct the men within a few minutes to withdraw the charge, and in that case would escape the provisions of the 9th section, which enacted that, if through any misconduct, or breach of the regulations on the part of a manager, men suffered injury, there should be an action for damages. If this provision with regard to waiting thirty minutes were cut out, then under the 9th section the family of the injured man could not recover damages if the manager had sent him as soon as he chose to withdraw the charge. There should be some protection for the men as against the manager. The danger was not so much that the men would go to withdraw the charge as that they would be directed to do it.

Mr. H. W. PALMER (Kennedy) said that the danger in using powder arose from carelessness in tamping. A small particle of stone sometimes went in with the tamper, and if the fuse were bad—a single-tape fuse—it became jambed by the particle of stone. If the hole were pricked even three hours afterwards, the fire would go to the fuse and ignite. He never allowed a hole to be pricked at all, but made the men sink another hole as near as possible with safety. If gunpowder were used there was no use defining a time, because a charge would explode if the obstacle was removed three hours after the charge was put in.

Mr. FOOTE said it was impossible to deal with the matter so as to remove all danger to life. He would suggest that after the word "fire," in line 4, the remainder of the paragraph be struck out, with the view of inserting the words "shall not be drawn."

Mr. KING reminded the hon. member for Bundanba that the miner himself was often greatly convenienced by drilling out a shot. They might get into ground so tight that there was only one place where a shot would tell, and if there was no other convenient place they must put the second shot in the same place. He would give an instance: When the late hon. member for Gympie (Mr. Lord) and himself were interested in a claim on that field they had a notice on the claim that any man who attempted to drill out a shot would be dismissed immediately, and even that was not sufficient to keep the men from trying to do it. One man drew out a charge which exploded, but luckily did not hurt him very much. It would be just the same if this clause were passed, only the miner would be held answerable for a breach of the Act in direct opposition to the orders of the manager.

Mr. McLEAN said the argument of the hon. member for Enoggera cut against his own proposition. If the clause were left as it was, the manager of a mine might say the Act provided that the men should not visit the charges till thirty minutes had expired, but, at the same time, he might allow them to visit a charge within twenty minutes. The manager ought to see that the men did not go back till the proper time expired. As the clause stood, if an accident took place through the men visiting the charge within twenty minutes, the manager would say the men acted contrary to law, and there would be no claim on him. The responsibility of seeing that the men did not go back to the charge before the right time had elapsed should be thrown on the manager of the mine.

Mr. RUTLEDGE said that, in the event of the section passing as it stood, a manager sending a man back within thirty minutes was liable for damages under the 9th section; but if this provision were struck out he would not be liable though he sent the men back two minutes after the charge missed fire.

Amendment agreed to.

Mr. KING said he wished to follow up that amendment by moving the omission of the words "iron or steel drill" in the latter part of the clause, for the purpose of inserting the words "any iron or steel tool." Objection was taken by the hon. member for Logan that, although men would not be allowed to use an iron or steel drill, they might still use some other instrument; and therefore he thought that the word "tool" would be better than the word "drill." The subsection would then read—

"A charge which has missed fire may be drawn by a copper pricker, but in no case shall any iron or steel tool be used for the purpose of drawing or drilling out such charge."

Question put and passed.

Mr. KING asked, in explanation with reference to subsection 10, was the signalling to be continuous; would a man below signal to the braceman and the engine-room at the same time, or would he signal first to the man at the brace and he to the engine-room? Was the signal given by the man at the bottom to be given to both, or to each separately?

The MINISTER FOR WORKS said he thought that the man at the bottom, if he wanted to signal to the engine-room, would have a signal for that purpose; but if he wanted to signal the man at the brace he would signal only to him. The man at the bottom might want the bucket or cage to be lifted up or down, and he would signal to the engine-room, but he might want to signal to the man at the brace only. There would be separate signals, but that would be a matter of arrangement.

Mr. McLEAN said that a few words might be inserted at the end of the subsection to define that.

The MINISTER FOR WORKS said he thought it was definite enough, although it was not defined what kind of signals were to be used. In some cases there might be a telephone.

Mr. BEATTIE asked did he understand the Minister for Works to say that it was intended to have two systems of signals—one for the engine-room and one for the man at the top of the shaft?

The MINISTER FOR WORKS: Not two systems, but different signals.

Mr. BEATTIE was afraid that would be very complicated, and that it would be much better to have only one signal. It should be laid down more distinctly.

The MINISTER FOR WORKS said it would simply be a matter of arrangement. It was better that the word "signal" should be left in. There must be some means of communication from the bottom to the top, and that would simply be a matter that each claim would manage for itself.

Mr. MACFARLANE wished to draw attention to subsection 11, and what he had to say about it had reference entirely to coal-mining, as he was unacquainted with mining of any other sort. The clause said—

"A sufficient cover overhead shall be used when lowering or raising persons in every working shaft, except where it is worked by a whim, or whip, or windlass, or where a person is employed about the pump or some work in the shaft."

He dared say that some members had seen, and that the Minister for Works had seen, some remarks made in the newspapers with reference to a model made by a practical workman for the purpose of preventing accidents in mines. "A sufficient cover" did not, to his mind, sufficiently protect a man from accidents, while descending and ascending the shaft, to which he might be subjected. The only objection he had heard of to the model he referred to was, that while it was acknowledged to be very ingenious, and would no doubt prevent accidents, yet it was felt that it might interfere with the ventilation of a pit or shaft. This model, if fitted in coal-mines, would, he believed, prevent almost the possibility of any accident taking place by anything falling in from the top of the pit, or from a man himself falling down, as the model would be made a fixture a few feet down the shaft, and a man falling down could not possibly be very much hurt by having this preventive in the pit. The machine was self-acting, and opened of itself upon two hinges, causing the whole mouth of the shaft to be closed when a cage was either descending or ascending. He believed the Minister for Works had seen this model, and as he was more acquainted with matters relating to gold-mining shafts than, perhaps, many other members of the House, he would be in a position to state whether an apparatus of this description, if erected in a shaft, would have a tendency to prevent loss of life. He simply wanted to ventilate this matter, as he did not want to move an amendment of any kind unless it would be practicable. If it were not practicable he should not care to see it put in, because he was anxious to see the Bill pass with as few encumbrances as possible. He would, however, like to hear the opinion of the Minister for Works as to whether this model would have the effect of preventing accidents.

The MINISTER FOR WORKS said he had seen the model of the machine mentioned by the hon. member, and thought that it would have the effect of stopping the ventilation of the mine to a very great extent. It would also necessitate the putting in of a very strong wooden frame through the whole length of the shaft, no matter what its length might be. In other countries, especially in Victoria, they had many appliances in regard to this same plan, and although they differed in some respects, they were much on the same principle. The one mentioned by the hon. member would have the effect of stopping the ventilation; and the danger would be that, if it got out of order, the men would have their heads bumped up against it if it stopped working. If the hinges were out of order, or refused to work freely when the cage or bucket was coming up, the men's heads would be knocked to pieces. It would be very impolitic to put anything of that sort in the Bill, seeing that it had never been tried, but was simply a model of what might be.

Mr. KING said he wished to propose an amendment in the latter part of the 14th subsection, which required that there should be provided—

"A proper indicator, showing to the person who works the machine the position of the cage or load in the shaft."

There was a very great difference of opinion amongst engineers as to the expediency of using these indicators. They were very nice things, but sometimes they got out of order, and it was the general opinion that it was rather more dangerous to have them than not to have them. If the engine-driver was a careful man he could tell by the marks on the rope when the cage was coming near the surface. The indicator might occasionally get wrong, and, if it did get wrong without the engine-driver knowing it, of course it led to an accident. That was the opinion of men whom he had consulted. He would therefore suggest that it would be well to leave it to the mine-owners and the engineers whom they employed to consider the advisability of it. It was a thing that did not cost much, the price of an indicator being only about £1; and therefore it was not on the score of expense that he objected to it. There really was a considerable

doubt as to whether it was expedient to use these indicators or not, and he should like to hear the opinion of the Minister for Works on the subject. Unless he had some good authorities to justify the use of these instruments, he (Mr. King) should feel inclined to propose the omission of the words he had read, and leave it optional as it was at present. He moved that all the words after the word "persons," on the 3rd line of the 14th subsection, be omitted.

The MINISTER FOR WORKS said the hon. member for Maryborough asked him whether he had anything to say in defence of keeping this portion of the clause in. All that he had to say was that he had got the experience of all mining authorities in favour of it. The indicator was used everywhere. It was not sufficient that because a machine might be out of order that, therefore, it should not be used. In addition to what the hon. member said about the marks on the ropes—which were very good, no doubt—it would be better to have the indicator as well. The marks on the ropes were good, because every miner knew how they were used; but the indicators were fixed in the engine-room where the engineer could see them. He therefore thought they should keep this portion of the clause in, and not eliminate it simply because the machine was liable to get out of order.

Mr. GRIMES referred to the 15th subsection, where it said—

"No person under the age of eighteen years shall be placed in charge of or have the control of any steam engine used in connection with the working of a mine."

He thought it was hardly necessary that they should be as strict as this. In cases where there were a large number of engines, some used for pumping and other purposes, it was hardly necessary to have a fully qualified man to work all of them. If fully qualified men were to use the engines connected with raising the men and material, that was all that was required. Boys of fourteen or fifteen years of age were quite as qualified to drive a small engine as any person who had passed a term of years in driving. He thought that, at any rate, pumping engines might be excluded from the clause.

The MINISTER FOR WORKS said the subsection did not say anything about the man being fully qualified, but simply that no person under a certain age should have charge of engines connected with the working of a mine, as he would not have a thorough sense of the responsibility of the position. Whether the engines were used for pumping or not was of little account, because the majority of engines used for pumping were also used for other mining purposes. Mines in general in the colony at present were not sufficiently large to have pumping engines only. One engine generally did the whole lot, though not perhaps at the same time.

Mr. FOOTE said that another part of this section, he thought, was hardly necessary. This was:—

"No person in charge of the steam machinery working in a mine shall, under any pretext whatever, unless relieved by a competent person, absent himself or cease to have continual supervision during the time such machinery is so used."

This seemed to be unnecessary. On many small works where a man attended to his own firing, he presumed that he would not be prevented from leaving his engine to do so. Would the hon. gentleman have any objection to insert after the word, "used," the following:—

But shall be permitted to fire his own engine.

The MINISTER FOR WORKS said that the words were not necessary, as the man firing had control of his engine and was within signalling distance.

Mr. KING said that, on the same subject, supposing the machinery was not in motion, would not a man in charge be able to leave it? The engine-driver very often sharpened the drills, and, if the engine was not running, he (Mr. King) could not see why he should not do the sharpening of the drills.

The MINISTER FOR WORKS pointed out that the wording was—

"No person in the charge of the steam machinery *working* in a mine."

If the engine was stopped, it could not be working.

Mr. GRIFFITH acknowledged that he was not himself a very experienced miner, but said he thought that there ought to be a provision that where persons were lowered and raised by machinery the gear ought to be always connected and ready for use when persons were below in the mine. This seemed to him to be a very proper provision, and there was nothing yet in the Bill to that effect. He would propose a subsection in terms of his suggestion, and in harmony with the other phraseology of the Bill, if the Minister would accept it.

The MINISTER FOR WORKS thought that such a condition would interfere with the working of the mine in many cases. He could imagine cases where there was something wrong with the machinery of a mine 100 feet deep, or less, but which would not prevent the miners from working down below. The miners would accumulate large quantities of quartz down below while the machinery was being put in order, and such an amendment as was proposed would prevent them doing so until the repairs were completed.

Mr. GRIFFITH said that the hon. member did not quite understand him. He (Mr. Griffith) meant the machinery used for lowering and raising persons.

The MINISTER FOR WORKS: Accidents may happen to it.

Mr. GRIFFITH said he was aware, unfortunately, that accidents would happen with everything; for instance, a thunderstorm might interfere with the working of the machine, and no action could be brought against them for not using it. In subsection 16, every fly-wheel was ordered to be fenced, but supposing such fencing was blown down by a storm, it would not be an offence. A number of men might be down below in a mine, and some accident might happen which would render it desirable that they should be immediately raised, but it might have been supposed that the machinery would not be wanted for a few hours, and the water having been accordingly allowed to run low in the boiler, the men might not be raised for half-an-hour, and all might, therefore, be killed.

The MINISTER FOR WORKS said he had only alluded to any accident such as all machinery was liable to in the ordinary way. If the amendment were agreed to, the miner would be stopped from working simply because some small accident had happened to the machinery. It often happened that there was more than one mode of egress from a mine. Quartz-mines had ladders for men to go up and down, and in other mines where men had been working very long there was often more than one shaft also, so that when the machinery was not working, or was out of order, the men went down and up the ladder, instead of being raised by the machinery. He did not know of any machinery at present used in the colony expressly for lowering and raising men. Some machines raised and lowered men, pumped water, and even, in some cases, had a quartz-crusher attached to them. As the prin-

ciple which they had in view was to interfere as little as possible with the working of a mine, or between miners and mine-owners, he objected to the amendment.

Mr. McLEAN thought the proposition was a very good one, as in cases of accident in some of these old shafts the men might be on the other side of the mine to the ladders, or might not get to the other shaft by which to make their escape. There were plenty of mines at Gympie where there was no ladder whatever, and all communication was by steam machinery taking the men up and down in the shaft. He thought there should be a guarantee, in the event of accident, that the machinery would be in good order and able to bring men up at the moment they wanted. He was sure the provision would not interfere with the merits of the Bill.

The MINISTER FOR WORKS said that, so far as the danger arising from working old mines was concerned, subsection 19 would prevent it. His object in resisting any amendment of this sort was that miners should not be forced to be idle simply through a mishap to the machinery.

Mr. KING thought that the hon. member for North Brisbane was quite right in proposing that where men were let down they should have a right to be pulled up again. In places, however, where there was opportunity for getting up in other ways, he did not see why the proprietor should have to supply machinery to get up as well. In most large mines there was more than one shaft, and also ladders; although the men, if they could, always went up and down by the engine when it was working, because it only took them one minute, whereas it might take them nearly ten minutes by the ladders. In those cases where the men were afforded other means to get up and down, he did not think the owner should be compelled to get extra men on at night and keep steam up.

Mr. REA said that if such a provision for the protection of life were left out the owners would not be responsible for accidents, because the clause only provided a penalty for non-observance of the rules of the section.

Mr. GRIFFITH said he did not profess to have any particular knowledge of the subject, and he saw that there was a good deal of force in some of the objections which had been raised. Those objections, however, would not apply where the means referred to were the only means for raising or lowering persons. He would, therefore, amend the wording so that the subsection would read, "Where the only means for lowering or raising persons is a machine worked by steam, water, or mechanical power, such machine shall be always kept ready for use while any persons remain below in the mine."

The MINISTER FOR WORKS said that it was only in the case of a new mine that the machine referred to would be the only means of raising and lowering men, and in the case of a new mine there would be no danger of tapping an accumulation of water, because the mine would probably be at a distance from others. Every old mine would be provided with more than one means of going down or coming up. The hon. gentleman appeared anxious to have the clause inserted, and if he was prepared to propose it, the Committee would go to a division.

Mr. McLEAN said he had known an instance where in the case of a new shaft water had been struck, and in less than ten minutes there was eighty feet of water in the shaft.

Mr. GRIFFITH said his contention was that if the men got up and down by machinery that machinery should be kept in order and ready for use. At present the man in charge of the machinery might go away for a few hours, and meantime all the unfortunate people below might be killed.

Question put and division called.

The PREMIER said the clause had never been proposed.

Mr. GRIFFITH said he had proposed the clause and given reasons for it.

The CHAIRMAN said that he understood that the clause had been moved.

After some further discussion,

The CHAIRMAN said if there were any doubt about the matter it would be better to move the clause again.

The PREMIER said the objection advanced by the Minister for Works against the clause had not been met. There might be a dozen means of getting out—the men might even be able to walk out, and yet this subsection would render the owner of a mine liable to punishment if one particular means were not kept ready.

The MINISTER FOR WORKS said the clause proposed by the hon. member for North Brisbane would include in its terms whims and windlasses. Did it not seem ridiculous even to the hon. member for the Logan, who had himself been a miner, to say that because a whim was slightly out of order for an hour or two the working in the mine should be stopped? He knew claims on Charters Towers and even some coal-mines where the men could walk up. Why should the owners in such cases be compelled to go to extra expense? Sufficient provision would be made by rules 15 and 9 combined. The only danger that could then arise would be that suggested by the hon. member for North Brisbane—namely, the possibility of an accumulation of water being tapped; but in such a case a mining manager would be restrained by clause 9 from having men below.

Mr. McLEAN said that neither the Premier nor the Minister in charge of the Bill had heard the proposed subsection, or they would see that it only referred to cases in which this machine, worked by mechanical power, was the only means. Where the men could walk out the subsection would be inoperative.

HONOURABLE MEMBERS: No.

Mr. McLEAN said he understood that to be the intention of the hon. member for North Brisbane.

Mr. GRIFFITH said that was the intention expressed.

Mr. REA said he understood that men were not to be left helpless below through the man above neglecting his work through drunkenness or carelessness.

Mr. GRIFFITH said he had endeavoured to adopt the language of the Bill exactly. As to thinking that it would apply to mines where the men could walk in and out, that was absurd. There was, then, no question of raising or lowering at all. His proposal was a complement to the 10th section. It was provided that there must be signals; but what was the use of signalling if there was no machinery to signal to?

The MINISTER FOR WORKS said he knew of one extensive mine at Charters Towers where there was means for raising and lowering, and yet the men could walk out a distance of 800 feet. He thought the proposal was perfectly useless. Men walking down an incline could not be said to be either raised or lowered.

Mr. RUTLEDGE said that it stood precisely on a similar footing as a ladder. Supposing there was a ladder, would that be means for raising or lowering? The clause of his hon. friend would not, therefore, apply in a case of that kind.

Mr. GRIFFITH said he was content to take the language of the Bill; but if the language used was not adequate to express the intention, why did not the Minister for Mines, who had charge of the Bill, suggest other language? What he (Mr. Griffith) wanted to provide was that, when a man was down in a mine, there should always be some means for him to get out. That seemed to him only common sense, and he could not understand the objection to it. He would adopt any phraseology that was expressive. He would propose to alter the language so as to read—"Where the only means of egress from the mine is a machine," etc.

Question—That the following new subsection be inserted after subsection 15:—"Where the only means of egress from a mine is a machine worked by steam, water, or mechanical power, such machine shall be always kept ready for use whilst any person is below in the mine"—put and passed.

Mr. KING asked for some explanation as to subsection 16:—"Every fly-wheel, and all exposed or dangerous parts of the machinery used in or about the mine, shall be kept securely fenced." He did not understand what "securely fenced" meant. If it meant that the fly-wheel was to be boxed in, he thought that would be much more dangerous than if the wheel were left open. As long as the fly-wheel could be seen any defect could be noticed; but if it was boxed in and the pin came out, very great damage would be done.

The MINISTER FOR WORKS said it did not mean that the fly-wheel should be boxed in, but that it should be fenced to prevent persons going near to it. Most of the machines in the colony were simply covered over with a shed, and the men who worked about the mine hung up their clothes about the shed; and he had seen them skylarking and even fighting there. Whilst doing so they were, of course, in danger of coming into contact with the machinery. There was no Act he knew of which did not contain a provision of this sort.

Mr. KING understood from the clause that there must be a proper fence in the engine-room.

The MINISTER FOR WORKS: No, no.

Mr. KING said there had never been a single accident at Gympie or anywhere else in the colony through the fly-wheel being unfenced. He thought there was more danger in having it boxed up than in leaving it unfenced.

Mr. McLEAN said a late member of the House—Mr. Johnson, member for Bulimba—had lost his life through going too near a machine. He thought all machinery ought to be properly protected.

Mr. REA thought the subsection ought to be made more clear, as there was evidently some confusion of ideas as to the meaning of the word "fence"—one hon. member regarding it as a close box, and another simply as an open fence; and how could they expect the public to understand it?

Mr. GRIFFITH thought it desirable that the provisions made respecting these engines should be made applicable to all engines.

Subsection 17—"Gauges to boiler and safety valve."

Mr. McLEAN said the 17th subsection provided for gauges to steam boilers, and for the inspection of the boilers. How was this proposed to be carried out?

Mr. HAMILTON said he thought it was undesirable that the boiler should be tested once in six months, and, therefore, he was of opinion that this portion of the clause should be eliminated. If retained it would not tend to the safety of those engaged in mines, but it would entail a lot of expense and, probably, damage to the boiler. They knew very well that a leaky boiler meant a safe boiler, and as most of the boilers were encased in brickwork, this must be removed before the boiler could be properly tested by hydraulic pressure. Removing that brickwork entailed the stoppage of the boiler for about a week, for, if it was set in operation again, the sudden accession of heat to the brickwork would cause the wall to crack. The strain, which might be just short of bursting, might ruin the boiler. This was the opinion he had obtained from Mr. Smellie, whom he had questioned on the matter; and he thought it was far more important that the inside of the boiler should be inspected occasionally than that a hydraulic test should be applied. They knew that in many cases water containing lime formed an incrustation of lime inside the boiler, and this being almost a non-conductor, might if not removed lead to serious results. Taking the case of a Cornish boiler, in the centre of it there was a large tube or funnel which formed the furnace. Now, the arc of the funnel, which formed the roof of the furnace, was also one of the sides of the boiler; if that portion of the boiler were incrusted with lime, then on account of it being a non-conductor, the application of fire to the roof of the boiler would cause it to become red-hot. Iron when in that state was without strength, consequently the superincumbent pressure of the water and steam would, probably, cause the boiler to collapse. Then, again, the damage might occur in another way. This incrustation which appeared on the inside of the boiler might be driven by the extreme amount of heat from the side of the boiler. The water then had access to that particular portion, the temperature was reduced, and the contraction caused the fracture of the boiler. The proper way would be to inspect the boiler by sending a person inside occasionally to test it with a hammer and a "caulker." He thought that was the term. The boiler might be corroded in many places, and, if so, a skilled person could tell exactly what was the amount of corrosion, and, in fact, in any instance it was advisable that the internal inspection of the boiler should take place before hydraulic pressure was used. An engineer, whose name he had forgotten, had assured him it was perfectly absurd that any hydraulic test should be applied to boilers before an inside inspection took place.

Mr. FOOTE thought the first part of the clause might be very necessary. It provided that—

> "Every steam boiler shall be provided with a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in the boiler, and with a proper safety-valve."

He thought, however, that the test which the latter part of the clause laid down—namely, that the boilers should be subjected to inspection once in every six months—would be attended with direct inconvenience. As to what had been said by the hon. member for Gympie, he (Mr. Foote) believed that this inspection would, in many instances, cause men to be idle for three weeks, as brickwork round the boiler would have to come down; and an experienced gentleman had informed him that the process would be attended by a considerable amount of inconvenience, and he did not say that it would do a very great deal of good. He would therefore propose that all the words after the word "valve" be struck out.

Mr. BLACK begged to differ from the remarks which had fallen from the two last speakers, particularly those of the hon. member for Gympie, whom he thanked for his learned disquisition on the safety of steam boilers. That

hon. gentleman had told them that a leaky boiler was a safe boiler, but he (Mr. Black) would certainly infer from his own experience of steam boilers that this was hardly the case; and he must confess that he never heard of a caulking-iron being used in steam boilers.

Mr. HAMILTON said he corrected himself, and said "caulker."

Mr. BLACK said, then he must say that if the boilers that the hon. gentleman had been accustomed to were in such a dangerous state of incrustation as to be apt to collapse at any time, no test could be too severe in order to prevent the fearful accident that must otherwise inevitably ensue. With regard to the hydraulic test of boilers, he could only say that it was customary for all new boilers to be tested by hydraulic pressure before being practically used. If a boiler could not be tested by hydraulic pressure without the removal of a portion of the brickwork, he thought the necessity of it should be left to the discretion of the inspector. He noticed that the clause provided that the test should be applied once every six months, which was certainly not too frequent; but it did not provide who was to make that test. In his opinion it should devolve upon the inspector of mines, and not upon the manager of each mine. He agreed with the remarks that had been made as to the necessity of applying that test to other boilers than those employed in mining. He had referred to it before, in the early part of the session, and understood that some steps were going to be taken with reference to it. He could not see, however, how, without introducing it in a separate Bill, it could be made to apply to steam boilers engaged on land. The mill-owners in the district which he had the honour to represent would be only too glad if a competent inspector were appointed by the Government to test all their boilers once in every six months. He would suggest that, after the word "test," the words "by an inspector appointed for that purpose" be inserted; and that, after the word "entered" in the next line, the words "by the inspector" should be inserted.

Mr. KING said that the best authorities were agreed that testing by hydraulic pressure was often very injurious to the boiler. There was an association in Manchester for the insurance of steam boilers, and he was informed that the association discouraged it. They preferred the inspection of boilers, and considered it to be more satisfactory. He had seen reports of cases where boilers had exploded after having been subjected to hydraulic pressure, and the reason given was that it was owing to the excessive strain caused by that test. The clause did not say up to what particular pressure the boiler was to be tested; on that point it was quite indefinite. He would suggest that provision should be made that boilers should be inspected once in every six months by some competent engineer not in the permanent employment of the mine where the boiler was used. That would be more satisfactory than testing the boiler by hydraulic pressure.

Mr. HAMILTON said the hon. member for Mackay had complimented him by saying that in speaking on that subject he had gone out of his depth. He could only return the compliment by saying that that hon. member's arguments were so shallow that there was no likelihood of such danger befalling him. The hon. member's experience of boilers must have been very limited indeed if he was not aware of the danger that was incurred through incrustation by deposits on the inside of the boilers. He could assure the hon. member that, owing to the mineral properties in the water used, that very frequently occurred. It certainly occurred at Gympie, and, he believed, also at Charters Towers. The hon. gentleman's statement, that new boilers were tested before going out of the yards, was of course known to everyone; they were then generally tested to twice their working power. Authorities on the subject—such as Mr. Sinclair, and the gentleman who had been inspector of boilers here for ten years—had told him that it was perfectly absurd to attempt to test boilers by hydraulic pressure so frequently as once in every six months. The proper plan would be to provide that boilers should be inspected in the inside every six months, and that it be left optional with the inspector as to whether the hydraulic test should be applied.

The PREMIER said he had very little doubt that the suggestion made by the hon. members for Gympie and Mackay would be an improvement on the Bill; but they had lost sight of the fact that the expenditure entailed by any such arrangement would render their projects impossible. The Government could not provide an army of inspectors to inspect the boilers of the colony every six months. The object of the Bill was to provide some sort of guarantee to the inspector that the boilers were being looked after. A hydraulic machine would not cost more than from £20 to £30; and each mine-owner was supposed to have the use of a machine of that kind to test a boiler periodically. The manager could test a boiler to any strength that he thought consistent with safety. If a boiler was strong he might test it to 150 lbs., and if he thought it was unsafe it was optional with him to test it no higher than twenty or thirty; but this ought to be done every six months in order that the inspector might be made aware of the character of each of the boilers. If the test did not come up to what the inspector thought it ought to do, it would be for him to investigate further. There was no test applied by the mining inspector. There was to be a record kept by the mining manager, open to the inspector when he went round. It was the only way they could do it. If they went into the expense proposed by hon. members it would make the Bill useless, because the Government could not provide money for the purpose.

Mr. GRIMES said he did not think it necessary that boilers should be tested every six months; once in twelve months was all that was necessary; but they should certainly be inspected once every six months—as every proprietor, he supposed, did—for the sake of removing any incrustation that might have taken place. The test would be of very little use unless the amount was fixed by the Bill—say 10 lbs. or 20 lbs. more than the boiler was ordinarily worked at. It would certainly be objectionable to test every boiler up to 60 lbs. or 70 lbs. to the square inch, and would be strongly opposed by owners of boilers. As the hon. member (Mr. King) had said, the value of the hydraulic test was a disputed point amongst the authorities on the subject. The excessive pressure—as had occurred in several instances—strained the rivets, and the contraction afterwards made the boiler leak. Provision for periodical inspection, without the hydraulic test, would be quite sufficient.

Mr. HAMILTON said the question of expense which the Premier urged was one of the very reasons why boilers should not be tested every six months. It would be perfectly impossible to properly test a boiler by hydraulic pressure without removing the brickwork covering.

Mr. REA said the Premier's explanation was a most extraordinary one—namely, that the owner of the boiler should test it himself, and then make a true entry in a book. What would

people out-of-doors think if they passed an Act providing that every baker should weigh his own bread every six months, and enter it in a book so that the inspector seeing it should be satisfied? That was something like what they were proposing to do now. It was a mere sham from beginning to end.

Mr. SIMPSON said there were evidently some people who believed that no one could tell the truth except under compulsion. In the case under discussion, with all the publicity attending the test, the mining managers would not be such fools as to make false entries.

Mr. RUTLEDGE said the question seemed to resolve itself into one of having the boilers tested in the way proposed, or not at all. It was, at all events, some guide to the inspector, and was far better than going on from year to year without any test at all. He thought it would be as well to let the clause stand as printed.

Mr. BEATTIE said he agreed with the suggestion of the hon. member (Mr. Black) as to the appointment of inspectors of boilers, and, after all, it would not be a very expensive thing. Very few would be required, and each inspector could take a large district—such as one for Gympie, and another for Charters Towers, and so on. The introduction of such a system would be creditable to any Government, and it would tend to prevent a repetition of the frightful boiler accidents that had occurred. To expect that a mining manager would enter in his book that his engine was only capable of working up to 20 lbs. to the square inch was absurd. The thing would never work, and there was consequently no protection as far as boilers were concerned. Why should there be such a difference between those boilers and marine boilers? The latter were very subject to incrustations of salt, which required a great deal of attention, and when they were examined every three months the engineer simply had the boiler cleaned out, and went inside and saw that the thing was done properly. Any judicious manager of a mine would be careful to see that his boiler was kept properly clean, and not liable to accident from an incrustation of lime. He thought himself that the Minister for Works and the Treasurer would see their way to have inspectors appointed in districts where there was a large quantity of steam machinery in use. For the manager to make the inspection and merely enter the result of it in a book for the purpose of the Government inspector once every six months was absurd, and might as well be left out of the Bill altogether.

The MINISTER FOR WORKS said he thought that the hon. member was mistaken in his opinions with regard to the inspection of boilers. This clause was word for word similar to that in operation in Victoria, and he had not been able to find in the report of the inspectors anything to show that the clause was inoperative there. The mining manager could not make the test alone, for there would be some persons to assist him, and probably others standing around to see the result of the test, and the manager would be sure to record the exact test in the book for that purpose. As to the proposition to appoint inspectors of boilers, he thought it was absurd. They would certainly have to have an army of inspectors; it would be a department in itself. He hoped to work this Bill much cheaper than hon. members seemed to think it would be worked; and he certainly did not think that they required to appoint inspectors.

Mr. GRIFFITH said he did not know, but hydraulic pressure might not be the best way of testing boilers, and why should they make it compulsory? Or why not add, "or any other test that may be approved by the inspector"? This was a test which appeared to be very much abused, and one that often destroyed good boilers. He did not suggest anything, but only asked if it were not practicable. There were other means of testing boilers, and no doubt it was very desirable that they should be tested, but he confessed that he should like to see this part of the clause amended so as to admit of some other mode of testing if practicable.

Mr. ARCHER said he was not aware of any other test that could be employed but the hydraulic test, which was perfectly safe, because it was impossible to burst a boiler to pieces by it. It had simply the effect of rending it so that the water escaped. It was therefore the only safe test they could use, because water was not an elastic body by which a boiler could be burst to pieces. The bursting, which might possibly be effected by the hydraulic test, would be of a kind that would not injure anyone. A test which would not render the boiler liable to burst must be used, and water was the only one.

Mr. GRIFFITH said there appeared to be no provision by which the pressure of steam in boilers could be regulated.

The MINISTER FOR WORKS said the Premier had explained that after the mining manager had tested the boiler the inspector would see that the result of the inspection was recorded, and if he had reason to think that the boiler was being worked at a dangerous pressure he could cause a personal inspection to be made. The inspector would see that the boiler was not worked beyond a safe pressure.

Mr. GRIFFITH: There is no provision for it.

The MINISTER FOR WORKS replied that they could not be expected to tell the inspector everything he had to do. This would be a part of his duty.

Mr. GRIFFITH said he failed to see anything in the Bill to empower the inspector to do anything of the kind. He saw nothing in the Bill about it. He had heard the explanation, but it seemed to him there was nothing to prevent the boiler from being used beyond any particular pressure. Having tested his boiler, and finding that it only bore twenty pounds of steam, there was nothing in this Bill to prevent it being worked at a greater pressure. He understood that the object of the clause was to prevent a boiler being worked at a greater pressure than it would bear. However, he did not want to propose any amendment unless it would be useful.

The MINISTER FOR WORKS said it was not likely that a manager would apply a greater pressure than the boiler would stand.

The PREMIER said the suggestion of the hon. member for North Brisbane was quite right, if it were not provided for in some other part of the Bill. He (Mr. McIlwraith) thought it was provided for in subsection 4, clause 10, and, in any case, he thought that would be the proper place to make the provision. It was one which ought to be under the head of inspection, where the inspector's duties could be further defined.

Mr. BEATTIE said the clause did not empower the inspector to prevent boilers from being worked at pressure beyond that of the test. If they simply allowed the manager to test his boiler at twenty pounds pressure, another man might work it at twenty-five pounds, with or without the manager's knowledge, so that there was really no protection as far as the inspector was concerned.

The MINISTER FOR WORKS said that subsection 4 of clause 10, under the head of inspection,

read that the inspector was to exercise such other powers as were necessary for carrying this Act into effect, and he found in his copy of the Bill a pencil-note which would make it read, "powers necessary for carrying the spirit of this Act into effect." But if the hon. member for South Brisbane had a clause to insert it might be acceptable.

Mr. GRIFFITH said what was wanted was a provision to prevent anyone being allowed to work boilers at too great a pressure, and to punish for so doing; and with this view he moved—

That the pressure of steam in any boiler shall not be allowed to be higher than that shown by the last preceding test to be a safe pressure for that boiler.

Mr. SIMPSON asked whether the word "safe" meant the same as the pressure shown when the boiler was tested—because that would not be a safe pressure.

The PREMIER: The inspector will decide what is a safe pressure.

Mr. SIMPSON said the manager was not employed to test the boiler, but to work it; and when it had been tested by hydraulic pressure he was not likely to say that was not a safe pressure.

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

On subsection 18—"Wilful damage; protection of abandoned shafts"—

Mr. RUTLEDGE said the first part seemed unobjectionable, but the last part was capable of some improvement. The latter part said—

"No person shall, after any shaft has become disused for mining purposes, wilfully damage or render it useless by the removal of any fencing, casing, lining, ladder, platform, or other appliance provided in such shaft, without the consent of the Minister or inspector."

This would be hard on a man who had spent all his capital trying to develop a mine to a certain extent. After finding out that the outlay of his capital had resulted in nothing, and deciding to go to some other place, he could not, without the consent of the Minister or inspector, meddle with the result of his own expenditure. He had an amendment to propose which would enable a man to use the results of his outlay in the development of some other shaft or mine.

Mr. GRIFFITH said he had a suggestion to make which ought to come before the amendment of the hon. member. He understood that clause 4 was amended the other evening, with the idea of omitting the latter portion of this 18th subsection with the view of making it into a separate clause. Besides leaving out the latter sentence, the words "in compliance with this Act," at the end of the first, should be left out.

The MINISTER FOR WORKS said the subsection would not prevent any person who owned a claim taking away the fencing, casing, lining, and so on, while the claim was in use. The intention of the clause was to prevent strangers coming and damaging a shaft, and so preventing others from working the claim who would be willing to try the ground for three or four weeks, but who would not go to the trouble and expense of putting down a fresh shaft. Whether the wording of the subsection carried out its intention he did not know, but he thought it could only be applied to a disused or abandoned shaft.

Mr. HAMILTON suggested that the words "proper authority" be struck out, with the view of inserting the words "the consent of the owner." "Without proper authority" might be considered to mean the mining inspector, but that was not the intention; in this particular instance the proper authority was the owner, and the subsection should be made more explicit.

Mr. SIMPSON took it that when a shaft was abandoned those who put the material in that shaft ceased to be the owners, and it then became the property of anyone who took possession of the shaft.

The MINISTER FOR WORKS said that clause 4 was amended with the intention of leaving out the latter portion of rule 18, but previous to that the words "in compliance with this Act" should be omitted. He therefore moved the omission of all the words after the word "mine" in line 52.

Question put and passed.

Clause 6—"Rules to be posted on conspicuous places, and penalty for defacing notices"—was agreed to with a verbal amendment.

Clauses 7—"Miners' inspectors"; and 8—"Shafts with vertical or overhanging ladders to have platforms";—put and passed.

Clause 9—"Employer to compensate employé injured through the non-observance of this Act"—was, on the motion of the ATTORNEY-GENERAL, verbally amended.

Mr. GRIFFITH said he hoped hon. members knew what the nature of this clause was. He thought they ought to have a full committee to consider it, as it introduced an entirely new principle into our jurisprudence which had been discussed for many years in various parts of the world, and which had only been adopted in Great Britain after very great discussion. It had been before the House of Commons on many occasions, and he did not think it had become law yet.

The MINISTER FOR WORKS: It has.

Mr. GRIFFITH said that if it had it must have been with very great modifications. This provision was one which he hoped hon. members would attend to, as it was a very important matter. It proposed to make every owner of a mine an insurer of every one of the men employed in the mine against the negligence of any other man employed in it. Under this provision every individual who had a share in a mine insured every person in the mine against the consequences of the negligence of any other person employed in the mine. If there was a non-observance of any of the provisions of this Act, or if any workman in a mine violated any of the provisions of it, and if anybody should be injured by such non-observance or violation of the provisions of the Act, the owner of the mine was bound to indemnify the family of the person injured against the consequences of such injury. This provision was certainly intelligible; but, at the same time, it was an entirely new principle of jurisprudence; and it made it very onerous to owners of mines, and he doubted very much whether it would tend to develop the mining interest. It was all very well to protect the miner, and under the provisions of the Act they had gone to a great extent in this direction; but it was also necessary to protect capital, and if they proposed just now—when there was every inducement to invest large amounts of capital in our mines—to say that every man who took a share in a mine would be liable to indemnify every man working in it against negligence on the part of his fellow-workmen, he thought it would have a tendency to discourage the investment of capital in that way. Just suppose a provision of the kind in the case of a colliery in England, where there were 200 or 300 men employed, and an explosion occurred from perhaps the improper locking of a safety lamp; the owner of the mine became insurer to all the families of those

killed or injured. He hoped a clause of this kind would not pass the House without very serious consideration. He thought it very desirable that members should understand what the nature of the provision was. He should also like to know whether, under this provision, the district court should have unlimited jurisdiction, as he took it that a man under this clause might claim £10,000 damages.

The ATTORNEY-GENERAL: Not in the district court.

Mr. GRIFFITH said if the Attorney-General would ask his hon. colleague (the Minister for Works) he would tell him that the clause was intended to cover everything. He (Mr. Griffith) thought it was intended to cover everything, and he thought, on the other hand, that it would be very absurd to say that the only right of action should be in the district court. Supposing a mining manager was killed, and that damages were laid at £10,000—which might not be at all too much—was his wife to have a remedy for only £200 in the district court, and nothing further? That was an extremely illogical provision, to say the least of it. He did not think that serious attention was directed to this matter on the second reading this year, though it was seriously mentioned in a previous year.

The MINISTER FOR WORKS said that the hon. gentleman was quite right in saying that this was a principle new to our jurisprudence, but it was not new to English jurisprudence. Mining owners had been held liable for several years for negligence in the mines which resulted in the death or maiming of miners, and last year an Act was passed in the House of Commons, called the Employers' Liability Act, which extended the same principle to all persons employed under employers of every kind. The principle was not new in Victoria, where it had been law since the introduction of mining, and where it had been worked for nearly seven years very successfully, as hon. members would find by referring to the reports of the mining department. It was found in Victoria to make mining owners very careful, as actions would lie against them in cases where any person suffered by the negligence of themselves or managers, and they were, therefore, more careful than any small money penalty could make them. The result had been that there had been very few accidents in Victoria, and few instances of claims for compensation. Some claims, certainly, had been disallowed, compensation not being allowed because it was proved that the accident had not occurred through any negligence on their part. All the mine-owners would have to do here would be the same thing. The wording of this clause was nearly the same as the Victorian Act. In every case where a man could claim compensation, the injury must have occurred through the negligence of the mining owner or his agent, as also under the Employers' Liability Act. If the man himself had caused the accident, it would be unfair to give the person injured any compensation, or to give damages against the mining owner, unless the employer had been guilty of negligence.

Mr. GRIFFITH: Or his fellow-servants.

The MINISTER FOR WORKS said not unless his fellow-servants had been negligent.

The ATTORNEY-GENERAL agreed with the leader of the Opposition that the proposal as it stood would be contrary to the spirit of our law, and he thought that the case might be met by limiting the term "agents" to the meaning of agents strictly so called, and not including all servants.

Mr. GRIFFITH: It was not that part I referred to, but to the second half of the clause.

The ATTORNEY-GENERAL said that might be met by not making the employer liable for any injury, or for death, caused by the fault or negligence of a fellow-worker. That would be quite in accordance with the law as it at present stood. He did not see why the law ruling in other cases should not be the law also in regard to mines.

Mr. GRIFFITH said such an amendment would simply leave the law as it was. The clause would then have no meaning, and they might just as well leave it out altogether. The first part of the clause provided for the right of recovering in all cases where negligence of the mine-owner was shown. That was the law at present, and they did not want it in the Bill. But the second case, in which it was proposed that he might recover from an owner, was where a man suffered from the negligence of his fellow-servant: that was the new proposition in the clause to which he objected. If the amendment were put in as proposed by the Attorney-General, it left the law as it was, for they, by it, excepted cases which exhausted every possible case which could happen. As the hon. gentleman had said, a provision of this kind had been introduced in England, after much discussion and doubt and grave consideration. The working of the Act had been very much criticised, and it was not considered, so far as he could find out, to be very sound legislation, or likely to remain very long on the statute-book. It was a new principle of legislation, and he did not think it should be brought forward in this way. It would have been much better to have brought it in by a special Act applying to all employers alike. He thought it was a mistake to have it in this Bill, bringing it in, as it were, by a side-wind.

The MINISTER FOR WORKS denied that it was a side-wind in any respect. It had been before the House and before the country for two years, and, as he had also pointed out, it had been in operation in Victoria for seven years. He should read the hon. gentleman the provisions of the English Act, which he had said had been adopted after great discussion and great doubt. It was adopted after great discussion, but not with great doubt, for it was an extension of an Act already in force. The title of the Act was, "An Act to Extend and Regulate the Liability of Employers to make Compensation for Personal Injuries suffered by Workmen in their Service," and the first clause ran as follows:—

"I. Where after the commencement of this Act personal injury is caused to a workman—

"(1) By reason of any defect in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer; or

"(2) By reason of the negligence of any person in the service of the employer who has any superintendence entrusted to him whilst in the exercise of such superintendence; or

"(3) By reason of the negligence of any person in the service of the employer to whose orders or directions the workman at the time of the injury was bound to conform, and did conform, where such injury resulted from his having so conformed; or

"(4) By reason of the act or omission of any person in the service of the employer done or made in obedience to the rules or bye-laws of the employer, or in obedience to particular instructions given by any person delegated with the authority of the employer in that behalf; or

"(5.) By reason of the negligence of any person in the service of the employer who has the charge or control of any signals, points, locomotive engine, or train upon a railway, the workman, or in case the injury results in death, the legal personal representatives of the workman, and any persons entitled in case of death, shall have the same right of compensation and remedies against the employer as if the workman had not been a workman of, nor in the service of the employer, nor engaged in his work."

Then the next clause defined the exceptions to these, which were numerous enough also. He contended that this was a principle which they ought to have in their legislation, whether it was new or not. The workman in this colony was just as much entitled to be compensated and looked to as in Great Britain. In fact, here employers were more reckless of the safety of their workmen than in Great Britain. They were more in a hurry to make money and to get rich, and they ought not to be allowed to do so at the expense of the lives of those working for them.

Mr. KING said that, under the English Act, the employer was not liable for wanton misconduct on the part of a servant. For instance, supposing a man threw a lighted candle into a barrel of gunpowder and blew up a lot of people, the employer would not be liable for compensation, because it was not done with his consent. But under this Act every man injured would have a claim against the employer. The English Act provided that all employers should be equally liable, but under this Act only one particular class of employers were to be liable, and all other classes were to be exempt from damages in cases of accident. He did not see any reason whatever why a distinction should be drawn between one class of employers and another in that way. If a miner was killed by negligence there was the right to compensation, and if a man employed in a saw-mill was injured in some way—injured or crippled for life—had not he an equal claim to compensation? Why was the difference to be made between the one and the other? He would also point out that the clause would go very much further than was supposed, and that the owner would be made liable for things which were not done by himself or his servants at all. It was a very common thing to work mines on the tribute system, which was considered the best system for developing mines, and as mining extended in Queensland this also was likely to be extended very considerably. The tributor was simply a man who took one portion of the mine to work it, and who took a portion of the proceeds, or who gave a portion of the proceeds to the owner, according to the terms of the agreement. They were not the servants of the mine-owner in any other respect than in being subject to conform to certain regulations, and they did the best they could to get as much gold as possible out of the mine. Under this Act, if any such tributor neglected to observe the provisions of the Act, the owner of the mine would become responsible in case of accident. For instance, he was himself interested in the lease of a mine, near Maryborough, and if he, under the provisions of the Act, neglected to observe any of its provisions, the compensation awarded to men injured or killed would become a charge upon the mine itself; and as the property did not belong to him, it would only be necessary for him to hand the responsibility over to the person from whom he leased the mine. The clause, therefore, would require a great deal of amendment.

Mr. GRIFFITH said, although he had not seen the English Act since it was passed until now, he found, as he expected, that a great number of safeguards were provided; in fact, the provision was surrounded by so many safeguards that the workman got very little more than he had before. The Minister for Works had read a limited number of occasions when the Act would come in force. In addition to those, there were other provisions in the Act. For instance, if an accident arose through defect in machinery, the employer was not liable unless the defect arose or was not discovered in consequence of his negligence, or of some other person who was bound to see that the machinery was in proper condition. Again, if the accident arose through the act or omission of any person in the owner's service, while acting in obedience to the by-laws, the owner was not responsible, unless the rules were improper or defective. If the rules were approved of by the Secretary of State the owner was not liable. Then the amount of compensation was limited to three years' earnings, and no action was maintainable unless notice of the accident was given within six weeks, and the action was brought within six months; and there were other conditions surrounding the principal clause. He had never heard of any action having been brought under the Act—in fact, it would puzzle any person to claim compensation under it. But under the proposed Bill it was only necessary that an accident should happen in consequence of something wrong, and the owner of the mine could be charged without any limitation whatever. If the Ministry were serious in desiring a change of policy of the law, in accordance with that of the English law, it would be safer for them to bring in a separate Bill for that purpose, which could be discussed on its merits, as so important a matter deserved to be discussed.

Mr. KING said he would point out that the circumstances of England and of the colonies in respect to mining were very different. If an accident happened in England which came under the provisions of the English Act, the proprietors of the mine, who were generally wealthy companies or very wealthy individuals, could easily pay; but here, where mining was carried on by men who were not usually wealthy, especially when first opening a mine, the probability was that, if an accident happened, it would lay such a heavy charge upon the mine that no one would care to work it, and the mine would be effectually closed up.

The MINISTER FOR WORKS said the hon. members for Maryborough and North Brisbane appeared to object to the clause on the ground that it applied to miners and not to other classes; but he saw no reason why the Legislature should not begin by protecting miners. That was the course adopted in Great Britain, where the Legislature began by protecting the miners, who were occupied in the most dangerous of all occupations, and ended by protecting all classes of workmen. There might be some objection to the portion of the clause which would apply in the case of an accident arising through the fault of a fellow-servant who had no direction in the working of the mine, and he was quite willing to amend the clause so far as that was concerned; but he was prepared to stand by the clause, so far as it held a mine-owner liable for any accident happening through his default or that of his agent.

Mr. GRIFFITH: That's the law at present.

The MINISTER FOR WORKS said that, whatever might be the law here now, it was the same as existed in Victoria before the passing of the Mines Act there. It was found necessary there to pass a clause similar to this for the special protection of miners—either to alter the law, or else to make the existing law more clear, and to enable miners more easily to obtain compensation for injuries.

Mr. GRIFFITH said the hon. gentleman's history was wrong: the English Parliament did not begin by passing any provision of this kind in respect to mines. Mine-owners were subject to the same law as other people, and were responsible for their own negligence or that of their immediate agent. The Act of last year was not an extension of other legislation, but a variation of the common law. The clause as it was proposed to be amended would only apply to a mine-owner or his agent; but supposing the men

were being worked by a lessee, such lessee would not be responsible. Then the clause would be entirely partial and unsatisfactory; and it ought to be amended so as to make it generally applicable.

The MINISTER FOR WORKS said that he found the clause had been amended in such a way that he could not now frame it as he desired. He would suggest, therefore, that the Bill, when reported, should be recommitted for the purpose of further amendment of the clause; and, in the meantime, the Committee might go on with the rest of the Bill to-night.

Mr. GRIFFITH said that a number of amendments would be required in the clause, and it would be better to leave it out. For instance, there would be the difficulty of defining what an agent was. The law in that respect was in a very unsatisfactory state, and numbers of conflicting decisions, up to within the last year or two, had been given in cases where the question had arisen whether a man employed as an agent was also a fellow-servant of the workman. No branch of the law was more confused, and it was on account of the almost inextricable difficulties with which the subject was surrounded that the matter had not been dealt with in England until after so many years of consideration. Nearly the whole of the English Act was taken up in defining who was an agent for whose acts an employer was responsible, and just as much space would be required in the Bill before the House if it were intended to remodel the clause so as to define what an agent was. The lawyers might, perhaps, find out eventually what constituted an agent, but it would probably be at the expense of the parties.

The MINISTER FOR WORKS said he hoped the hon. gentleman would not attempt to remodel the clause to such an extent as he had suggested. The people of Victoria had got on very well, and without any conflicting decisions, with an Act containing a clause of the very same kind; and the people of Queensland might do the same. He doubted whether the lawyers here were so much given to creating law that the House need be deterred by that fear from giving justice to the miners. The lawyers of Victoria were probably quite as well able to find loopholes as those of Queensland, but they had not, under the Act, failed to obtain compensation for their clients, nor had it assisted them in getting excessive compensation. The Committee might very well go on with the rest of the Bill if the hon. gentleman anticipated any such great difficulties through the extreme ingenuity of the lawyers. The lawyers of Victoria were probably equally as ingenious and equally fond of fat fees as those here, but they had not been able to do much in that way during the seven years that the Act had been in operation. Miners had been protected, and the owners had not been excessively amerced in damages. Why the same provision should not work equally well here he was at a loss to know.

Mr. REA said it seemed to be forgotten that there were no coal-mines in Victoria. The clause would work well in the case of gold-mines, where there were very few accidents; but no capitalist would work a coal-mine under it, and the coal industry would be crushed.

Mr. GRIFFITH said that when he spoke last he understood that the Minister for Works intended to amend the clause. There were two or three points upon which he should like information. First of all, what amount was to be allowed to be recovered by this clause; then how was the money intended to be distributed amongst the representatives of deceased persons? Were these things to be provided for? These and other points ought to be attended to.

Mr. DICKSON thought that, after the remarks of the leader of the Opposition, it would be better to adjourn, and give the Minister for Works time to consider the clause. Hon. members desired to deal with the Bill on its merits. Even if they went through the subsequent clauses, the hon. gentleman might have to recommit them.

The MINISTER FOR WORKS did not see that there was any necessity to adjourn at this early hour; nor could he see how amendments in this clause were going to affect the rest of the Bill.

Mr. GRIFFITH wished to know what it was proposed to do with this clause. The passing of the clause now would be entirely a matter of form. Could it not be postponed?

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

Mr. GRIFFITH said, if he thought this clause was now finally to pass, he would call for a division on it; but as he understood the passing of it was merely a matter of form, he would not do so.

Question put and passed.

The MINISTER FOR WORKS moved that the latter part of subsection 18, in clause 11:—

"No person shall, after any shaft has become disused for mining purposes, wilfully damage or render it useless by the removal of any fencing, casing, lining, ladder, platform, or other appliance provided in such shaft, without the consent of the Minister or inspector. This section shall apply to all mines."—

be inserted after clause 9 as a new clause.

Mr. McLEAN looked upon this as an arbitrary clause. Were parties who had been working a mine, and who had taken up fresh ground, not to be allowed to take away any fencing, casing, lining, ladder, platform, or other appliance that they had been using?

The MINISTER FOR WORKS: It is only to apply after the mine has become disused.

Mr. McLEAN still thought it was a most arbitrary clause. Parties who abandoned a shaft should be allowed to take away anything in connection with it.

The MINISTER FOR WORKS said he had explained the intention of this clause two or three times to-night. It was simply to prevent people from dismantling a disused or abandoned shaft. It would not prevent any person or persons taking away what was lying on the shaft before they left it; only if the shaft had been disused. But no shaft could be said to be abandoned or disused so long as persons were in the occupation of it. A man had no right to destroy a shaft, because it might be afterwards useful to men who might prospect for coal or gold.

Mr. McLEAN said that the Minister for Works told them that parties could take away their appliances before they left a shaft; but they might have left simply for a week, and then they could not go and take away their own appliances.

The MINISTER FOR WORKS asked whether the hon. member did not know that as soon as any party left a shaft any other party could take possession of it, and of everything in and on the claim. That was the law at present.

Mr. GRIFFITH said the clause ought to be altered so as to allow a man to take his own property from the shaft. He would suggest that the phrase, "no person other than the owner," would be an improvement.

The MINISTER FOR WORKS said as soon as a man took possession of a claim he became the legal owner, and no person could dispossess

him of it. It was useless inserting a clause of this kind if a proviso were put in to counteract its effect.

Mr. McLEAN said the clause was to prevent people from damaging a shaft. Some of the most important finds had taken place in this and other colonies in shafts which had been sunk by other people than the finders. It was unfair that a man, say, in an extensive coal district, should be able to furnish himself with the machinery which he found on a mine or shaft, as he could do under this clause. No person could "after any shaft had become disused for mining purposes, wilfully damage or render it useless by the removal of any fencing, casing, lining," etc.

The MINISTER FOR WORKS said he failed to see how a man could do what this clause expressly prohibited him from doing. He thought they should have some better amendment than the one suggested.

Mr. REA said when a man came across a deserted mine he was the owner, and as the owner he could do as he liked with it. He would not be touched by this clause.

Mr. GRIMES did not see why the regulations of the Land Act should not apply to mines, so that improvements under the ground might be paid for. The principle was admitted in the one case, and why not in the other? When a person forfeited a selection, he was compensated for all improvements on the face of the land, and the same thing might also apply to mines.

Mr. GRIFFITH moved an amendment, to the effect that "the Act shall not apply to any owner of freehold land wherein any such shaft is situated, or to any owner who is continuing to carry on mining operations in the same mine in which any such shaft is situated."

Amendment put and passed.

On clause 10—"Inspection of mines"—

Mr. HAMILTON said it must be evident that the proper working of the Bill depended on the efficiency of the mining inspectors. If they were incapable the Bill would be a farce. It should not, therefore, be left with the Minister for Mines of the day to make the appointments, because, unless he was practically a miner, it would be impossible for him to appoint the men best fitted for the post. He would suggest that a board of three or four practical men be appointed to examine candidates, and report to the Minister as to their fitness, upon which the Minister might exercise his discretion in appointing men from the successful candidates.

After a pause,

Mr. HAMILTON said he noticed that persons labouring under certain disabilities were debarred from becoming inspectors of mines, but nothing was said about men holding interests in mines. He would therefore move that the following words be inserted—"Or who holds any interest in a mine."

The MINISTER FOR WORKS asked if the hon. member meant to prevent an inspector for the Southern district from holding any interest in mines in the North, or *vice versâ*, over which he would have no inspection?

Mr. HAMILTON said he would add the words, "within the district in which he acts as inspector."

Mr. FOOTE thought the first amendment was the better of the two. It was advisable that inspectors should not hold any interest in mines within the colony.

Question put and passed.

Mr. GRIFFITH proposed that the following new subsection be inserted after subsection 3 of the clause:—

To examine into and make inquiries respecting the state and condition of any boiler or other machinery.

Question put and passed, and clause as amended agreed to.

Clause 11—"Employés to inform employers of breaches of Act"—passed as printed.

On clause 12—"Notice of accident to be given to Minister of Mines"—

Mr. GRIFFITH asked how many inspectors were to be employed. Up to the present time the Minister for Works had not given the least idea as to how the Act was to be worked. Notice of an accident had to be sent to the inspector within twenty-four hours, and no portion of a mine where an accident had occurred had to be interfered with until it had been examined by the inspector or a jury appointed for the purpose. Unless there were a number of inspectors, the requisite notice could not be given, and the mine might have to stop working for a considerable time. The clause might apply to a small colony like Victoria, but unless there were several inspectors it would be unworkable in Queensland.

The MINISTER FOR WORKS was understood to say that sending notice by post or telegraph would be sufficient.

Mr. KING said he understood the Minister for Works to say that the latter part of the clause would be left out. As he understood that twenty-four hours' notice could be given through the post, there would be no objection to that part of it if it were possible to communicate with the inspector. If posting the notice was sufficient, there could be no objection. The latter part of the clause, which provided that no portion of a mine should be interfered with until it had been examined by the inspector, would be objectionable, if any time was likely to elapse before an inspector could visit the scene of the accident. There were some goldfields where the inspector could be obtained without much delay, but there were parts of the colony where the inspector could not be so obtained—as, for instance, Cloncurry, the Etheridge, and the Palmer. If in one of these districts the inspector was away, another could not be obtained within hundreds of miles, and during the whole time the mine would have to lie idle.

The MINISTER FOR WORKS said his present intention was to work the Act as cheaply as possible, and to do so he would only appoint the warden in each district as inspector. In addition to these he would have one or two inspectors who would travel over the districts, each of whom would have superior qualifications as mining inspectors. The wardens would be official inspectors for the purposes of this clause.

Mr. KING said it might often be found impossible to visit the district within a reasonable time. If an accident occurred at Kilkivan—which was in the district of the Gympie warden—he might be able to go there in a day or two; but it was not unlikely that in many parts of the colony the inspector would not be able to visit the scene of the accident, in some cases, for a week after the time of the accident. He did not see much reason for keeping the mine at a standstill during this time. Witnesses could be obtained on the ground who would prove what condition the mine was in at the time of the accident.

The MINISTER FOR WORKS said that the object of the latter portion of the clause was that the inspector might see for himself how the accident had occurred, and not rely so much on the evidence of others, who might be interested. The miners working in the tunnel, or drive, of the mine in which the accident took place might be interested in giving evidence, because they might be to blame in the matter. It was the duty of the inspector to know exactly the condition of the mine in which the accident occurred.

Mr. McLEAN said he understood the Minister to say that simply writing out the notice would be complying with this clause.

The MINISTER FOR WORKS: I said sending it by post or wiring it would be sufficient.

Mr. FOOTE asked if it was intended by this section that if a single accident, such as the breaking of a leg or arm, occurred, the mine would have to be shut up for two or three days, supposing an inspector were not at hand. If this were so it would be very arbitrary, seeing that accidents occurred very frequently. He moved that all the following words at the end of the clause be omitted:—

"No portion of a mine where an accident has occurred shall be interfered with, unless with a view of saving life or preventing further injury, until it has been examined by the inspector or jury appointed to inquire into the cause of such accident."

Mr. GRIFFITH said if this clause stood it must be altered. He did not know what the Minister for Works intended it to mean, but it did not apply to what it was intended to apply to. The clause had evidently been framed for some place where there was a coroner's jury. In this colony coroners had not been abolished, as had been generally supposed, and there was nothing to prevent them from being appointed if the Government thought fit to do so; but there were none at present. But there were other provisions made for their duties being performed by magistrates. It would be a very proper thing, if a fatal accident occurred in a mine, were the magistrate to go and see a mine before he held an inquest; but the clause did not suit as it stood, and, as had been pointed out, it might very seriously interfere with the working of mines.

The MINISTER FOR WORKS said he was willing to accept the amendment of the hon. member for Bundanba; and he had no objection to omit the 14th clause, as inquests were now held by magistrates in cases of violent death.

Amendment put and passed; and clause, as amended, agreed to.

Clause 13—"Burden of proof to lie on defendant"—was moved.

Mr. GRIFFITH said the clause did not express what it intended to express, and required amendment.

Clause put and passed.

Clause 14—"Coroners' inquests on deaths from accidents in mines."

The MINISTER FOR WORKS said he intended to negative this clause.

Clause put and negatived.

Clause 15—"What is an offence against this Act."

The MINISTER FOR WORKS said he wished to know what the hon. member for North Brisbane had to say about this clause, as he understood him to say that any person guilty of any offence in this Act would be guilty of manslaughter.

Mr. GRIFFITH said this clause provided that any person who did not comply with the provisions of the Act would be deemed guilty of an offence against this Act. That was right enough. But this clause also provided that any person who, by the negligence of himself or his agent, caused any person to be killed or injured would be guilty of an offence against this Act. Any person who by his own negligence caused a person to be killed was guilty of manslaughter. These words in this particular clause seemed unnecessary. If the clause provided that any person who contravened, or did not comply with, the provision of this Act would be guilty of an offence against the Act, it would cover all that was necessary. He presumed it meant disobeying the provisions of the Act, or it might be taken in connection with the 9th section. The restriction ought to be taken in connection with that section.

The MINISTER FOR WORKS said when they reconsidered clause 9 they would reconsider this clause also.

Clause put and passed.

On clause 16—"Wages or contract money how to be paid"—

Mr. HAMILTON moved the insertion of the words "and all such wages or contract money shall be paid in current coin of the realm" after the word "thereto," in line 41. The reason for this amendment should suggest itself to the favourable consideration of the hon. member for Logan. In nearly every instance at Gympie, money was paid in current coin of the realm; but in some cases wages were paid on Saturday, and after the bank closed; and consequently persons, in order to get change, had to resort to public-houses. This amendment would prevent that practice.

The MINISTER FOR WORKS did not see why the owner's cheque should not be taken as well as current coin of the realm.

Mr. HAMILTON said, as the bank was closed at paytime, wages men who wanted to use a portion of their money had to resort in many instances to public-houses for change.

Mr. FOOTE said public-houses were not the only places where change could be got. There was no difficulty in changing good cheques at any time. The amendment would place a difficulty in the way of owners, and he trusted the hon. member would not press it.

Amendment withdrawn.

Clause passed as printed.

On the motion of the MINISTER FOR WORKS, the Chairman left the chair, reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

In answer to Mr. Griffith, the PREMIER said that the Government would either continue the Mines Regulation Bill, or go on with the Railway motions, to-morrow.

On the motion of the PREMIER, the House adjourned at six minutes past 11 o'clock.