Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 7 SEPTEMBER 1881

Electronic reproduction of original hardcopy

LEGISLATIVE ASSEMBLY.

Wednesday, 7 September, 1881.

Petitions. — Personal Explanation — Adjournment. — Formal Business. — Thomas Railway Bill — third reading.—Marsupials Destruction Bill—third reading. — Liquor Retailers Licensing Bill — second reading. — Motion for Adjournment. — Standing Orders.—United Municipalities Bill—second reading.—Adjournment.

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

PETITIONS.

Mr. SCOTT presented a petition from the chairman of a meeting of certain residents of the Central district, having reference to the dismissal of Mr. James Leivesley, Railway Station Master at Emerald, who was suspended by the hon. Minister for Works for having run a special train without having first obtained the permission of the Traffic Manager; and praying inquiry and relief.

Petition read and received.

Mr. HORWITZ presented a petition from the Mayor of Warwick, in reference to the Waterworks of that town.

Petition received.

PERSONAL EXPLANATION—ADJOURNMENT.

Mr. SCOTT said that, with the permission of the House, he would like to make a personal explanation. It appeared, from the report both in *Hansard* and in the journals of the Legislative Assembly of the proceedings last night, that he was made to appear to have ruled in direct contravention of the 131st Standing Order. This showed him that he had altogether failed to make himself understood last evening. The circumstances of the case were very brief. The hon. member for Carnarvon moved that a blank be filled up by the insertion of a particular sum. Before that question was put from the Chair, the member for Stanley moved that a lesser sum be inserted. He (Mr. Scott) considered that it would be irregular to put the latter motion to the Committee before the former, as the motion of the hon. member for Carnarvon would thus be altogether ignored. He therefore ruled that the motion first made should be first put from the Chair. The motion of the hon. member for Stanley would then have followed as an amendment, and the 131st Standing Order could have come into operation; but, as the matter stood at the time, there was no question as to any sum before the Committee, much less a question between a greater and lesser sum. His ruling, therefore, in his opinion, was not in opposition to the 131st Standing Order; but, on the contrary, would have enabled it to be brought into operation in the regular way, as he thought he need hardly point out that an amendment could not be made to a motion which was not before the House or the Committee. He hoped to have had an opportunity of explaining this last night, as it had been the usual practice in that House, ever since he had been a member of it, that in cases of questions of order or privilege a member was allowed to speak more than once. He was, however, not allowed to do so, and that was the reason for the action he had taken to-day so as to put himself right with the House.

Mr. O'SULLIVAN said that, as the hon. member had made his explanation by permission of the House, he (Mr. O'Sullivan) would move the adjournment of the House for the purpose of simply making a remark or two upon the statement made by the hon. member. He stated, in defence of his decision last night, that he (Mr. O'Sullivan) should have allowed the first motion, which would have been exactly 9d., to be put from the Chair first. That motion would probably have been agreed to; and did the hon. member mean to assert that he (Mr. O'Sullivan) could have proposed 7d. after that motion was carried. He could do nothing of the kind, and the hon. member's idea of the matter was perfectly erroneous. Neither was it proper for members to read speeches in the House as the hon. member had done. That also was against the Standing Orders. If the hon. member's decision was right, this was the first time it ever was right, for he never knew a decision of the hon. member's that was appealed against maintained by the Chair. He did not exactly understand why the matter was brought forward now. What was the use of rules if the House did not adhere to them; and what was the conduct of the hon. member in making this explanation but simply to find fault with the Speaker's decision?

Motion for adjournment put and negatived.

FORMAL BUSINESS.

On the motion of Mr. NORTON, it was resolved—"That the House will, on Thursday, the 15th instant, resolve itself in a Committee of the Whole to consider the desirableness of introducing a Bill to amend the Settled Districts Pastoral Leases Act of 1876."

THOMAS RAILWAY BILL—THIRD READING.

On the motion of the MINISTER FOR WORKS (Mr. Macrossan), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council with the usual message.

MARSUPIALS DESTRUCTION BILL—THIRD READING.

On the motion of the COLONIAL SECRETARY (Sir Arthur Palmer), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council with the usual message.

LIQUOR RETAILERS LICENSING BILL —SECOND READING.

The COLONIAL SECRETARY, in moving the second reading of this Bill, said that the measure, as might be inferred from its title, was one to consolidate and amend the law relating to the retailing and sale of liquor, and it repealed no less than seven Acts bearing upon the subject, which hon. members would find on referring to schedule A. In consequence of having all those Acts in operation, he need hardly explain to the House that there was a great deal of trouble in carrying out their provisions; and it was in order to obviate the difficulties that benches of magistrates laboured under, and that vendors of liquor also suffered from, that he had been induced to introduce this Bill. The Bill had been drawn up with very much care; it had suffered several revisions, and, he believed, would be found a most useful measure. While retaining the principle contained in the Licensing Boards Act passed two years ago, it extended it by giving judicial power in dealing with offences committed against the provisions of the Act, such as the punishment of offenders convicted of sly grog-selling and other offences specified in part 5 of the Bill. The constitution of the licensing board would be found in the 6th clause, and the jurisdiction of such board was fully provided for in clause 9. Where no licensing district was proclaimed the jurisdiction might be vested in and exercised by the police magistrate or two or more justices, as provided in clause 10. The duties of clerks of petty sessions in connection with the licensing boards were fully defined by clause 17. The regulations for the guidance of boards and benches in conducting the business of licensing boards and licensing authorities were defined in schedule B. The duties of the inspectors were very fully set out in clause 19; and clause 20 stated the penalty for an inspector receiving a bribe, or for the person bribing or offering a bribe. Part 3 referred to the granting, renewal, transfer, removal, and transmission of licenses. The provisions were somewhat similar to those of the present Act, and special provision was made for dealing with objections. In clauses 38 and 39 provision was made for appeals from refusal to grant licenses, etc., to the Supreme Court. He might mention that this provision was fenced in with a number of rather expensive conditions, and it was not very likely an appeal would be followed up unless there were good grounds to go upon. He had seen some cases where it appeared to be a very great hardship on the part of some applicants being refused their licenses. There was no appeal under the present Act—at least, no legal appeal; but he had known instances where an appeal to the Treasury had been carried out in a most illegal manner. Another good provision was the clause insisting that licenses should be paid for bagatelle and billiard tables. It was of very great importance that these bagatelle and billiard rooms should be licensed. Altogether the clauses were rather extensive, and he did not mean to weary the House by going through them, as they would have to go through them all in committee. He would point out, however, where anything new was imported into the Bill. The first novel provision would be found in clause 9. It defined the jurisdiction of the licensing board, which, under the present Act, was confined to merely licensing business, and enabled them to deal with such cases as sly grog-selling. Clause 11 was also new. It gave the Governor—which, of course, meant the Governor in Council—power to proclaim special districts.

"The Governor may proclaim any place or district in which, owing to a sudden increase of population or otherwise, a necessity for the immediate granting of licenses under this Act may exist, to be a special place or district wherein special licenses may be granted; and from time to time may revoke such proclamation."

Clause 16 was also new, and provided for the order of business before licensing boards and licensing authorities. Clause 17 and the accompanying schedule described the mode of procedure by licensing boards. Clause 18 was also new, and gave the Governor in Council power to appoint inspectors and sub-inspectors, and to remove or dismiss them, of course. It also provided that the duties of inspectors might be defined by regulations, and gave power to employ revenue constables. Clause 19 gave a power which, although exercised sometimes, was not in any of the existing Acts. It defined the duties of inspectors in connection with applications for licenses, renewals, removals, and transfers. It would be noticed by hon. members that this Bill did not follow the course very generally adopted of heaping the schedules up at the end of the Bill. It followed the course of Bills in the Imperial Parliament, the schedules being embodied in the Bill. As he mentioned before, billiard and bagatelle licenses must be made application for, and schedule E provided for the hours of closing and general regulations. At present all billiard and bagatelle licenses not connected with licensed public-houses were free, and the police had no power to interfere with them. He believed it was absolutely necessary that these places should be licensed, as at a late hour of the night he believed there was just as much drinking going on there as in any public-house billiard-room. Clause 35 was not quite new, but amended the method of making objections to licenses. It went into that subject fully. Clause 38 was an entirely new provision. It provided for an appeal to the Supreme Court after a refusal to grant a license. He would read the clause:—

"38. It shall be lawful for any applicant for a liquor retailer's license, or for the renewal, removal, or transfer of a liquor retailer's license, to appeal against any decision made by any licensing board, or licensing authority, except in special districts proclaimed under this Act, on his application for a license, or for the renewal, removal, or transfer of his license. Such appeal shall be made to the Supreme Court, and shall be heard by the said court or any justice thereof.

"The proceedings on such appeal shall be conducted in the manner appointed by the said court, in such rules or directions as the justices of the said court may think proper to make with reference to such appeals. But no such appeal shall be heard unless the following conditions shall have first been complied with, that is to say:—

"The appellant shall, within four days from the date of such refusal, give notice to the clerk of petty sessions of his intention to appeal:

"He shall, within fourteen days from the date of such refusal, deposit with the Registrar of the Supreme Court the sum of one hundred pounds, and enter into a recognisance before him, with one sufficient surety, conditioned to abide the event of the appeal, and pay such costs as the court may award; the payment of such costs to be made by order of the Registrar out of the sum so deposited, and, if insufficient, from such further sum as may be recovered under the recognisance herein provided.

"The Supreme Court, upon hearing an appeal, may make such order touching the issue of any certificate prescribed by this Act with reference to the granting, renewal, removal, or transfer of any liquor retailer's license under this Act, the refusal of which has been appealed against, and as to the costs of appeal, as it may think fit."

This clause, he might state, had been put in by the special request of the Committee of the Licensing Association, who he had had occasion to see while the Bill was in preparation, and who, he thought it was only just to them to say, had acquiesced in all the stringent provisions of the Bill as against their trade. It had struck him most forcibly that such a body of men

should have acquiesced in all the stringent provisions against themselves. They had pressed upon his attention what was a very doubtful question indeed—that power should be given to appeal to the Supreme Court. They thought some injustice might arise in the granting of licenses by the board, and therefore he acquiesced and had placed the provision in the Bill, though, as he had just said, he considered it a very doubtful provision indeed. The 39th clause was also new. It provided for the continuance of a license during appeal from the board when the appellant was already licensed on certain conditions, and it gave those conditions. Clause 40 embodied some new ideas. Under the existing law the fees were paid to the Treasurer by the applicant; but this had been found exceedingly inconvenient to people living in the outside districts. This clause accordingly provided that fees should be paid to the clerk of petty sessions, who should forward them to the Colonial Treasurer. It also provided that the Colonial Treasurer, on receipt of the certificate and payment of the sum prescribed, should issue the license authorised by the certificate. Clause 44 provided for the possibility of a licensee becoming insane, and gave power to the board to authorise an agent, on the application of the wife, or any person on behalf of the children, to carry on the business until the end of the term of the license. The 45th clause provided that in the event of the marriage of any female licensee, the license should be vested in her husband. The 46th clause provided that a duplicate license might be granted in case of a license being lost or destroyed. Clause 47 provided that an annual list of licenses and licensees should be published. Such was the case now, but he did not think the list was of much use. The next two or three pages were taken up with schedules. The 50th clause was the one that provided a penalty for keeping a billiard or bagatelle table without a license. Clause 51 provided that lights were to be maintained during the night. Clause 53 embodied rather a new principle. It provided that every holder of a liquor retailer's license selling spirits to be consumed off the premises should cause to be fixed to the bottle, keg, cask, or other vessel containing the same, a label or card, showing the name of the retailer; and it provided penalties for not doing so. Clause 54 provided for a penalty for supplying liquor to intoxicated persons, child under sixteen, lunatic or idiot, native aboriginal or Polynesian. Clause 55 provided that liquor was not to be sold on board vessels, except during the actual passage. Clause 56 provided that liquor was not to be supplied to any specially prohibited person: that was not a new provision; it was already provided for. Clause 59 embodied a new principle. It provided that a liquor retailer receiving a cheque or order for payment should be prohibited from unreasonable delay in cashing the same. This was introduced in order to prevent what was generally known in bush parlance as "lambing down," which was very prevalent in a good many public-houses.

"59. If any holder of a liquor retailer's license—

"(*a*) Receives from any person a cheque, draft, or order for payment, for more than ten pounds, as a deposit by way of payment in advance for reasonable accommodation or refreshment to be supplied to such person, and at ordinary charges during his stay; or

"(*b*) Receives from such person any such cheque or order, to exchange or procure the exchange of the same for money, and delays such exchange beyond the ordinary time required for the presentation, payment, and transmission of the proceeds thereof, to such liquor retailer,—

"He shall, on demand by such person at the termination of his stay, or after receipt of the proceeds of such cheque or order, as the case may be, pay over to such person the sum represented by such cheque or order after deducting therefrom the reasonable cost of collection, and the amount due by him for his accommodation and refreshment.

"Such liquor retailer shall not be entitled to charge such person more than the ordinary price for board, lodging, and accommodation; or more for the supply of liquor to him than five shillings per diem, if such liquor be supplied to such person or on his account while he is in a state of intoxication; or to charge any payment whatever for liquor supplied by order of such person, or on his account, for treating, or gift to others, if he be at the time of such order or procuration, or of the consumption of such liquor, in a state of intoxication."

Clause 60 provided a penalty for refusing to receive and provide for a *bonâ fide* traveller. Clause 61 stated the hours for selling on a liquor retailer's premises. Clause 62 gave the definition of a traveller, which it was very difficult indeed to define. He would read the clause—

"62. No person shall be deemed to be a traveller within the meaning of this Act, unless he reside at least two miles from the premises where he is supplied with liquor, and has travelled at least that distance on the day he is supplied, or where he requires to be received as a guest, and to be supplied with food or other accommodation accordingly."

Clause 63 provided a penalty for keeping billiard-rooms open during prohibited hours. Clause 64 provided a penalty for permitting music, dancing, or public singing on licensed premises without permission. Clause 65 prohibited gaming. Clause 66 prohibited gaming and the assembling of disorderly persons in a licensed house. Clause 67 provided that a liquor retailer's premises might be closed in case of riot. Clause 68 provided that a licensee might exclude improper persons from his premises. Clause 69 authorised the apprehension of drunken or disorderly persons. Clause 70 provided a penalty for licensees harbouring police. Clause 71 prohibited a licensee from being absent from his premises without permission, and also prohibited an unlicensed person from keeping premises or employing a person who had been disqualified as a licensee. Clauses 72, 73, 74, 75, 76, and 77 were provisions which were not in the Act at present in force. Clause 72 provided that an inspector might search for deleterious ingredients in liquor, or for any liquor whatever not authorised to be sold by the licensee, or which was adulterated. Clause 76 provided that where a liquor retailer proved the *bonâ fide* purchase of adulterated liquors—

"Without knowing that it was adulterated and discloses the name and place of business of the person from whom it was bought, such board or justices may take such circumstances into consideration in the apportionment of the penalty incurred; such liquor being nevertheless forfeited and destroyed, or otherwise disposed of as in the preceding section directed."

Clause 77 provided that where liquors were impounded, they should be returned to the person from whom they were taken if he was acquitted. Clause 78 defined the responsibility of a licensed liquor retailer for the goods of lodgers; and clause 79 provided for the disposal of property left by lodgers on a liquor retailer's premises. At present, he was informed, when a party left an hotel without paying his bill, leaving a quantity of luggage or goods there, the landlord had no power to dispose of it in any way, and the party might, at the end of twelve months, or one, two, or three years, come back and claim the property, which might by that time have been ruined by insects or in some other way. Clause 80 provided that strangers' property should be indemnified from a distress for rent. Clause 81 authorised the police to enter licensed premises in case of a disturbance, and provided a penalty for obstruction. Clause 82 stated that entrance by day or night on licensed premises might be demanded in certain cases.

"82. Any justice, inspector, or sub-inspector of police, or any member of the police force authorised in writing

by any justice, inspector, or sub-inspector of police, may demand entrance into any licensed premises or the appurtenances thereof, at any time by day or night; and if admittance be delayed for such time as that it may be reasonably inferred that wilful delay was intended, the offender shall forfeit and pay any sum not exceeding ten pounds."

Clause 83 provided that the police should have access to licensed premises at all times. At present the police had no power to enter a public-house. Clause 84 provided for proof of license; clause 85, for proof of license; and clause 86, for the abandonment of licensed premises. Part 5 dealt with the sale of liquor by unlicensed persons. It provided a penalty for that, and also against the employment of an unlicensed person to sell liquor except on licensed premises. Clause 95 embodied rather a new principle—

"95. Every person, other than an informer or revenue constable, wilfully or knowingly purchasing liquor from any unlicensed person, in contravention of the two immediately preceding sections, shall on conviction for every such offence be liable to a penalty not exceeding twenty pounds nor less than two pounds."

At present there was no power to exact a penalty from the purchaser. Clause 96 authorised the issue of a warrant to seize liquors kept in an unlicensed place or for illegal sale. Clause 97 authorised the seizure of liquors suspected to be carried for illegal sale. Clause 98 provided that vessels containing liquor were to be labelled on sale and delivery. Clause 99 provided that the purchaser of liquor illegally sold should be liable to a penalty. Clause 100, which he believed was found to be absolutely necessary, provided that boarding-house keepers and grocers found having more than a reasonable quantity of liquor on their premises should be subject to penalties. Clause 101 defined what should be deemed to be retailing. Clause 102 gave power to the licensing board to determine the fact of retailing in each case, and also stated that delivery should be *primâ facie* evidence of sale, and that two convictions of unlawful sale should imply the connivance of the owner in any subsequent offence. Clause 103 provided a penalty for drinking in an unlicensed house. Part 6 contained the general provisions, in which there was not very much that was new, except in the latter part of clause 109, where it was provided that a person might, within forty-eight hours of the decision of a board, give notice of appeal to the district court. Clause 110 fixed the time within which any action against officers should commence. Clause 111 exempted railway refreshment-rooms from some of the provisions of this Act. Clause 112 provided that workmen's wages should not be paid on licensed premises. Clause 113 gave the Colonial Secretary power to make regulations. Those were the provisions of the Bill, which he believed would be a very useful measure. He might repeat that the Bill as it stood had been approved by the parties most concerned, although a great many of the provisions were very stringent indeed against the licensed publican. He believed a great deal of good would be done by passing this Bill, and he begged to move that it be now read a second time.

The HON. S. W. GRIFFITH said he agreed with the Colonial Secretary that this subject was one that required legislation, and he thought very great care had been taken with this Bill. The subject was a large one, but he confessed he did not expect to see a Bill of the extent of this one. Some of the provisions, he thought, would be difficult to carry out—particularly that allowing an appeal to the Supreme Court. That was not a proper subject for appeal at all. The matter for decision was a license for a public-house, and it should be left to the discretion of the proper persons to determine that matter. Supposing an application was made by a man at Roma for a public-house license, and it was opposed, and the licensing board was of opinion that it should be refused, what on earth would a judge of the Supreme Court know about it? Probably the district court would be a better tribunal, because the district court judge would be there and would be able to see the place. He (Mr. Griffith) thought it was a mistaken principle altogether. But if there was to be an appeal, why should it be confined to the applicant? The establishment of a public-house in some places might do a great injury. It was a matter of great importance, and he thought that the residents should be allowed the right of appeal just as much as the applicant. If the decision was not to be final for all parties, it should not be final against one party more than another. That, he thought, was a most important innovation in the Bill. The provisions with respect to objections would, he thought, require very careful consideration. The objections mentioned in the 35th section covered most cases; but he thought the provision rendering an objector liable to pay the costs of the objection was one that required to be very carefully considered. That was in the regulations in schedule B as to the mode of procedure at the court of petty sessions, including a provision that the board may direct the objector to pay the costs of the objection. The provision with respect to travellers, he was afraid, would not work. He did not know whether the Colonial Secretary had taken the English law as his guide; but, so far as he was aware, under that law the traveller in nearly all cases got the better of the law. In reference also to the packet licenses, he noticed that the provisions were rather stringent: nothing was to be sold except while the ship was on the voyage.

The COLONIAL SECRETARY: That is the law now.

Mr. GRIFFITH asked the House to think how such a provision operated in some of the Northern ports of the colony, where a vessel was obliged to lie some distance from the land, and it was more than an hour's pull to get to her. He had known some captains under such circumstances, who, thinking it to be their duty to obey the law strictly, refused to allow passengers to ask friends who had pulled off with them to have anything to drink. That was, probably, the strict interpretation of the law.

The COLONIAL SECRETARY: If she has left her anchorage she has commenced her voyage, and liquor may be sold.

Mr. GRIFFITH said he was speaking of cases where vessels were anchored away from the shore, where the restriction was an unreasonable annoyance. It seemed impossible to discuss the Bill fully on the second reading. The principles of the Bill were very much the same as existed at present, but they were, so to say, codified and amended, and, he was glad to be able to say, generally very much improved. Other of the provisions which he thought unwise could be modified in committee.

Mr. MACFARLANE said that the Colonial Secretary had told them that this Bill had been introduced at the special request of the licensed victuallers. He thought the hon. gentleman had done well in listening to their request. It would be a great improvement to have the old laws codified in the way this Bill proposed—a union of the various Acts which were now scattered throughout the statute-book. It was not possible to go all through the Bill, but he had marked off one or two little items to which he proposed to call the attention of the House. The Colonial

Secretary had told them that he would refer to any new matter in the Bill; but he commenced at the 9th clause, and so left out one important matter which was imported into the Bill. This was the 6th clause, which he (Mr. Macfarlane) would bring under notice. This clause—which had, he believed, been taken from the last Act—provided that the police magistrate of any place might be a member of the licensing board for that district. When the Act passed through the House he had objected to the component parts of the board. He said then, and he was of the same opinion still, that the police magistrates should not be allowed to be members of the boards. The reasons he gave now were the same as he gave then. There were cases which had to go before the magistrates, and especially before the police magistrates, which made it far better that they should not be members of the licensing boards. Such an officer would sit in a far more independent position to adjudicate on charges of drunkenness than if he were also a member of a licensing board. He (Mr. Macfarlane) did not think that any justice of the peace should be a member of a licensing board, and this for the very same reason. It would be far better if, in the towns where it could be done, the board were to be composed of the town council. The board would then be a representative one—elected by the ratepayers—and the people themselves would then have something to say through their representatives as to who should form these boards to deal with the question of licensed houses. He would now call the attention of the House to subsection D, by which no person could be appointed a member of the board who was—

"A member of, or the paid officer or agent of, any society interested in preventing the sale of liquors."

That was to say that no person who was the member of a society—whether that society was a temperance one, a Good Templars', or Rechabite, or, in fact, a member of a church—could be a member also of a licensing board. Further on it said that—

"Any member of a board who, during his term of office, becomes such holder, brewer, distiller, landlord, or owner, or member, paid officer, or agent of such society, shall immediately cease to be a member thereof."

That was perfectly right and just—that no paid agent should be a member—because, probably, no paid agent would feel himself fit to occupy the position; but to prohibit the members of Christian churches from receiving appointments on boards was carrying the law a little bit too far. It was straining it. It was not just. If the sober portion of society were not to be allowed to sit on the boards, what were the boards to be composed of? If the very best portion of society—and he was not now referring to teetotallers, but to members of churches who could not be members of the boards, because every one of them might be supposed to be interested deeply in preventing the sale of intoxicating drinks——

The COLONIAL SECRETARY: Certainly not.

Mr. MACFARLANE said, then, if they were not, they ought to be.

The PREMIER: If a man takes only enough, you don't want to interfere with him, surely!

Mr. MACFARLANE said that he did not expect such a remark as that from the Premier of the colony.

The PREMIER: You are very likely to hear it again, so you need not lift your eyes in holy horror in that way.

Mr. MACFARLANE, continuing, said that clause 13 referred to the proceedings of licensing boards, and provided that, besides the quarterly meetings, there might be monthly meetings also. That was the provision of the clause he objected to. It would, in his opinion, be far better if they imitated the English Licensing Acts, and had their meetings yearly. This Bill which was now going through the House made provision for the holding of meetings on special occasions in new licensing districts; so he could not see the necessity for a provision for holding monthly meetings also. The meetings might very well be held yearly, or, at all events, they should not be more frequent than quarterly. The 21st clause gave a list of persons who might not become the holders of public-house licenses. Now, he thought that a new clause ought to be brought in here—with very great effect and to do good to the colony—to prevent females becoming the holders of licenses. He did not think it a very enviable position for a young female to occupy—one behind the bar of a public-house. Would any hon. member of the House like to see his daughter there? He was perfectly sure they would not; and if such a position was not fit for their daughters it was not fit for their neighbours' daughters. Was it a place for the future mothers of the community to be trained up in? Was pure-mindedness likely to be produced there? He thought it was too bad to cause by law females to be permitted either to hold licenses or to serve behind the bars of public-houses. It would be a good thing if they could prevent both these things by a special clause in this Bill. The Colonial Secretary had referred to a clause where it was provided that where a widow—the holder of a license—married again the husband was to take upon himself the license; but he (Mr. Macfarlane) noticed that there was no provision made for taking the usual steps with regard to ascertaining the man's character and fitness. It might be intended to do so, but there was no provision in the clause itself. The 31st clause referred to booth or stand licenses, and enumerated a great number of places where special licenses might be conferred:—

"At any public, industrial, artistic, or scientific exhibition, or at any public race-meeting, regatta, cricket or rifle match, athletic or other sports, encampment, fair, bazaar, or other lawful place of public amusement in the district."

Everything was included. He saw a very good thing the other day, which would illustrate his meaning very well. In one of the counties of England two justices granted to a publican a special license because of a Good Templars' demonstration the next day. That was a very rich thing, and a similar thing could be done here in Queensland, and very likely would be done if they passed this clause as it stood.

The COLONIAL SECRETARY: Teetotallers want a drink as well as anybody else.

Mr. MACFARLANE said that, so far as the Bill was concerned, he was very glad to see it brought in. He agreed with most of the clauses, but he thought that it could be very much improved by alterations in committee. The hon. the leader of the Opposition had referred to the proposal that there should be an appeal to the Supreme Court. He (Mr. Macfarlane) thought that such a thing would be most unjust, and he could not give a better illustration how unjust it would be than the hon. gentleman had done. The board, from the way it would be selected, would be especially in a position to know the wants of the district. But, suppose the board refused a license, and the applicant appealed to the Supreme Court, what would the judges of the Supreme Court know about that particular district? The five men to be appointed

were supposed to know the wants of the district, and what more could the judges of the Supreme Court know about it? He thought that the people in general should be consulted as well as the publican, and that some little privileges should be given to them as well as to him. Another matter which was altered some years ago was the price of the license to bush houses. Everyone knew that far more harm was done in the far away public-houses than in houses in towns. In towns the houses were, as a rule, very well conducted; but in the outside districts, where things were rougher and queer drinks were supplied, and where the houses were not so well carried on, the sum of £15 had only to be paid for the license. He thought that the owners of bush licenses might with far more justice be called upon to pay the same price as the town ones, even if they were not called upon to pay more for them. He wished to draw the particular attention of the Colonial Secretary to the 51st clause, which ordered lights to be maintained over the door of licensed premises during the night. That was the present law, but now, by the 48th line of clause 51, it appeared that this provision was to be limited, and an exception was to be made, the provision not to apply to—

"Premises situated in streets, or places lighted by public gas-lamps."

This would be all right if every public-house had a gas-lamp close to its door, but he knew of towns in Queensland where there were not half-a-dozen lamps within a mile and a-half, and some of these not near the public-house door. He thought, therefore, that an amendment should be inserted here making the exception only apply to licensed houses within 100 yards of a public gas-lamp. The Colonial Secretary had drawn attention to the 61st clause, and he would point out that this clause, in connection with *bonâ fide* travellers, would be a source of trouble. The term "*bonâ fide* travellers" had always been a bone of contention; and if the word "traveller" were taken out and the word "lodger" put in the difficulty would be done away with. If a man took a walk of two miles he was a *bonâ fide* traveller, and he could do that by walking from one end of the town to the other. This looked like playing at legislation; but if they substituted ten miles for two miles, there would be some sense in it. A publican who wanted some rest might be disturbed by one of these *bonâ fide* travellers, and he dare not refuse to supply him with liquor when asked. He did not think this Bill did justice to the publican either. In the first place, it compelled him to work nineteen hours out of the twenty-four, except on Sunday. Bakers and butchers were not asked to work nineteen hours a day for the accommodation of the public; and were the people so thirsty that the publican must work nineteen hours for the purpose of dispensing liquor? Not only was he compelled to work nineteen hours out of twenty-four, but he had also to compete with retail licensed grocers; and that was another injustice. A publican who had to pay £30 a year for his license had to compete with retail grocers who professed to sell not less than two gallons of liquor of one sort. He had known licensed grocers to sell a considerable amount of liquor in quantities of less than two gallons. That was not only an injustice to the publican, but also to the grocers who did not sell spirits. If the Colonial Secretary had wanted to do justice to the publican, he would have put in a clause preventing any retail grocer from selling intoxicating drink at all. He could give an instance of the evil effects of retail grocers selling grog. A grocer's pass-book had been shown to him, in which the item "money borrowed, 5s.," was repeated twelve times within a month. What did this mean? The House knew perfectly well what it meant. If they wanted to do away with sly grog-selling they must do away with grocers selling drink, because they were at the bottom of far more evil than the publicans. The wives and daughters of the country could go to the grocers and get bottles of grog;—they were not allowed by law to do so, but it was done, not only in licensed but in unlicensed houses. He was glad the Bill dealt with the unlicensed men. There was also another injustice to the publican—he was defending the publicans. On a Sabbath day they were compelled to remain in their places of business for three hours to dispense liquors not to be drunk on the premises. Publicans were not worse men than butchers or bakers, and why deal more harshly with them than with others? By this means publicans were subjected to great temptation, and a great amount of liquor was consumed on the premises during those three hours, and during other hours also. If they were prohibited from opening at all on Sunday, this would be done away with. Some publicans would be very glad if all houses were compelled to shut during the whole of the day, but because their neighbours would not shut up they would not. This Bill made provision for a publican being allowed to close if he liked on the Sabbath day, and at 10 o'clock at night every other day in the week; but no publican was going to do that when the law allowed him to keep open till 12 o'clock during the week, and for three hours on a Sunday. A few conscientious men might do so; but it was not human nature for one man to close his house when his neighbours kept open, and it would be better to amend the clause. He would not say any more in the meantime. But there was a great deal in the Bill that might be amended; and the Colonial Secretary, who was very anxious to do what was right, would no doubt be glad to meet the general wishes of the House if it could be shown that any injustice was done.

Mr. O'SULLIVAN said he had only just seen the Bill; but he had never heard so much rant and nonsense since he had been in the House as he had just listened to from the hon. member who had just sat down. As far as he could see, from cursorily looking over it, there were many good clauses in the Bill; but, like the other Bills brought forward by the Colonial Secretary, it was full of fines and penalties and imprisonments. The hon. member made his Bills very stern and unworkable, and would find that this Bill, good as it was, would have to go through many amendments to make it work. The Colonial Secretary said the Bill had been brought forward in compliance with the wishes of those people who were chiefly concerned—the Licensed Victuallers' Association; but he (Mr. O'Sullivan) did not agree with the hon. member. He believed that he and every member of the community were just as much concerned in the Bill as the members of that Association, some of whom made the matter a means of living. In regard to appeals to the Supreme Court, it had been stated by the hon. member who had just sat down that the judges would know nothing about the matter. But the judges were not so ignorant as not to know what to do; and everything in connection with each case would be put before them, and they would have to decide on exactly the same evidence on which the licensing bench decided. He agreed with the leader of the Opposition that the matter should be left in the hands of the district court judges on their rounds, because then cases would come before jurors who knew the district, and would be less expensive. If such were the case the right of appeal might probably be taken advantage of; but in the way it stood in the Bill, surrounded with so many difficulties, it would be almost impossible to make an appeal. An appeal could be made to the district court on a cheaper scale, and, as it would be a local

matter, the circumstances of the case would be known to the jury. But here was a novel matter stated by the hon. member for Ipswich (Mr. Macfarlane), who stated as he did last year that the town council should be on the licensing boards. The more he (Mr. O'Sullivan) knew of those town councils, the more he was determined to oppose anything of the kind. The police magistrates were responsible to the country and to the Government for the decisions they gave; and because a magistrate had to deal with ruffians—perhaps fining one 5s., and giving another twelve hours in the cells—there was no reason why that should affect his decision on the licensing board. The public had confidence in the magistrate; and if they had not, his conduct could be reported to the Colonial Secretary, who could have the matter cured. But there would be no cure if the board consisted of a clique, for no man could get satisfaction unless he had the proper "ear-mark." He would rather see the Bill thrown into the fire, or to the bottom of the river, or the bottom of a well, than see this power put into the hands of the aldermen of any town. Some of the old boards did not always consist of the best men, but he supposed they were the best that could be got under the circumstances. He had known members of boards who knew very little of their duties. On one occasion a board went to examine the public-houses themselves, and afterwards sat on the bench and gave their decision. One place they went to had only one closet, and they said there should be two; but instead of giving the publican his license and telling him what was required they stopped his license for a month. The work could have been done in a single day by a single carpenter. He had always seen the necessity of monthly, or, at any rate, quarterly meetings, and he had a good hand in getting that feature introduced into the Bill. If there was an injustice, twelve months was too long a time to wait before anything could be done; and the sooner a remedy was applied the better. What harm was it if the meeting took place monthly? If no one wished to take advantage of the meeting the board would have nothing to do, and the fact of their sitting and doing nothing could injure no one. They would soon know the routine of business, and, instead of any harm being done, good had been done, to his knowledge, by meeting frequently. There was also the objection that licenses should not be granted to females. He did not see any objection under certain circumstances. Suppose a woman's husband died, and left her in a public-house with half-a-dozen children to support, would it be right to deprive her of the license? As for ladies serving behind bars, he was not really able to pass an opinion. He was not much of a lady's man, and when he went to a public-house for a glass it was not the lady he looked at, but the liquor. It might be different with others. There was also the objection with reference to country licenses. It was found years ago that accommodation in several places was very necessary for the public, but a man who wanted a license had to pay £30. Now that was a large sum to be collected all at once, and he thought that provision should be made in the Bill, allowing a publican to pay his license fee the same as into the Government Savings Bank in his district. If he had to pay the license fee to the clerk of petty sessions, he might be allowed to pay £5 to-day and £10 to-morrow—or whatever he could pay—till he had paid the full amount. He knew that during the little time during which he was in that line himself—about three years, and that from sheer necessity—he found the payment of £30 at the end of the twelve months really heavy; whereas, if he had had to pay it in four instalments he would have felt it but little. If this plan were adopted it would be of much service, and would not increase the clerical expense. The hon. member introducing the Bill had spoken with respect to the "lambing-down" practice. He did not think the hon. member had had any experience of it at all. He (Mr. O'Sullivan) had been a good deal amongst public-houses, and he really must say that he had never seen any of it, although he had often heard of it. But it had not been practised so much in the country as he had read of its being done in the back lanes and low houses of this town. This Act, so far as he could see, did not compel publicans to sell nineteen hours a day. If they had any trade to do, they had no objection to sell nineteen hours a day; but the cry of the publicans was that they did not do half enough business, and that they had not to serve more hours a day than they did at present. The consequence was that when they saw a publican after a few years in business he had grown fat—he did not look like the style of man who worked nineteen hours a day. There had been a good deal of talk to-night about the grocer, and it had been made a matter of complaint that there was nothing in this Bill to prohibit the grocers from selling liquors; but he could tell the hon. member, who was a storekeeper himself as well as a clergyman——

Mr. MACFARLANE called the hon. gentleman to order.

Mr. O'SULLIVAN withdrew the expression. The hon. member himself must acknowledge that he was a pious man, and he (Mr. O'Sullivan) had had the pleasure on one occasion of being in his church. He did not refer to the hon. gentleman with any disrespect. It was stated that there ought to be a clause in this Bill prohibiting grocers from selling liquors. From his experience he had no hesitation in saying that no clause in any Act of Parliament could prohibit it—it was impossible. He was in Gympie at the time it first broke out, when the Hon. Mr. Walsh was Minister for Works. At that time he believed there was scarcely a tent in Gympie wherein a man could not get a glass of spirits, and he had no doubt that there must have been pretty near a thousand of them. He said to Mr. Walsh at the time—"The revenue is short; you want money, and the only way to get the difficulty cured is to charge £5 a year for a license to all these people. If you charge for a small license they will be safe, and they will be glad to pay it." This would prevent a great many going to buy there at all, because it was the very prohibition that made people buy. Let an order go out against the reading of a book or anything of that kind, and it would be found that that book would be the first one read. And the same with liquor—a man drank it out of pure contradiction. He thought it would be a very good policy if this House were to adopt the same kind of law as they had in Victoria: to adopt the grocers' license, and let them pay for it, because sell liquor they would—there was no doubt about it. Of course, a crusade might occasionally be carried on under the present system; informers might be employed, and the grocer might end by going to gaol for seven years, or one of them might be fined £15; but it did not put a stop to the sale—it went on all the same next day. He did not think there was a grocer in the colony that did not sell it. There was scarcely a house in the colony where a man who was known to be an honourable one, and not an informer or spy, could not get a drink. But he (Mr. O'Sullivan) thought the great fault of this colony was this—that they had a fashion in everything. They had a fashion in dressing—a fashion of wearing silks and colours; and, of

course, they had a fashion of drinking. There was a fashion in this colony, that if one went into a neighbour's house the first little bit of kindness shown to him was the putting of the decanter on the table. This was the very worst practice that could be carried out, and did more mischief than all the publicans and grocers put together. It was no use to say the women—mothers and girls—learned to drink in the grocers' shops: it was not in these places that they learned to drink. They broke the ice first at a neighbour's house, at balls, parties, and luncheons, and so they went on from time to time, until, before their parents knew, they had become half-drunkards; by-and-bye they lost all shame, and were found in the public-house. He was sure the hon. member was in earnest; but if he would begin at the root, and try to prevent the private houses from having liquors, he might do some good; but to attempt by any Act of Parliament to deter the storekeeper from selling grog—he might depend upon it that no power in the colony could do it. He was not at all sorry to see the liquor laws of this colony consolidated in a very able Bill like this; and the hon. the Colonial Secretary deserved, he thought, great credit for the able speech he made in introducing it. He (Mr. O'Sullivan) should be very free with it in committee, but should support with the greatest pleasure the second reading.

Mr. NORTON said he was very glad to see a Bill of this kind introduced, as it would consolidate the present scattered Acts dealing with this question. He believed there were new provisions introduced into this Bill which would be decidedly beneficial; but he must say that there was one change which he thought might be introduced, and which he hoped would be introduced in committee. As the Bill stood at present it dealt very strictly and stringently with the keepers of lodging-houses, and he would not say that this was not correct; but, at the same time, they ought to remember that many lodging-houses were kept by ladies who had held a good position, and who, through reduced circumstances, have been compelled to undertake some work of this kind. Well, they started at keeping a lodging-house, and were not to supply any liquor of any kind whatever to their lodgers: if they did they incurred a very serious penalty, and there was no alternative but to keep a public-house. Would it not be better to grant a different kind of license, which might be called a private hotel license, which would enable the keepers of these lodging-houses to supply what liquor might be required by the lodgers in the house, and not to anyone else? For his own part, he had for many years thought this should be done. At present there were some keepers of lodging-houses who would not supply liquors of any kind, and they could not give the people ale or spirits because they would not infringe the Act. In other cases the lodgers could get what they liked, the keeper running the risk. He thought some consideration ought to be given to this matter, and he was sure it would be of great benefit to lots of people who came down from the country and from outside places, who stopped at houses of that kind, if they could get any ordinary amount of wine, or beer, or spirits that they might require, without being compelled to go to the public-house for it. He should be prepared, if this Bill went into committee, to propose an amendment which would have an effect of that kind—to grant licenses to lodging-house keepers. Of course it would be optional for the license to be granted only when thought proper. There were one or two matters in regard to some of the clauses of this Bill on which he wished to say a few words. He must agree with the hon. gentleman who had just spoken in reference to the grocers' licenses. He did not see why they should not be allowed to sell one single bottle of grog as well as a larger quantity. If a bottle of ale were wanted, why should a man be compelled to go to the public-house for it any more than to the grocer? A grocer was simply a retail merchant: a wholesale merchant had a two-gallon license, and he (Mr. Norton) did not see why a grocer, who sold other articles by retail, should not be allowed to sell one bottle of liquor retail as well as anything else. It would rather be an advantage that he should be allowed to do so, because many men when they went into a public-house were very apt to stay there drinking for a considerable time, with the result, probably, that they spent more money than they would if they went and bought a bottle in a grocer's shop. If an amendment of that kind were introduced he would support it. With regard to clause 22 of the Bill, he thought it would require some alteration. Provision was there made that—

> "No liquor retailer's license shall be granted for any premises within any municipality, or in any place being less than five miles distant from any municipality, which do not contain, in addition to and exclusive of such reasonable accommodation for the family and servants of the proposed licensee as the board may think requisite, at least three moderate-sized sitting-rooms."

Now, this was all very well, as applied to the country near Brisbane, or Ipswich, or any other large towns, but there were many small municipalities the boundaries of which were in the bush; and there was no reasen why a house five miles outside that municipal boundary should be compelled to provide this large number of sitting-rooms. In fact, no person would take a license if he were compelled to make that accommodation in a small place. He knew of a house within a mile and a-half of the municipal boundary, which had only one sitting-room exclusive of that used by the family, and it was found to be quite sufficient to meet the demands made upon it. Then, again, the 35th clause provided that—

> "Any six or more ratepayers in any municipality or division, and residing, if within a municipality, within half-a-mile from the premises in respect of which the license is applied for, and, if elsewhere, within three miles from such premises"—

might object to the license being granted. Lots of licenses were applied for, outside the municipalities, where there was not a single ratepayer within a distance of ten miles; and he thought anyone within ten miles ought to be able to object. In the 45th clause there was a provision for the transfer of a license held by a single woman to her husband if she were married. This wanted some alteration, because the husband might have previously been refused a license; having been refused, he might get some woman to apply for a license, and then, if she was successful, he might marry her and thus get it himself. The 54th clause, subsection A, stated that any person who supplied liquor to a drunken man should be subjected to a fine of £5. This was a very proper provision to make; but, again, if hon. members would look at clause 59, they would find that the publican was allowed to provide liquor to the extent of 5s. a day to a man in a state of intoxication. He (Mr. Norton) did not think he ought to be allowed to supply a drunken man at all. In the first place he was prohibited from doing it under a penalty, and in another part of the Bill he was allowed to supply a drunken man with drink at the rate of 5s. a day. This was an absurd inconsistency. The 87th clause appeared to be inconsistent with itself, because a man would be liable to the same penalties if there were three convictions against him during a certain time as he would be

if there were only two; and the next subsections contained a similar inconsistency. The 103rd clause as it stood at present would give to a constable a power which it was evidently not the intention of the Act to give. For instance, if a gentleman were taking a glass of wine at dinner in a private house, any constable who saw him might apprehend him, and he would be liable to be fined £2; and by the 105th clause, if the fine were not paid he might be imprisoned for three months. The fault might be in the punctuation, but in any case the clause would have to be altered before the Bill left committee. According to clause 111, which provided for the licensing of railway refreshment-rooms, the Commissioner for Railways might, upon application, grant a license on payment of not less than five, nor more than ten pounds, for one year. That might be all very well at the present time; but, as the traffic upon the railways increased and more trains were run, the rooms could be kept open for longer hours, and the Commissioner should have power to make a higher charge. According to the Bill the licensee would be permitted to sell liquors within a reasonable time of the arrival and departure of the trains. In New South Wales, about Sydney, where trains ran very frequently, such rooms would be open all day if licenses were not granted for them. If, through the increasing number of trains, refreshment-rooms were allowed to be open for the same length of time here, there was no reason why the fee should not be as high as that of a publican. He was of opinion, therefore, that the maximum fee in this clause should be fixed at £30—the same as in the case of publicans. He had read the Bill very carefully, and he saw that a number of amendments would be required to be made in committee. Mistakes such as he pointed out would arise through oversight in such a Bill, as the mind became confused in settling the details of a long Bill of that character. He was very glad the measure had been introduced, and he would do all he could to improve it in its passage through the House.

Mr. DE SATGE said that after the passing of a comprehensive Bill like the one under discussion, the next most desirable thing would be that the observance of its provisions should be enforced with more strictness than similar provisions had hitherto been enforced—especially in the outside districts. The 18th clause, he observed, empowered the Governor, upon the nomination of the Commissioner of Police, to appoint or remove inspectors and sub-inspectors for the licensing districts. As far as he could see, an affinity always appeared to exist between the police and the publicans; and he thought it would be better if inspectors in this case were appointed by the licensing boards, and were not, of necessity, under the control of the Commissioner of Police. It was notorious that in the outside districts many houses were licensed which did not fulfil the conditions prescribed by the Act; and it was a common remark amongst travellers in the Western districts that either the licensing laws of this colony were very lax, or that they were not enforced. The present Bill appeared to provide for everything, and especially for the removal of the great grievances of "lambing-down" and supplying liquor to intoxicated men who were knocking down a cheque; and if the Act were properly enforced he felt certain it would meet all the requirements of the case. But there must be a rigid inspection, and that inspection must be carried out honestly, as, he regretted to say, it had not been hitherto in the outside districts. In the Western country the state of the public-houses was perfectly disgraceful; they had passed a sort of examination, but, with a few exceptions, they were far short of what they should be. Considering the absolute necessity of country public-houses for the accommodation of the travelling public, he thought that the difficulty might be met by reducing the fee to £10, instead of increasing it, as had been proposed. The country public-houses were, as a rule, more useful to the public than those in towns. In the town the publican, except in the case of large hotels, looked almost entirely to the sale of liquor for his profits; but the country publican, for the accommodation of the travelling public, was required by the Act to provide other and different accommodation. He would therefore suggest that, if consistent with the necessities of the Treasury, the fee for country publicans should be reduced to £10, and that the requirements of the Act should be more stringently insisted upon than hitherto. The complaint of every traveller who was acquainted with other countries was, that in no other country in the world was the accommodation so bad as that supplied in Australia. In India and Ceylon, in places where the interests represented were not so great as in the central and northern parts of this colony, there was fair accommodation; while here in districts where millions of money had been spent, the public-houses along the roads were small shanties which were a disgrace to civilised society. It would have been a great improvement had the clause providing for the supply of proper accommodation required also that decent food, specifying bread and meat, should be also supplied to travellers. Men were apt to look to the liquor trade, from which the greater part of their profit was derived, and neglect other matters; and it was a fact that on some of the roads of the colony a man might travel four successive days without being able to taste beef or mutton. If this Bill were passed and its provisions strictly enforced, he felt certain that the public-house interest—a most powerful interest here, as elsewhere—would be better managed than it had been hitherto.

Mr. SCOTT said he had looked over the Bill, and the impression left upon his mind was that the regulations were very stringent, and calculated to make the publicans of the colony do their duty thoroughly. Clause 26 provided that a man who had already held a license should be entitled to a renewal, as a matter of course; and he (Mr. Scott) should like to see a provision of a similar nature for the case of a man applying for a license for the first time. The conditions under which such a man applied were very stringent. Hon. members would see that clause 35 empowered several persons or bodies to object to the granting of a license, and enumerated seven different objections which might be urged. To those objections he agreed, with the exception of the 5th, which was—

> "That the reasonable requirements of the neighbourhood do not justify the granting of the license applied for."

Such an objection should never be allowed. Where three men applied, why should two be picked out and the other rejected, or one be picked out and the others rejected, for no cause whatever? If a man applied and fulfilled all the conditions of the Act, his application should not be refused unless there was some good, valid objection against him. He could not understand why a publican should not be allowed to set up in business if he wanted to; a man in any other trade could do so whenever he liked. A great deal more evil, he believed, in many cases arose through the shops where women's finery was sold than through the public-houses. An immense amount of evil arose in that way among women; perhaps more than from drink. He did not see why one tradesman should be per-

mitted and another prohibited from carrying on business, according to the discretion or fancy of a licensing board.

Mr. FOOTE said he had only a few remarks to make, as he had not read the Bill through. The House was fast disposing of its business, and it was impossible to wade through all the papers which were submitted to hon. members. The Bill was a very voluminous one, and had the appearance of overdoing the subject. From a cursory glance at the Bill, and from listening to the speeches of hon. members, he had gathered that the pains and penalties under the Bill were very heavy—he might almost say unwarrantably so. If the Bill could be carried out in its integrity, and men could be compelled to do right by Act of Parliament, the population would in a short time be in a fair way towards heaven. He did not, however, believe that rogues could be made honest by Act of Parliament; they might be intimidated by the fear of pains and penalties, but that would not make them honest. It was no doubt necessary to provide against illegal acts that might be perpetrated, but a matter of this sort might be got at in a more simple way. He did not believe, either, that drapers' shops did more harm than public-houses, or that the public-houses did the great amount of harm sometimes attributed to them. A certain amount of evil arose from nearly everything; human nature was peculiarly constituted, and its desires ran in so many directions that it was almost impossible to curb them. If a man had the desire to drink, and the power to get it, he was pretty well sure to get it unless he had a great amount of self-control; and no Act of Parliament would make a drunken man a sober man. Of course, something was to be said about not putting facilities in the way of a man who was too weak-minded to resist temptation, but he was not going to begin to quake because a man got intoxicated occasionally; there were plenty of things worse than that. At the same time, he did not say that it was an example worthy of imitation; he did not say there were not many things besides intoxication which had to be attended to and which this Bill provided for. Still, he thought the simple way of getting at a matter of this sort would be, if, instead of providing such high pains and penalties as found in this Bill, which contained so many clauses, the licenses were raised. He remembered when a publican's license in Victoria was £100. The licenses were granted without discrimination; any person paying that amount was entitled to a license; but, of course, the licensed houses were under the supervision of the police, and so on. He did not say that the publican's license was not sufficient at the present time, but what they wanted was a higher standing for the publicans, and some provision whereby public-houses would be kept in better order than they were now; and he believed that if the price were raised they would find people entering into this business who would manage their houses in such a manner as to be a credit to themselves, and the public could depend on the houses being creditably kept. In making these remarks he did not wish to depreciate the character of the publicans and others engaged in the liquor trade. So far as his knowledge went—and he must confess he had very little knowledge of publicans personally—he knew some very creditable publicans whose establishments were a credit to them. Those who travelled in the country from time to time would appreciate the manner in which some publicans conducted their houses. He saw in this Bill that great power was given to enter private shops—grocers' shops especially—and if the owners kept more than a certain quantity of liquor they were liable to be fined. He would like to ask what was the quantity allowed under this Act, because it would be necessary to limit the quantity. He remembered a case which occurred the other day, where a man was tried and it was found that he had had in his house a cask of beer, which was confiscated. He (Mr. Foote) thought there was scarcely a house in this district in which there was not a cask of beer, and yet, in this instance, the court confiscated the whole of the liquor, and the man had never been able to get it back. He saw no provision in this Bill for giving licenses to grocers, and he did not see why grocers should not have licenses as in Victoria, where he believed the Act worked very well indeed.

Mr. MACFARLANE: No.

Mr. FOOTE said he was not viewing the Bill from a teetotal point of view, like the hon. member for Ipswich. Other people were entitled to their own views, and the hon. member might advance his cause and take what view of this subject he liked. He (Mr. Foote) had lived in Victoria for a year or two, but he could not say whether the Act giving grocers' licenses was then in force, but he had been credibly informed that it worked well there. He saw no reasons why the grocers should not be allowed to sell a reputed quart of liquor as well as the publican. Under the wholesale license not less than two gallons of any liquor could be sold, and surely every person who drank liquor was not supposed to keep only one class of liquor in the house; but by the wholesale license, if a man kept, say, whisky, brandy, rum, and old tom, he must have two gallons of each sort, because if he bought a less quantity he would be liable to be fined. To keep this large quantity would be to turn his place into a wholesale spirit store; or, on the other hand, a man was compelled to buy his grog from the publican. He did not think a compulsory clause of this sort was right; there was too much coercion about it, and he would rather see the matter placed on a more liberal basis. Let the grocer have the same license—of course, not allowing anyone to drink on the premises. That, he thought, would be better than having inspectors and informers living by a system of hunting up those people who sold less than two gallons of liquor and bringing them before the court. He did not believe in the powers of coercion given by the principles of this Bill, nor was he one who wished to prevent any man from drinking liquor. He believed in toleration and liberality in this matter. He should be prepared, if the hon. member for Stanley introduced an amendment to grant licenses to storekeepers empowering them to sell the reputed quart, to give it all the support he possibly could; and he hoped the House would see the wisdom of a clause of this kind. To his mind it was a necessity, for he was quite sure that parties who got their grog in that manner would be more likely to have a better-class article supplied to them. Those who drank grog would do better if they drank good stuff. There was another remark in reference to the clause whereby an appeal could be made to the Supreme Court. That part of the Act applied only to men with money. Men of small means could not dream of appealing, whereas the man with money would be likely to make an appeal. If he had power to make an appeal against the decision of the licensing board, it would almost be the effect of setting aside licensing boards altogether. Another remark he wished to make was in reference to what had been said by the hon. member for Stanley in reply to the hon. member for Ipswich, with regard to that hon. gentleman's religion. He (Mr. Foote) did not think religion was a thing to be brought into the House. The hon. member for Ipswich should be allowed to hold whatever views he liked; he had a perfect right

to do so. He (Mr. Foote) was quite sure that the hon. member for Stanley would not fall out with him (Mr. Foote) if he were to call him a religious man. Notwithstanding, he should not, for the sake of the religion the hon. member professed, wish to reflect upon him even in that manner—by telling him he was a religious man.

Mr. REA said he hoped that the Colonial Secretary would postpone the consideration of this Bill in committee as long as possible, as he saw by a telegram from Rockhampton that a committee had been appointed by the publicans there for the purpose of recommending some amendments to the Bill.

Mr. GRIMES said he was able to congratulate the hon. member, the Colonial Secretary, upon this measure which he had introduced. There were, no doubt, some defects in it; they could not wonder at that. A draftsman must be crammed full of information who could compile a Bill of this magnitude without defects. He thought the improvements in the Bill, compared with other similar Acts now in force, were more numerous than the defects. There were several provisions which he believed would tend greatly to diminish drunkenness and more efficiently prevent the sale of liquors in unlicensed houses. He was very glad to see clause 59, preventing persons from offering liquors to travellers to treat others when in a state of intoxication. This, he thought, would prevent a great evil. They knew that when "wine is in wit is out," and that generally drunkards were generous men, and most generous when in a state of intoxication. He thought it was a very wise provision, to prevent publicans imposing on the generosity of men when in that state, and so get hold of their money. He quite agreed with clause 99, believing they were required to prevent the illegal sale of liquors, and that it was not only advisable to impose a penalty upon the seller, but upon the buyer as well. He believed this clause, imposing a penalty on a person for purchasing liquor illegally, would do as much good as the appointment of an additional large number of police officers for the purpose of inspecting houses of this kind. He thought it was advisable to make the purchaser as guilty as the seller.

Mr. PRICE: No.

Mr. GRIMES said there were other hon. members who held the same opinion as himself on this matter. There was also clause 103, referred to by the hon. member for Port Curtis, preventing the drinking of liquor in unlicensed houses. He could not see the objection to this clause which was mentioned by that hon. member, who attempted to show that any person taking a friendly glass of wine with an individual in any private boarding-house was liable to have procedings taken against him and could be fined under this clause. The hon. member had evidently overlooked the words upon the 4th line. It was stated there, any disorderly house or place in which the liquor was sold. If he purchased the liquor in the house, certainly he should be liable to some punishment; so he could not see that such a hardship would be perpetrated as the hon. member had referred to He was also very glad to see clause 112, preventing payment of workmen's wages in a public-house. Generally, with workmen, the wives liked to get hold of the purse, and he thought that in a great many cases it was a good thing to give them an opportunity of getting hold of the husbands' wages before an opportunity was given for knocking them down in a public-house. By the adoption of this clause he believed they would increase the deposits in the Savings Bank. In clause 48 he found that persons were permitted without obtaining a license to sell wine, cider, and other drinks made by them from grapes, apples, and pears grown in Queensland. He thought beverages made from other fruits might also be allowed to be sold without license, as there were many fruits grown in Queensland which were now largely used for wine, if they might call it by that name. Whatever it was it was very refreshing, and he thought they might to this clause add the words "and other fruits grown in the colony." Objection had already been made to the clause granting an appeal to the Supreme Court. He quite agreed with the hon. member for North Brisbane that this was a serious defect in the Bill. What was the use of these licensing benches if they permitted the matter to be taken out of their hands? Most of these persons would be nominated by the Governor in Council, and those not nominated would be chosen for the exalted position by the vote of the people; and he thought they might place confidence in persons occupying the position. Those boards were the nominees of the Governor in Council, or those chosen by the vote of the people. If they saw who composed the boards, they found the police magistrate was to be *ex officio* a member of that board, and they could not say but that he was likely, if at all fit for the position he held, to be a man who would be able to administer justice with reference to the granting of licenses. He would be a person who would have a large amount of information which he would find very useful in the execution of his duty. He would not only be well acquainted with the city or district where the board was, but he would also be very likely to be acquainted with the characters of the persons applying for licenses. Then again, they had the mayor of the municipality—or, if it was in a division, the chairman of that division. There they had a person, not only chosen by the vote of the people, but who was also chosen by a second vote as one who was eminently fitted to lead the council, and able as a business man to take the position as a chairman of a divisional board—a man of sound common sense and judgment and likely also to be a person unbiassed, who would deal fairly in matters coming before him as chairman of the division. Why should he not be trusted also with dealing fairly with those who applied for licenses before him as he sat upon the licensing bench? Then, besides those two, the Governor in Council had power to appoint three more. Who were the persons likely to be appointed by the Governor? Surely they would not appoint any men to that position! They would certainly look around them and choose the men best qualified for the duties that would be imposed upon them—men of standing, men of honour and integrity, who would be likely to be unbiassed in judgment. He thought, with regard to appealing from the licensing court, as constituted, to the Supreme Court for the matter to be decided by one judge, they would not better the position of persons applying for licenses. All the evidence that could be brought before the Supreme Court could be brought before the licensing bench; and he thought that the police magistrate would be quite as well able to deal with a matter coming before him under this Bill as a Supreme Court judge. Certainly a judge would be able to decide in matters of law much better than a police magistrate; but he thought a police magistrate could be just as qualified to give a fair decision from the evidence brought before him on a licensing bench as a judge would be able to, from that evidence, on the bench of the Supreme Court. He also thought that giving a person the right of appeal from that court to the Supreme Court was not placing the members of boards in a very enviable position. It would be unfair to them to allow a judge of the Supreme Court to veto the decision they

arrived at after due consideration. Again, there was ample provision in clause 6 to provide against any persons biassed one way or the other from sitting on those benches. All persons who were interested in the wholesale spirit licenses, or landlords of hotels, or distillers, or brewers, on one side; and then on the other side they had exempted members and paid officers of any society interested in the prevention of the sale of liquors. There was every provision made for getting a most unbiassed bench, and there was no reason for appealing from them to the Supreme Court. The hon. member for Ipswich had taken exception to a member of a society interested in preventing the sale of intoxicating liquors being prevented from having a seat upon that bench, and he (Mr. Grimes) thought he was quite justified in taking exception to it. When they had that matter before them last that point was the cause of a great deal of discussion, and in that long discussion the very words complained of by the hon. member for Ipswich were cut out; and he thought that if the hon. Colonial Secretary were to cut out those words as soon as the Bill came into committee it would save a good deal of unnecessary discussion. Very likely, after the discussion, he (the Colonial Secretary) would have to submit to withdraw them after all. He did not see why any person who was a member of a temperance society should be prevented from sitting upon those benches any more than a person who was in the habit of taking intoxicating liquors. If he was a total abstainer why should he be prevented from taking a seat upon a board? Was he less qualified for a seat there because he was an abstainer? He could not see it, any more than a person who was in the habit of taking his liquor should be disqualified because he took his liquor. He could not see the difference, and he trusted that when the Bill went through committee those words complained of would be struck out. He had great pleasure in supporting the second reading of the Bill, and he hoped that the defects in it would be remedied in passing through committee. There was one good thing it would do: it would consolidate all the Bills relating to the sale of liquors retail, and that would be a good service to those who were now in the position of magistrates on the benches of licensing boards.

Mr. KINGSFORD said he thought the hon. member who had just sat down had made a great mistake. Clause 6 did not prohibit those who were total abstainers from taking a seat on the board, but those who were interested in preventing the sale of intoxicating liquors. There was a wide difference; one might be a total abstainer, and yet not object to the sale of intoxicating liquors. With regard to the objection raised to church members sitting on the boards, he would point out that those who paraded their religion as a qualification for office were not the best fitted for it; and, for his own part, if a man gave that as a reason for appointment, he should rather oppose him than otherwise.

> "A man may cry 'Church, church,' at every word,
> With no more piety than other people;
> A jackdaw is not reckoned a religious bird,
> Because he keeps a-cawing from the steeple."

He hoped the hon. member would live to learn that a man's character, not his creed, was the standard by which he was judged. With regard to the Bill itself, it appeared to him to comprehend precisely all that was needed in legislating for the sale of intoxicating liquors. It was not perfect, nor was it complete altogether; and there were some things in it he should like to see altered. Certainly, consolidating and putting together all that had been placed on the statute-book into one Act would be an immense advantage to all concerned. In mentioning one or two points that appeared to him likely to create, at all events, some considerable discussion, he thought that perhaps that least in importance was the extinction of lamps in front of hotels at night. He was of opinion that the distinction should be kept up at night just as well as in the daytime. Every public-house had its sign; it was known by that name. It must be remembered that street-lamps were extinguished for about ten days in every month, just before and after the full moon; and they knew that there was a great deal of rowdyism in some public-houses at night—not in all, he was happy to say; but it was as well that public-houses should be distinguished from private dwelling-houses or business houses in the night just as well as in the daytime. He thought it would be well to retain the regulation that the lights should be burned from sundown to sunrise in front of all hotels. With regard to the appeal to the Supreme Court by applicants whose applications had been refused, he quite agreed with the hon. members who had spoken against it, and especially with the hon. member for North Brisbane—that those in the neighbourhood who had decided who should have licenses and who should not were the best judges. The establishment of that clause would entail a very great expense, and put individuals to a great deal of trouble as well as expense, and lead to much heart-burning. With regard to the point raised by the hon. member for Ipswich, he quite coincided with him, but the hon. member had somewhat mixed up the matter of giving licenses to females and allowing them to serve behind a bar. Cases might arise where it might be advisable to grant a woman a license. For instance, it would be hardly possible or fair to refuse a license to a widow; but he thought it was a crying evil that young females should be allowed to take their stand behind a bar, and be made the butt, and be subjected to the jeers, too often, of bleareyed, sodden, and soaked young men. He was sure that everyone who took the right view of the matter would agree with the hon. member for Ipswich that such a state of things should not be allowed. He had often thought, when walking down the street, that this was a crying evil, and must lead to disastrous results both to those females and the families with whom they were connected. He should, therefore, support the hon. member, if he insisted upon his suggestion being put in a legislative form, the same as in America, where, he believed, females where not allowed to serve behind a bar. He should also support the suggestion of the hon. member for Stanley (Mr. O'Sullivan) with regard to bottle licenses. Grocers ought to be allowed to sell spirits if they thought proper so to do, provided they contributed their share to the Treasury. With regard to the time at which public-houses should be allowed to remain open, he quite agreed with the hours specified on week days, Good Friday, and Christmas Day; but he should certainly support any member who would introduce a provision that they should be closed on Sunday. The three hours was a mere nothing. It would be no loss to the publican, as no less liquor would be sold. People would have their liquor; and it was true a man could not be made sober by Act of Parliament; but to close the bar for public sale of liquor on Sunday would, he thought, not only be of advantage to the public, and prevent very many evils, but it would be of advantage to the publican. As far as his (Mr. Kingsford's) observation went, such a provision as this would be generally acceptable. In the face of the motion of which he had given notice, he should support this Bill, because he thought that in taking away what might be considered as one source of enjoyment it was

only right that they should supply another. These were the particular reasons he had for suggesting alterations; and, with those exceptions, the Bill appeared to be almost perfect.

Mr. H. PALMER (Maryborough) said he had read over the Bill, but could not find a provision he had been looking for, but perhaps the Colonial Secretary might set him right if he were wrong. He could not find in the Bill any special penalty in connection with the sale of liquors to aboriginals or South Sea Islanders. Such a provision was in the previous Acts, and all others that he was acquainted with.

An HONOURABLE MEMBER: It is in the Bill.

Mr. H. PALMER said he was very glad it was. He must have overlooked it. Without that provision the Bill would be very defective. In speaking to the Bill generally he was very glad to bear his humble testimony in saying that he thought it was a very good one, and a great improvement on all others. It was very comprehensive and moderately compressed. In every way they had reason to be very thankful to the Colonial Secretary in bringing this Bill under their notice, and he believed it would meet with the general approbation of the House. In speaking to a few of the clauses with which he was a little conversant, he might first speak of the appointment of the boards. The 6th clause might be looked upon as one of the most important. There appeared to be a little diversity of opinion with regard to the appointment of the boards. For his part he could not see that the Government had any other course to make this clause effective than the way they proposed—namely, to appoint the best men in the districts throughout the colony, including the police magistrates where they were, and where they were not, then the best men in the neighbourhood. He did not think any other system would prove satisfactory. There was no doubt that in the large municipalities there was a good choice to be got. Where there was a police magistrate he should always be one of the board. There would be no difficulty, he believed, in getting good boards to work the Act. He could not agree with this Act being worked by municipal councils or by local option. That would never do; it would be no improvement, but would rather make things worse. He did not see anything in No. 6 clause that prevented gentlemen who were abstainers from acting as members of the board. The clause that he had looked at had only reference to the paid officer or agent of any society interested in the prevention of sale of liquors. He might be a total abstainer or a man identified with those societies, so long as he was not an agent or paid officer. That was quite clear enough. The fact of a man being a temperance man was no disqualification. The next thing of importance that various speakers had dwelt on was the question of appeal. He thought the leader of the Opposition was quite right in what he had said, that an appeal to the Supreme Court was not necessary at all under this Act; and if there was an appeal necessary, his (Mr. Palmer's) opinion was that it should be to the district court. That would be ample to remedy any defects on the part of the board. The carrying out of this Act might well be trusted to the boards if they were well chosen, and especially if police magistrates, who were supposed to be conversant with the law, were the chairmen, which they generally would be. In that way boards would be quite competent to settle matters without any provision of this kind. There would be no necessity whatever to appeal to the Supreme or the district court. Appeals to the Supreme Court, as had been pointed out, generally proved worthless, and the judges, he was quite satisfied, did not care for the trouble of matters of this kind. These were trivial affairs, which would be better settled by the local magistrates, and he could not see there was any necessity to appeal to the Supreme Court, especially when there was already a right of appeal to the district court, where the amount in question did not exceed £2. There was another important clause—clause 48—which the Colonial Secretary had taken some pains to explain to the House, and which was brought under his notice by the publicans themselves. That was one of the clauses which were impressed upon the Colonial Secretary by the deputation that had called on him. The next thing of importance in the Bill was the accommodation to be provided in public-houses, both in towns and in the country. He did not think the accommodation mentioned in clauses 22 and 23 was sufficient to meet the requirements of the public. The great cause of complaint in most places, and more particularly, as the hon. member for Mitchell had pointed out, in the country, was the insufficiency of accommodation. He (Mr. Palmer) had travelled a great deal himself, and he had found very poor accommodation—the requirements, both as to sleeping and diet, were insufficient; and he did not think they had improved since he was in the habit of travelling a good deal in the bush. The accommodation fixed in this Bill was, for premises within municipalities—

> "At least three moderate-sized sitting-rooms and six sleeping-rooms (no sleeping-room containing less than 700 cubic feet, or being less than 9 feet high) constantly ready and fit for public accommodation, as well as a bar for the public convenience; and unless the necessary privies and urinals are in all respects in accordance with the requirements of the board of health having jurisdiction within the district in which such premises are situated."

He did not think that was sufficient accommodation; and he was sure the accommodation fixed for the country was not enough, for it was to be only two sitting-rooms and four bedrooms besides accommodation for the servants. These were minor matters, but they should be attended to, and he believed it was requisite that they should be so to make the Bill as perfect as possible. In many respects the Bill was a great improvement on the Act now in force. Other clauses, which he was glad to see in the Bill, were 72 to 76, which referred to the searching for adulterated spirits and liquors. He thought these were very important provisions, and would, he believed, tend to prevent the sale of abominable stuff in public-houses—stuff which caused immorality to an unlimited extent. He trusted that these provisions would be carried out under proper supervision in every bush district. Then there was a very important provision with regard to the extortion practised in the bush on labouring men who deposited money and cheques with publicans. That was dealt with in clause 59, and it was legislation that was very requisite. The labouring men lost money by placing confidence, or over-confidence, in many bush publicans, who had really no sympathy or feeling whatever. There was also an excellent clause with regard to the disposal of fines, which he was very glad to see. It was only right that the money should go to the hospital in the neighbourhood; it would be very acceptable, he knew, to many hospitals in the interior. With regard to clause 61, which the hon. member for South Brisbane had just referred to, although he was not a strict Sabbatarian, he thought that if it was necessary to close such a length of time on Sundays as eight or nine hours, houses might just as well be closed altogether on that day. Houses were to be opened from 1 to 3 on Sundays, but he could not see why they should not be closed altogether on Sundays. He would rather go with the hon. member who had spoken of the opening of the Museum on Sun-

days. He thought it would be far better for people to go to the Museum and the public parks and gardens on Sundays than spend one or two hours in a public-house. He would further point out that, as he was informed, the total closing of public-houses in some of the large cities of the old country had been a great benefit. It had lessened drunkenness and immorality in every way. He believed the Government had brought forward an excellent measure, and he should give it every support in committee.

Mr. KATES said it was his intention to support the Bill, inasmuch as it consolidated Acts that had been passed since 1863. He believed in the appeal clause, but he thought, as some hon. members had said, that it would be cheaper to make the appeal to the district court. He considered that the right of appeal was very necessary. He had known a bench refuse a license for no reason whatever. When asked to state a reason, the applicant was told that they would not give any. Now that was very hard. The right of appeal would be a wholesome check on boards, and cause them to mete out justice. He would like to call the attention of the Colonial Secretary to clause 64, which prohibited music, dancing, and public singing on licensed premises without permission. He would like the Colonial Secretary to define what licensed premises were, because he had known a publican have a dancing saloon within ten yards of his licensed house, and the bench could do nothing to prevent it. He should support the bottle license recommended by several members, and especially by the hon. member for Stanley. He would make grocers pay a license fee of £30, and if a person wanted a bottle of sherry or port wine, let him get it from the grocer. He should also support an amendment for closing public-houses on Sundays, and also an amendment preventing females under twenty years of age from serving behind the bar of a public-house. He thought that clause 103 was a very strong one. It was to the effect that whenever any justice, inspector, or sub-inspector, found a person drinking a glass of beer in an unlicensed house he might apprehend him, and the person would be liable to a penalty. But how were strangers to know whether a house was licensed or not? There were several other clauses requiring amendment in committee; but, on the whole, the Bill was a good one, and he intended to support the second reading.

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

MOTION FOR ADJOURNMENT.

Mr. GRIMES said he rose to move the adjournment of the House, to call attention to a matter which, he thought, would not be considered unimportant. It was a matter which affected considerably the efficiency of one of the departments under the Registrar-General. Most hon. members were aware that in January every year agriculturists and others were supplied with forms, and were requested to fill them up and return them as soon as possible to the department, or they were called for by some person appointed to collect them. At the head of one of these forms, and at the foot of another, there was this memo. :—

"The contents of any individual schedule will not be made known to the public; the numerical results of all the schedules combined will alone be published. It is therefore to be understood that the information furnished in this paper by or on behalf of any occupier will be considered strictly confidential."

Now, the correspondence in the *Townsville Herald* of August 27th, 1881, stated publicly that these returns had been used to obtain convictions against persons under the Brands Act. He considered this, if true, to be an unwarrantable breach of confidence, and one which would prevent persons in the future from filling in these papers, and giving the information which was desired by the Registrar-General for statistical purposes only. The amount of information directed by the Registrar-General to be supplied was great and important; and if it was to be divulged by any of the collectors it would be a serious matter to persons who filled up these forms correctly. Agriculturists and others were supposed to fill up these forms, giving the details of numbers of little things. They might just as well go to the tradesmen in Queen street, and ask for the details and the result of their last stock-taking; and, if they could not depend upon these forms being held as strictly confidential, no agriculturists would fill them up. Especially would it be so with the mill-owners, and owners of manufactories of various kinds. Especially would it be so with owners of sugar-mills, who were asked to give the quantity of sugar-cane grown during the year, the quantity of sugar produced, the quantity of molasses, the crop cut that year, and what was left standing over, and full particulars of everything of that kind. He trusted that the Minister would make inquiries into this matter, and if it were true that returns had been made use of by the police for the purposes he had indicated, that the hon. gentleman would at once direct that the practice should be discontinued. He further thought that such a flagrant breach of confidence demanded that the person concerned should be instantly dismissed from the Public Service. He would read the portion of the article in the supplement of the *Townsville Herald* to which he referred :—

"On the 24th February, the Sergeant of Police, as *ex officio* Inspector of Brands, took action in the police court here against a great many selectors for non-payment of assessment, and got verdicts against thirteen at £5 each, and against two at £5 10s. each. The mode adopted by the police to prove that every one of those unfortunate people were assessable under the Act was to produce before the bench the return of live stock made, through the police, by each to the Registrar-General in the form schedule A, which has a memo. on the face of it as follows:—'The contents of any individual schedule will not be made known to the public; the numerical results of all the schedules combined will only be published. It is therefore to be understood that the information furnished in this paper by or on behalf of any occupier will be considered strictly confidential.'"

He trusted this matter would be deemed of sufficient importance for the Minister in whose department it was to make full inquiry into it; and, if it were found to be true, that the practice would be stopped, or else the returns they got from the Registrar-General would be found not to be worth the paper they were written on.

The COLONIAL SECRETARY: They are hardly worth that now.

The question having been put,

The COLONIAL SECRETARY said it was exceeding inconvenient that a question of this nature should be brought forward on a motion of adjournment, and he entirely refused to discuss the matter on it. If notice were given so that he might be able to make inquiries, he was quite willing to go into it; but on a motion for adjournment, on the unsupported statement of a newspaper paragraph, he declined to do so entirely. If the hon. member would give notice of a motion or a question on the subject, he (the Colonial Secretary) would make inquiries. It was impossible for him to know what had taken place at Townsville, and he did not know.

Mr. DICKSON hoped the Colonial Secretary would cause inquiries to be made into the subject which his hon. friend had brought forward

in a very temperate manner and in the interests of the public. There was quite sufficient in the honorable member's statement to lead the Colonial Secretary to institute inquiries without any further action in the House on the part of the hon. member for Oxley. The hon. member would be satisfied if that was done. He had not attacked the Colonial Secretary in any way, but it did seem that information was required upon a condition which seemed to have been broken. All the hon. member now required was that the attention of the Colonial Secretary should be directed to it. He (Mr. Dickson) hoped the Colonial Secretary would not refuse to make inquiries, even though the hon. member should not proceed further with it in the House.

The PREMIER (Mr. McIlwraith) said that nothing that the Colonial Secretary said should have induced a speech of that kind from the member for Enoggera. Of course the remarks which fell from the hon. member for Oxley would have due weight with the Government. At present they had no information—no more than they could get from the *Townsville Herald* or any other newspaper. His hon. friend, the Colonial Secretary, had said that he could not, that he did not desire, nor was it expedient, to discuss a question of the kind on short notice and without the facts before them.

Mr. O'SULLIVAN said he felt the force and justice of the remarks of the hon. the Premier, but this statement which had been read was not written nor was it sent here for the purpose alone of which the hon. gentleman had spoken. The full meaning of its publication was on account of some appointments made under the Inspector of Brands Act. This was not the time he intended to bring the matter forward, but when the Estimates were going on he should refer to the case of Inspector Armstrong. It was generally understood that the salary of such an inspector was something about £250, but this statement which had been put in his hands, and he supposed in the hands of other members, showed that this man received over £600 a year. But it was no use following up this now. He thought the answer given was very satisfactory, and it was just as well to postpone the other matter until the Estimates were on.

Mr. GRIMES said he had purposely refrained from making any allusion to the former portion of the letter to which the hon. member for Stanley had referred. But the other subject he considered was a very important one and one which concerned them all, and that was why he mentioned it. He did not blame anyone in the matter. He did not blame either of the Ministers. He only wished that they might make inquiries and see whether it was true or not. He would be quite satisfied if the Colonial Secretary would do this, or if necessary he would put it in a more formal way on another occasion. He asked leave to withdraw the motion for adjournment.

Motion, by leave, withdrawn.

STANDING ORDERS.

The PREMIER said he begged to present to the House a report from the Standing Orders Committee, and to move that it be printed, and that the proposed amendments in the Standing Orders be considered in committee on Tuesday next.

Question put and passed.

UNITED MUNICIPALITIES BILL—SECOND READING.

The MINISTER FOR WORKS, in moving the second reading of the United Municipalities Bill, said that it was before the House last session, when it passed its second reading, and was in committee. While it was in committee it encountered very strong opposition from many members on the Opposition side of the House, and from one or two on the Government side; in fact, the opposition was so strong that the Government was induced thereby to drop the Bill for the session, knowing they would have another and better opportunity of dealing with it when the House met next session. At the time this Bill was first introduced the country had not become accustomed to local government; in fact, local government was rather looked upon by the majority of the people of the country as anything but favourable, and a great many members of the House were of the same opinion. But he had very great confidence in saying that local government was regarded very differently now, both in the House and by the country. The owners of property very naturally took exception at first—as people would do in all parts of the world—to putting their hands into their pockets to pay for the making of roads and for other such purposes. Since then they had looked on the matter in a different light, and had come to the same conclusion that owners of property had come to in every other part of the world—that property had its duties as well as its rights, and one of those duties was to contribute towards the improvement of that which increased the value of their property more than almost everything else; that was, the making of the necessary roads and other works of a similar description. At the present time, out of all the divisional boards existing at present only five were inoperative, and four out of those five were boards in the Far West—namely, Diamantina, Doonmunya, Einasleigh, Gregory, and Nogoa. The only one of these five which could be considered an inside board was Nogoa, and he could not explain why the members appointed to that board had not taken steps to carry out the Act. They were receiving no subsidy, and probably they considered they did not require any very elaborate system of roads, but that the railway, which ran through the division, was sufficient for their purposes. It was easier to explain why the division of Diamantina, and the other three boards, had not taken action in the matter of local government. They were very extensive divisions; in fact, Diamantina was probably as extensive as a dozen of the largest inside divisions together. It was also very sparsely peopled, so that it was difficult for the members to meet. Attempts had been made once or twice to hold a meeting in some of these divisions, but had failed for the reasons he had stated—Diamantina being on the western border, Doonmunya and Einasleigh on the north-western border, and Gregory being far to the northward. Every board inside of those four boards—with the exception of Nogoa—was at present in fair working order; and some of them were working very well—so well that he thought local government was firmly established in the colony, and that no Government, however strong or how much disposed any of its members might be towards upsetting the present system and reverting to the old one, would be permitted by the people to return to the old system of scrambling for roads and bridges in that House. The people of the colony had tried to make the Act work as well as they could with the defects which had been discovered in it, and which, he hoped, would be amended next session; but there was one defect still in the working of the Act. Where there was one main road running through several divisions, those divisions had no power to unite for the purpose of repairing and keeping that main road in order. That was not a very small defect. If hon. members would just

follow him into the many divisions through which the same road ran, and in which those divisions were unitedly interested, they would see that it was a very important matter that a Bill of this sort should be passed—that was, a Bill giving the divisions inclined to unite for the purpose of maintaining the common road the means of uniting. Hon. members should understand thoroughly that this Bill was not obligatory, but permissive. No divisions need take advantage of the Bill unless inclined to do so; and they would probably not do so unless they felt the necessity. But if they felt the necessity, and if they felt the inclination, hon. members would agree that it would be folly to prevent them having the means of uniting. He had a list which covered one-half of the different divisions of the colony, and would mention a few of the most prominent cases to which this Bill applied, and which hon. members who were acquainted with the country would admit should be attended to. There was the road from Brisbane to Gympie, which went through the divisions of Ithaca, Caboolture, and Widgee. No one of these divisions felt justified in spending very much money—or any money at all—on this road, which was for the benefit of other divisions as well. This feeling prevented the three divisions uniting and keeping the road in order. Then there was the road from Brisbane to Nerang Creek, and hon. members who knew the district were aware that this was a very important road, going through a thickly-populated agricultural district, where a fairly passable road was a great necessity. That road passed through the divisions of Yeerongpilly, Waterford, Beenleigh, Coomera, and Nerang; and yet those divisions, owing to the defect which existed in the Act, were prevented from uniting as they would do to keep this road in order. The united exertions of the five boards would make the expense fall lightly on each division, whereas what was the business of each one was the business of none, and very little was done to the main road. The road from Bowen to Ravenswood went through Wangaratta, Thuringowa, and Ravenswood; and those divisions came under the same category as those previously mentioned —they were not able to do any work owing to the defect in the Act. The road from Clermont to Aramac passed through Belyando and Aramac; the road from Dalby to Gayndah through Wambo, Barambah, and Rawbelle; the road from Dalby to Goondiwindi, through Wambo, Jondaryan, and Wagganba; the road from Dalby to St. George, through Wambo, Wagganba, and Ula Ula. The towns he had mentioned were very important, and the main roads between those important centres should be kept up, whereas they were falling into decay through the want of any principle by which the boards could be united. The road from Ipswich to Nanango went through Bundanba, Brassall, Walloon, Esk, and Barambah. He need not remind hon. members of the importance of being able to keep up communication between Ipswich and Nanango on the northern road; and yet none of those boards cared about spending money on the main road in that direction because it would benefit their neighbours as much as themselves. He had been obliged in one or two cases to alter the boundaries of divisions simply through the defect he had mentioned. That alteration had effected a remedy in several cases; but nothing short of making several divisions into one great division, or permitting them to unite and form a joint division for the purpose of keeping up a road, would have the required effect in most cases. He need not enumerate all these roads. There were the main roads from Withersfield to Aramac, from Withersfield to Blackall, from St. George to Cunnamulla, and from St. George to Mitchell Downs. Then there were other divisions which had what might be called a common or main road as a boundary between two divisions. In that case those two divisions were more interested, as it were, in maintaining a road of this description than a road which went through one and then on to another division. Suppose the main road ran for twenty or thirty miles between two divisions, forming a boundary: between the two divisions the road was not kept in order, and the people of the district suffered through the want of being able to unite. He thought hon. members would agree that the principle of local government had been firmly established, and was beginning to be thoroughly understood and appreciated; and it would be wrong to stand in the way of any divisions who wished to unite. As the Bill was simply permissive, it would compel no divisions to unite which were not prepared to do so; but it would be well to give them an opportunity of uniting if they wished to do so. Of course, if they did not wish to do so, the Bill would remain a dead letter. One great objection to the Bill last year was that the joint board had unlimited powers in regard to taxation. That was a matter he was prepared to remedy in committee. He should be prepared to introduce a clause limiting the powers of taxation by the joint boards, so that their action could not be oppressive to any of the boards. Of course, hon. members quite understood why the Bill was introduced last year—simply through the impossibility of being able to define what a main road was. He maintained that no individual could define a main road; it was utterly indefinable, and was simply an arbitrary expression for any road which any man, or number of men, thought was a main road between two points. So that it was much better for the people of the colony to be allowed, under the provisions of this Bill—the people who wished to take advantage of it—to unite and impose some little extra taxation on themselves, and by so doing obtain the Government subsidy in the proportion of two to one as at present, and expend that money among themselves—than for any Government to bring in a schedule of main roads on an arbitrary decision of their own, backed up by a majority, and spend the money in whatever way they liked. He believed that under the present system a maximum result had been attained by a minimum expenditure. As far as he had been able to ascertain he was quite certain that the results had been far and away better than under the old system of road-making; and no doubt, by-and-bye, when the people understood their own interests and business better, the results would be better still. But even at the present time, though the working of the Act was comparatively imperfect, the result was so good that he believed £1 at present spent by an average board went as far as 30s. spent under the old Government system, and the work was done quite as well, if not better. The 2nd clause of the Bill was the one dealing with the question of municipalities, and defined the purposes for which they were constituted:—

"1. For the formation and maintenance of main roads, or roads excepted from the control of any local authority under the laws in force for the time being relating to the government of municipalities.

"2. For the carrying out of any public work, or the making of any by-law, for the common benefit of a united municipality.

"3. For any other purpose not inconsistent with the powers conferred and obligations imposed upon local authorities by the laws in force for the time being."

The 3rd clause defined what the Governor in Council should do in constituted united municipalities. He might—

"Sever from a united municipality any one or more of its component municipalities;

"Dissolve or abolish any united municipality;
"Settle and adjust any rights, liabilities, or matters which, in consequence of the exercise of any of the foregoing powers, require to be adjusted."

But the exercise of these powers depended upon the people, who must petition the Governor to carry them into effect. The next clause provided that the Minister should publish the petition in the *Gazette*, and that it should be kept published for three months, when, if no contrary petition was received, the petition should be complied with. Clause 6 provided for the constitution of joint boards, and that—

"The governing body of every united municipality shall be a joint board, consisting of the chairman for the time being of every local authority having jurisdiction within such united municipality. Provided that whenever a united municipality comprises less than three component municipalities, the joint board shall be composed of the chairman and one other member of and elected by each local authority having jurisdiction as aforesaid.
"If in any case the local authority deem it not expedient that the chairman should so act, such local authority may elect in his stead some other member of their body to act for them as a member of such joint board. And if the local authority refuse or fail to elect such member, the Governor in Council may appoint some ratepayer of the component municipality to act as aforesaid."

So that there would always be two members of the board, one of whom would be the chairman. Clause 8 provided that they should meet annually, and that the place of meeting was to be notified at least fourteen days before the meeting by the president of the joint board; or, if there was no president, then by the Governor in Council, at such other times and places as the joint board deemed necessary. When they met—having elected a president—they might make rules for their own guidance, which were to be published in the *Gazette*, and so have the force of law; provided that, until they were published, they were temporarily adopted by the joint board by resolution and acted upon. Clause 11 provided for the powers of the board. Clause 12 provided for the appointment of the officers of the board, who might be appointed by the Governor in Council on representation being made to him by the board itself. Clause 13 provided for the reception of petitions by the Governor in Council for the severance or amendment of boundaries of any municipality. The important part of the Bill commenced in its next division. Clause 14 provided that—

"Any expenses incurred by a joint board in pursuance of this Act shall be defrayed out of a common fund, to be contributed by the component municipalities in proportion to the ratable value of the property in each such component municipality, such value to be ascertained according to the valuation list in force for the time being."

This clause went on to provide for grievances, and how they were to be met. The 15th clause provided for the means by which the funds of the joint board should be raised—that was, by a precept issued by the joint board, signed by the president, and sent to the local authority of each component municipality. Clause 21 provided for the auditing of the books of the board, and also for the employment of clerical assistance. Clause 22 provided that a properly certified statement of receipts and expenses might be published by the board. He thought that, considering that the chief objection, as it were, to the Bill of last year was based on the plea that this was a Bill to impose extra taxation upon the people, it was met entirely by the statement that the Bill was permissive. If the boards did not wish for taxation they would not be taxed any more than at present, but those that wished to be taxed would be taxed for the purpose of maintaining their own roads. As he had said, he was prepared when in committee to meet the strongest objection brought against the unlimited powers given to the boards, by introducing a clause which would restrict the taxing powers of the boards to their proper limits. He knew from his own knowledge that there were several boards which desired to join together in order to maintain the roads common to them, and yet under the present Act they had no power to do so; but this Bill would give them the power which they wished to exercise, and he thought the House would act wisely by carrying it into effect. He had much pleasure in moving the second reading of the Bill.

Mr. DICKSON said the Minister for Works, in moving the second reading of the Bill, had alluded in a slightly apologetic manner to the real cause which had led to the rejection of this Bill last year; and he (Mr. Dickson) thought it was desirable that they should trace this from the time the Divisional Boards Act was passed by the House up to the time when the United Municipalities Bill last made its appearance in that Chamber. It arose, as hon. members would bear in mind, from the fact that, when the Municipal Boards Bill was introduced, the members of the Government undertook to accept the responsibility of providing for the maintenance and construction of the main roads of the colony; and he made bold to assert that it was upon this understanding, together with the prospect of a large amount of grant in aid, that the Divisional Boards Act, during the short time it had been in operation, had been undoubtedly popularised. Had the Government, at the time the Divisional Boards Act was introduced, fully stated that they would not accept the responsibility of constructing and maintaining the main roads of the colony, it would have given to that Bill an entirely different complexion; and he felt sure that hon. gentlemen who assisted in passing the Divisional Boards Act of 1879 on that understanding would, in all probability, have recorded their votes against the measure. They should not lose sight of that. The Government subsequently discovered that they had been too liberal in making those promises. They were involved in difficulties as to finding out which were the main roads of the colony; but he asked if this was a justifiable reason for saddling the ratepayers of the colony with the additional maintenance of those roads, while, at the time the Bill was introduced, there was a distinct promise that they should be provided for by the State.

The COLONIAL SECRETARY: No.

Mr. DICKSON said the Colonial Secretary said "No." He (Mr. Dickson) did not wish to occupy the time of the House in referring to debates on this Bill last year, when members supporting the Government expressed themselves mainly to the effect that they gave their votes for the Divisional Boards Act of 1879 on the understanding that the main roads of the colony were to be maintained by the Government. The Minister for Works laid great stress on the popularity of the divisional boards system as it worked at the present time; but he should not lose sight of the fact that the Divisional Boards Act was popularised by the distribution of £100,000 of borrowed money—the distribution of which would go a long way, at any time, towards popularising reforms in local administration. He (Mr. Dickson) was not at all prepared to say that local government was undesirable; on the contrary, he maintained that it was very beneficial. He had his own opinion as to whether insisting upon local government being extended throughout the length and breadth of this colony, with such a sparse population as it contained at the present time,

was judicious; but he was with the Government in this respect—that in the more populous portions of the colony local government was not only a proper thing to insist upon, but it was what must inevitably be effected, and what the people must be educated up to. He would like to have seen at the present time that this United Municipalities Bill corrected some of the evils which he maintained, notwithstanding the eulogium of the hon. the Minister for Works, existed under the Divisional Boards Act. He believed the system of voting by ballot, or rather by post, ought to have been amended; and he also believed that the basis of the Bill—the assessment—ought not to be, as it now was, a tax directly upon the improvements which property carried with it. The greater the improvements, the greater in proportion was the tax which they carried with them; whereas he thought it should be based on the extent of land, and not on the extent of the improvements which an enterprising individual might very properly create on his property. He was of opinion that the Bill which was now sought to be introduced was one which might very fairly stand over until the divisional boards had shown their ability to conduct the administration which the Government had placed in their hands. He referred to the very large aid of £100,000 which the Government had distributed amongst them, and which had tended largely to enable them to conduct their affairs, possibly in a more satisfactory manner than they would be in the future, depending upon local taxation and the subsidy of the State. The Bill also contained an unfairness which would go a long way towards rendering it unpopular. Of course, the Government were desirous of being relieved as speedily as possible from the responsibility of making main roads; but the divisional boards were hardly yet ripe to accept the burden, coming, as it did, so closely on the heels of the measure under which they had been created. The taxation now levied in the suburbs and more important towns was already felt to be of a very oppressive character, and if this Bill imposed additional taxation on the same assessment for works upon main roads which might be of no benefit to the persons paying the tax, it would certainly be unpopular. The Minister for Works contended that this was a permissive Bill, and if the municipalities did not choose to unite the Act would be a dead letter; but if the municipalities did not unite there would be no main roads, notwithstanding the distinct promise of the Government, which ought to have been carried out at all costs. Though the Bill was, therefore, apparently permissive, yet the municipalities would be compelled to unite and undertake a burden which he contended they should not be called upon to sustain. Again, these united boards would not be placed in an equally favourable position with the original boards, because the latter received the £100,000 which was distributed when the Act first came into operation. The main roads were now in many places in bad condition and required immediate repairs, but the Government had not even said whether they were prepared to give a grant in aid in the absence of which they must wait for endowment until the assessment lists were completed. Under all these circumstances he contended that it was not fair to inflict upon the divisional boards this additional amount of taxation. Whatever might be the difficulties besetting the Government, he would rather that they should apply to the House for an amount to be voted for a limited period—say three or five years—until the system of divisional boards was firmly established and they had become better able to undertake the additional responsibility, than that they should lay this increased burden upon the boards. As a matter of honour, that was the proper course for the Government to take in fulfilment of the promise made by them in 1879. Not only would the measure impose a fresh tax, but that tax might be imposed in a most unfair manner. Hon. members were aware that the rates struck in the different municipalties were not uniform: in some the rate was 5 per cent., in others more, or less. If three municipalities desired to unite, and two were assessed at the minimum rate and the third at the maximum, a uniform rate would be levied; but it was obvious that a heavier burden would fall upon landowners in the municipality where the maximum rate existed than upon those in the municipalities where the minimum rate existed. Therefore the incidence was not equal. To his mind the Bill was a most oppressive one, and if the Government desired to see the local boards continue their operation it would have been wiser for them not to have increased the burdens, which were sufficiently heavy at the present time. If the Government would carry out their promise and vote an amount for the maintenance of main roads, if only for a limited number of years, the boards might by that time have taken root and the people be educated up to the principle, so that the additional burden would not be oppressive. He might add that this Bill did not necessarily restrict the action of the united municipalities to the main roads. They might also go in for other works in an individual municipality, and pay for them by a rate levied on the united municipalities. The only justification for the union of these municipalities under the Bill was the necessity of maintaining main roads which the Bill did not confine them to.

The PREMIER said that, after the success which had certainly attended the operation of the Divisional Boards Act throughout the colony, he was surprised to hear the hon. member bring up his old grudge against it, and state that the Ministry had not paid regard to a promise on their part to take under their charge all the main roads of the colony. The Government never made any such promise, but what they did promise was clear and distinct. Even the Act itself as passed by the House made no distinction whatever between main roads and any other roads. The only exception made in the Act was contained in the clause which stated that the Governor in Council might exempt from the operation of the Divisional Boards Act any roads that might be specially taken under the care of the central Government. That had been admitted all through, and the Government at the time intimated very plainly that in their opinion certain roads of the colony, from their length and for other reasons, might be regarded as national works, and would very probably be looked upon by the Government as works to be attended to by them alone. At that time the Government, as had been admitted again and again, thought there were some roads, few in number, that ought to be specially under the care of the central Government. There was therefore a distinct understanding that certain roads would possibly be taken charge of by the central Government, and not left to the divisional boards. That was admitted, but it was quite another thing to say that the Government were committed to undertake the care of what had been called the main roads of the colony. As soon as the Act was brought into operation it was found that the term "main roads" was differently defined in different parts of the colony, and that there was hardly a road that could not be said to be a main road. The road over which the hon. member (Mr. Dickson) travelled daily would probably be included in any definition of a main road, but could anyone say that a road from town to Breakfast Creek could in fairness be exempted

as being a main road? Many of the roads in the Logan district were claimed to be main roads, the definition there being, he believed, a road along which a mail-coach ran. The Government being confronted with this difficulty, found that if they accepted these definitions they would simply have to ignore the Divisional Boards Act and go back to the old system. The Government had, however, made a step in the right direction, and when they saw that it was perfectly impossible to perform what they had promised according to the construction put upon their promise by the Opposition, they did what they could to carry out their promise in effect, and made the best provision possible to stand in the place of that promise. The experience of two years had shown the Government where the real difficulty lay. The Divisional Boards Act had met the case of the ordinary roads of the colony, and it had, to a great extent, met the case of main roads also; for, in spite of what the hon. member said, those roads had been very well attended to up to the present time. There were, however, some cases where, through divisions of interest main, roads in certain parts of the colony had been neglected, and the divisional boards were now anxious to have power to unite together for the common object of putting such roads into repair. The intention of the Bill was not to impose additional taxation, but to enable the municipalities to work more economically, and to spend the funds already at their disposal to better effect. The measure was entirely optional, and whatever was done would be done voluntarily; and whatever money was raised by taxation would be supplemented in a munificent way by the central Government. The object of the Bill was to assist the boards already existing to work together for the general benefit; the measure had been introduced at their instigation and for their benefit, and it could not be put into operation except through their own action in petitioning. It was a politically wicked thing for the hon. member to suggest that the Government should not pass this Bill without another sop to the divisional boards. When the last Act was passed, and there was a sum of £100,000 on the Loan Bill for a bonus to the divisional boards to enable them to come into operation before they were able to levy taxation, who spoke more strongly against the snare to entrap the people into free government than the hon. member himself? That hon. member then said it was wicked to bribe the districts with £100,000 to come under the operation of such an iniquitous Bill; and yet he now complained that the Government had not offered a similar bribe to entrap the people again. That argument must go to the wall. An endowment was actually necessary then to bring the Divisional Boards Act into operation, but it was not wanted in this case; and he would defy the hon. member to point out any Legislature of the adjoining colonies where the Government had come to the help of local bodies as much as this Government had under the Local Government Act and the Divisional Boards Act. The hon. gentleman said that the taxation under the Bill might be doubled. There was not the slightest possibility of that. His hon. colleague, the Minister for Works, had said that he was quite willing—that, in fact, he was prepared with an amendment limiting the amount of taxation which the united municipalities could put on. The very fact that this was voluntary on their part was a guarantee that they were not likely to tax themselves too much. The hon. member said, perhaps the best way of testing what good the Divisional Boards Act had done for the country was to wait and see how the main roads of the colony would be kept. That the Act had done a great deal of good could not be denied. In travelling through the colony—to a very limited extent certainly, but in parts where the Act had been most in operation—he could see that it had done an immense amount of good. Generally, the roads were a good deal better than they were before the Act came into operation, and he did not think the tax was felt by property holders as a very severe burden. With regard to the objection that it was quite possible that in three united municipalities two might unite against the one, and thereby monopolise the whole of the money raised by taxation, such a thing was possible; but it was the easiest thing in the world to provide against it, and he believed the Bill did provide against it. But the evil was so far off and so unlikely to happen that it hardly deserved consideration. The third municipality would take care that they did not put themselves in such a position that the other two municipalities expended all the money; in fact, it could not be done as the Bill stood. This, he believed, was a useful Bill; he was sorry that it did not pass last session, and he was quite sure that it would meet with the approval of the House now. A great point in its favour was that it was demanded by the whole of the municipalities, it having been shown that, by being divided as they were at present, a great many works of an important character could not be attended to, and that, if united, they could attend to them a great deal better. There were works adjoining, or on the boundaries represented by the divisional boards, which they actually wished to attend to, but they could not without a Bill of this sort. The Bill would settle all these difficulties. It was a measure entirely in the interests of the divisional boards, and especially in the interests of municipal districts about the city of Brisbane, for there was scarcely any municipal district contiguous to the metropolis that would not feel the good effects of this Bill.

Mr. BEATTIE said he could not agree with the last remarks of the Premier with regard to the divisional boards contiguous to the metropolis. He might say that the board with which he was connected was working satisfactorily; he hoped that the same could be said of the other boards in the colony. He believed they were spending more money, and spending it more judiciously than ever it had been spent before. The Minister for Works had stated that in some cases the dividing line between divisions ran parallel, and neither kept the road on the boundary in repair. He would point out that instead of making the dividing line on one side of the road it should be made in the centre, and both municipalities would then be able to keep it in order. He did not know whether any alteration of this kind was intended, but that it was necessary could be easily shown. For instance, the dividing line between Booroodabin and Brisbane was a street running from east to west. The division was the southern side of the footpath contiguous to the property on the north side of the municipality; therefore, the whole of the maintenance of that street—although the municipality received the taxes from the southern side—the whole of the repairs had to be made, and the expenditure thus involved paid by the taxpayers of the north side.

An HONOURABLE MEMBER: Why don't you petition the Government for an adjustment of such a difficulty?

Mr. BEATTIE said he did not believe in bothering any Government with petitions if he could help it. He could not understand how united municipalities would work in such instances. Let them take another instance: The road from Bowen Bridge passed through Ithaca until it joined Nundah. Ithaca kept in repair the main portion of their road to the boundary of Nundah, then Nundah came in and kept the road in repair

to the boundary of Caboolture. Suppose the centre of that road was the dividing line between Nundah and Ithaca, then he could understand the divisional boards keeping that road in repair by levying a rate on the adjoining property.

An HONOURABLE MEMBER: They have already done that.

Mr. BEATTIE asked, was he to understand that they were, by the existence of this Act, giving power to levy a second rate on the property on each of the roads in a case of this kind? If so, that would be very unfair to the property-holders on both sides. Take the properties on each side of the Bowen Bridge road—were they going to give this new body power to assess those properties over again after the divisional board had assessed them once? If the new body had to make application to the divisional boards for funds to carry out works in the locality, it would simply be keeping two bodies in existence. The principle might work well in the country districts. He must admit that he did not know how the Divisional Boards Act had worked in the country districts, but he should not like to see this Act interfere with the the well-working of the divisional board he was connected with. If in the country the Bill was thought advisable, he would place no obstacle in the way. He was satisfied, however, that it would not be of any advantage to places near the city of Brisbane. He would not oppose any divisional board in their anxiety to come under this Act; but he saw a difficulty in the way of property being assessed twice over. He remembered last session, when a Bill similar to this was before the House, the hon. member for Stanley (Mr. Kellett) suggested a way out of a difficulty which arose in the country districts. He (Mr. Beattie) confessed that he would like to see some advantage given to the country districts over those contiguous to the metropolis, because the amount of money raised in the former was not great. Land was not cut up into allotments, although they had almost as heavy roads to keep in repair as in municipalities where the land was cut up into small allotments and the revenue thereby increased. What was suggested by the hon. member for Stanley was that the subsidy, or endowment, given by the Government might fairly be made £3 instead of £2 for every £1 raised. That would place them in a position to keep their roads in thorough repair. He was satisfied that there must be a deal of difficulty in carrying out roads through the different agricultural districts. He had heard it expressed by the hon. the Minister for Works that the divisional boards in the country were working very well, and he was glad to hear it. With regard to this Bill, he would also say that he did not intend placing any obstacle in the way; but he would certainly oppose it if the provisions were made compulsory on the districts contiguous to the municipality of Brisbane.

Mr. ARCHER said, as one who was greatly interested in passing the Divisional Boards Bill last year, and as he got into a great deal of trouble with his constituents for the support he gave to the measure, he was very happy to be able to announce that he believed he now stood higher in the estimation of his constituents for supporting that measure than ever he did before. He was exceedingly glad to be able to announce that the divisional board of the district in which he lived—which was almost the same size as the Blackall electorate—was at all events a complete success. They were not only able to make and maintain their cross roads better than before, but the maintenance of their main roads was about the first thing they did; and he could only say that where he had been in the North—and he had travelled lately north of Rockhampton—the divisional boards were spoken of as a great success. They worked with so much success that everybody he had spoken to up there was exceedingly anxious that this Bill should become law, as it would enable them, if they wished to join together, to keep up the main roads from one division to another. There were some remarks which fell from the hon. member for Enoggera (Mr. Dickson) to which he must take a decided exception. He (Mr. Dickson) stated, amongst other things, that it was the promise that the Government would continue to keep the main roads in repair that led to the Divisional Boards Bill passing through the House. That might have had some influence with some hon. members. No doubt some hon. members thought that when the Government proposed to proclaim some roads that they would be all the chief roads of the colony. He (Mr. Archer) was convinced that such a measure as the Divisional Boards Act, which left the carrying out of its provisions in the people's own hands, would be an immense benefit; and he knew, from the state of funds at the time of its introduction, that the Government would not continue to subsidise road expenditure as they had done, and that it would be much better if they kept the money in their own pockets. For these reasons he was an enthusiastic supporter of the Bill, although he really never believed that it would have worked so well or become so quickly popular as it had done in the North. The hon. member for Enoggera proposed, or suggested, that an easy way of getting out of this question would be for the Government to proclaim the main roads and take charge of them for the next three years, before they brought in this United Municipalities Bill. To that he (Mr. Archer) should offer the most strenuous objection. If the Government were again to take charge of the main roads, what was the first thing to be done? To organize a very expensive staff that would eat away one-half of the amount voted for main roads. They would have to send out road parties with overseers, cooks, and what not, to make repairs here and there, instead of employing the people living alongside the roads to do the work. They actually knew that a great many of the old road parties wasted as much money in travelling from place to place with an overseer, a cook, five or six men, and a man to look after the horses, as in repairing the roads.

The COLONIAL SECRETARY: More.

Mr. ARCHER said that if a road was required to be repaired at the present time tenders were called for it, and a farmer with his horses, at a time of the season when he was not very busy, was only too glad to get an opportunity of earning a few pounds for putting the road in repair. That was the system carried out in his (Mr. Archer's) district. Gogango was not a district favoured by a closely settled population. Most of the selectors there were men who had taken up selections for grazing, and he was sorry to say that farming was only to a small extent gone in for. These men were scattered over an enormous area; the most southerly point of Gogango division up to Broadsound being 120 or 130 miles. Through that part of the country the main road from Rockhampton to St. Lawrence passed, and that road the Gogango division were perfectly willing to keep in order if they could only join with the division to the north of them for the purpose of other divisions keeping their part in order. During the last six months there had not been a single man in that division who had even made the suggestion that it would be advantageous to the country to allow the Government to take the main roads into their hands. Up north they were rather suspicious. This district was very far away from

the Minister for Works, and they were suspicious that if once main roads were declared a great many would be formed in the populous South, and a very few in the thinly populated North. In any case, having made a step in the way of giving the people the management of their own affairs, he objected to it being taken out of their hands again. He had a case in point which he personally knew of, and which showed the necessity of this Bill. The hon. member for Fortitude Valley had said it would not work in his division. If it did not answer them, of course they would not come under the Bill; but he would instance a case in point with which a great many members of the House were quite familiar, where it would apply. Rockhampton was a municipality surrounded by the Gogango division. On one side was the Fitzroy, on another side was a big creek, and on another side again another large creek. The Fitzroy was now bridged over, and the creeks were crossed by several bridges. One of the first labours of the divisional board was to repair those bridges, and they immediately called upon the municipality to supply the funds for repairing their portion of the bridges. The municipality was quite prepared to do so—the mayor was quite prepared to respond to the call—but they were not able to do so because they would be going outside their boundary, and would be expending money which the ratepayers might call upon them to refund again. Therefore it was made a special request to him by several gentlemen in Rockhampton—members of the town council—that if this Bill came before the House again he would give it his best support. When the Minister for Works was in Rockhampton he was anxious that the municipality should take charge of the bridge, and they were quite prepared to do so, if they could only join with the divisional boards. The divisional board was prepared to take one-half the expense of the bridge if the municipality would take the other half; but they were not able to do so, because if they expended money on the bridge they would be going outside their boundary, and they would be expending money which they had no right to, and which the ratepayers might call upon them to refund. The municipal council, therefore, declined at that time to take over the bridge, although the divisional board was quite prepared to take the other half. Therefore, the chairman of the board and the mayor impressed it very strongly upon him that this was a Bill which would be of immense advantage in their district. That, he thought, answered nearly every objection that had been brought against the Bill. There were people who were willing to come under it, if it were passed; and people who did not want it, or did not require it, or thought it would be a disadvantage, need not come under it. But they should not prevent those who thought it would be a great advantage to them from coming under it. He was rather surprised that there should have been any question raised to-night on the second reading of the Bill, because he should have thought that members on the other side of the House, who called themselves Liberals, would have been more anxious than any others to try and take from the central Government, and put into the hands of localities, their own business and the things that most concerned them. But it appeared that really, whenever anything in the way of Liberalism was brought into the House, the chief objection always arose from the Liberal side of the House. It was so last year, and it was so now. He hoped, however, that hon. members opposite would not carry their opposition so far to prevent those who were anxious to make use of the Bill from doing so; and that there were many who would do so he was perfectly convinced. He was not at all anxious to detain the House by saying much more on the subject just now. He did not believe that the clause offered them by the Minister for Works was at all necessary. People would not make rates for themselves one bit higher than they could pay. The board could not rate themselves one bit higher than the people would allow them. There were elections every year, and the ratepayers would undoubtedly take care to elect men who would not rate them over high. He was not at all afraid of any board that was elected in Queensland who would rate beyond what was necessary for the work required to be done. He believed that, as long as the Government were continuing to pay £2 for every £1, they would rate themselves heavier than they would afterwards; and they were justified in doing so. They were taking advantage of the endowment, and he hoped all the other divisions would take advantage of it in the same way as the division in which he lived; so that at the end of that time the roads would be in such a condition that there would be very little difficulty in maintaining them. He hoped the Bill would pass, and he should certainly do all he could to assist in passing it.

Mr. SCOTT said he had very great pleasure in bearing testimony to the good working of the divisional boards in the district he had the honour to represent. He had been through a great part of the divisions there, and in one of them there had been more money spent by the divisional board than had ever been spent since it was a district represented by a member, and getting money as they could from the Government. He must say, however, that he was very much surprised at the working of one board in that district. The boards had worked very satisfactorily, though in a very different way from what he expected. In the Bauhinia division they had a high rate imposed, as they wished to spend a large amount of money upon the roads. In the Nogoa division, however, they made no rate at all. They had had no meeting; they could keep their own roads in order, and they did so, and they did not want any public money. In the one case, where they were pretty highly rated, the board gave great satisfaction; and in the other, where there was no rate whatever, equal satisfaction was given; and it was difficult then to say what could act better than that. With regard to the Bill before the House, he believed it would do a great deal of good. The divisions in his district worked their own way, and were prepared, as he understood, to continue to do so. The time might, however, come when they might think it of advantage to join some other division; and, if that should be the case under this Bill, they would be enabled to do so.

Mr. FOOTE said he was sorry he could not say, with other hon. members, that the divisional boards were a great success. If he was to take the work done in the improvement of the roads in the district he represented as a guarantee of the success of the boards in that district, and about Ipswich and West Moreton, he should say it was a non-success, because the work done had been very little; in fact, he did not know anything worth naming that had been done by the boards around Ipswich. The roads previously made under the old system were in a very efficient state of order—at least, all main roads—and they were allowed to remain as they were. He did not know that there was anything done to them, or scarcely anything worth naming. Of course, during the dry season they had had for a very considerable time now, there was little difficulty in maintaining any of the bush roads, whether made or not; but excessive dry weather was always followed by excessive wet weather, and they should then understand how the divisional boards were

working. An Act of this sort might be necessary, in order to give power to boards to unite for the purpose of carrying out united action in certain places that were main thoroughfares. There might be nothing wrong in granting that power to the boards, more especially when it was left to the option of the boards to say whether they would take advantage of this Bill or not. There could not be a great deal of harm done in that case. But, notwithstanding that, the Act gave special power to increase taxation. The district he represented was a poor one; it was not one of those large areas where men got well paid for the work they did, and where they got large interest for the money they had invested; therefore, they were not able to put their hands in their pockets to the extent they would do, if they were in a better position, in order to take advantage of the present Act. There was a decided objection to the present mode of levying taxation, and he would have been glad if the Minister for Works, instead of promising to introduce a better Bill next session, had introduced it this session. So far as he had consulted with the electors of the district he represented, he had found that they were in favour of a land tax. They thought that considerable expense might be saved by it. The land might be divided into first, second, and third classes. The electors did not believe that because a man put up a slab hut, and covered it with bark—because he cultivated a small piece of land—therefore it should be taxed. There were many places where land was of no value, comparatively, until labour had been expended on it; and if a settler chose to improve his property to the extent he had mentioned, he (Mr. Foote) thought it was a great hardship that he should be compelled to pay for those improvements. So far as this Bill was concerned there was no great objection to it, but, as he had said, he thought the electors were in favour of a land tax. Of course there could be no comparison between land which cost £5 or £10 per acre for clearing, and land which had always been used for grazing, and which had had nothing expended upon it beyond the mere fencing and the homestead. He did not intend to take up the time of the House long on this matter. The Minister for Works had promised to repeal the clause having reference to taxation, so as to limit corporations as to the amount of taxes they might levy. He trusted before long to see this promised Bill; and he thought it might very well be brought in this session. If it were brought in, he was sure it would give great satisfaction to the district he represented.

Mr. RUTLEDGE said he was one of those who had always believed in the principle of local government. He knew that his hon. colleague—who had already addressed the House on this measure—before any attempt was made to introduce a Bill of this kind, urged the district that they represented to take advantage of the measure already on the statute-book—namely, the Local Government Act. He urged the people everywhere to take advantage of that Act, instead of asking the bounty of the Government for the purpose of constructing roads and bridges. Therefore, that hon. gentleman could not be charged with influencing the people against the principles of local government. But there was a right way and a wrong way of applying the principles of local government, and he thought it had been abundantly demonstrated that the principle of the Divisional Boards Act was not a correct principle to apply in order to make local government popular. He could quite see how divisional boards might be very popular in the district represented by the hon. member for Leichhardt, and to a certain extent in the district represented by the hon. member for Blackall. It must be borne in mind that the owners of property were for the most part large holders, and that in proportion to the largeness of the holdings the expenditure on roads there was diminished.

Mr. ARCHER rose to correct the hon. member. Most of the people in his district were not large holders; they only held from 1,500 to 250 acres. There were only about a dozen who had larger holdings than that.

Mr. RUTLEDGE said that that did not materially alter the principle he had laid down. In the district he represented people did not hold from 1,500 to 250 acres, but from one or two acres up to 120 acres; and, in proportion to the land being cut up in this way, the roads must be multiplied, and the taxation must be heavy. He regretted to hear the hon. gentleman (Mr. Archer) say—he had the greatest respect for the utterances of that hon. gentleman—that whenever a measure of liberalism was brought in by the Government, or those who supported the Government, it was invariably opposed by those who professed to be the real champions of liberalism. Now, he should like to know where the liberalism was in a proposal requiring people already groaning under the burden of taxation to tax themselves to almost double the extent they were taxed already? Where was the liberalism there? What was the excuse the Government had offered for introducing a Bill of this kind? The excuse given by the Minister for Works was that it was impossible for the Government to define what main roads were—that they could not prevent the scrambling that was going on in this House for the construction and maintenance of main roads, because it was impossible to say what were main roads. But in this Bill it was stated that its object was the formation and maintenance of main roads, or roads not within the control of any local authority. Somebody, therefore, must decide what were main roads, and it must be the Government. Was it not as easy for the Government to say what were main roads in the one case as in the other? Where was the consistency in this kind of reasoning? If it was possible in the one case it was possible in the other. Was it right to throw upon the people by this subterfuge—as he respectfully submitted it was—the necessity of bearing all the burdens in connection with road maintenance in every division? Just take the case of the main Gympie road. If ever there was a main road that was one, for it went from Brisbane right through to Gympie and further for all he knew. Now that road passed through three or four divisions; and was it not a harsh proceeding that the people of the Ithaca division, who already had a number of roads to keep in order, should be called upon to put their hands in their pockets for the purpose of maintaining a road from Brisbane to Gympie? Why should they support a road which afforded the means of communication to the metropolis from a place like Gympie? It was possible that if this Bill passed into law some districts would arrange for the erection of toll-bars, and would thus tax the people who came from other parts; but there might be some slight difficulty in attempting to carry out that section of the Divisional Boards Act, because he found that a toll-gate could only be erected on a road belonging to the division in which it was placed. Now, he questioned whether a road which ran right away from Brisbane to Gympie could be said to belong to any one of the divisions through which it passed. It was all very well for the Minister for Works to say that the people need not bring themselves under this Bill if they did not like. That was equivalent to saying to a man that he need not trouble himself about the money required for his

living. If the people did not wish the alternative of being kept from the metropolis, they must keep their roads in order. There was no alternative; it was Hobson's choice: they could not help themselves. If the Government wanted to make a Bill of this kind to become palatable and to induce the divisions to accept the maintenance of roads, they ought to have come down with a provision for much larger assistance than was now given under the Divisional Boards Act. Rates collected for the purpose of constructing main roads might be supplemented by a much larger endowment than £2 to £1. While he upheld the principle of the Local Government Act—and there was no doubt that in some respects it was a very good one—there was a possibility that this Bill would postpone the bringing about of that feeling of goodwill towards local government which they all desired to see. He thought this was a measure of a very specious kind. He thought they should have the substance as well as the shadow—the reality as well as the promise.

The COLONIAL SECRETARY said that the hon. member strongly reminded him of a story which was told of an American judge, who was going through the woods in a heavy thunderstorm, and got so terribly frightened that at last he took to praying. He had not been very much accustomed to pray, but at last he got out—"Oh Lord, let us have a great deal less noise and a little more light!" This was very appropriate to the speech they had just heard. There had been a great deal of noise but very little light. The hon. gentleman went wrong from the start. He took it for granted that the joint board would have the power, and would be compelled to levy extra taxation on the already overburdened ratepayers. This proved that the hon. gentleman could never even have read the Bill at all. There was nothing in it to justify the hon. member's statement, or that of the other hon. member for Enoggera to the same effect. Both were making the same mistake. If hon. members would look at the Bill they would see that the joint boards had no power to levy a tax, but they were to issue a precept for the money to the boards that were joined under the United Municipalities Act for the apportionment they were to pay for the work they had agreed upon. The joint boards had no power to assess or levy any rate at all. The assessment was left to the divisional board entirely. The hon. gentleman seemed entirely to forget also that for every £100 these divisional boards were called upon to provide for the repair of roads—whatever kind of roads they might be—the general Government contributed £200; so that where the united municipalities went in each for an expenditure of £100 the general Government supplied £600. Where was the hardship in this, he would like to know? The extra taxation could only come from the divisional board. By the 18th clause it was provided:—

"If the local authority have no moneys to the credit of the municipal fund, they shall, or if they have paid out of such fund the amount required by such precept, for the purpose of reimbursing themselves they may, notwithstanding any limit under any Act of Parliament or otherwise, increase the amount of the next ensuing general rate levied and collected in the municipality by an amount which, added to the endowment payable upon such increase, will be equivalent to the sum mentioned in the precept."

The power of taxation was entirely with the divisional board, and not with the joint board at all, as had been taken for granted by both the hon. members for Enoggera.

Mr. GARRICK thought that the remarks of the Colonial Secretary about the speech of the hon. member for Enoggera (Mr. Rutledge) might be equally applied to his own. There was certainly more darkness than light. The hon. gentleman complained that the hon. member for Enoggera had said that the board—the joint board—the board of the joint municipalities—had the right of taxation when they had not. But what did it matter whether the joint board had the right of taxation or the right of demanding money from the councils composing the division and making them pay such a tax? Truly this was a distinction without a difference. If the money was required, all the board of the united municipality had to do was to issue a precept—there were most extraordinary conditions in the Bill with reference to these payments—to each of the boards forming the united municipality, and they were compelled at once, on the mere precept, to pay the money. If they did not there were two remedies against them. First of all, they were to be sued at once; there was at once the right of action against them upon the mere demand and non-payment of it. Following that up they could then complain to the Executive Council, and the Executive Council could sue for the amount owing themselves. Where was the difference? The hardship complained of by the hon. member for Enoggera with reference to the contributions was not one bit lessened.

The COLONIAL SECRETARY: There is a good deal of difference.

Mr. GARRICK said this Bill was said to be a voluntary Bill. He would like to have this pointed out to him. He did not understand the meaning of "voluntary" if this was a voluntary Bill. The conditions of calling the united municipality into force were to be found in the 4th section, and they amounted to this: A petition of one in three was sufficient; so that, if one of three conterminous municipalities wished to form a united one, the petition of the one chairman—one-third—on that alone, the Executive Council would, without reference to the other two, form it at once. Was that voluntary? If it was, he failed to understand the meaning of the word.

Mr. ARCHER: The other parties petition against it.

Mr. GARRICK asked, had the hon. gentleman read the Bill? The clause, which he would now refer to, said:—

"If within three months after such publication a counter-petition signed as aforesaid is presented, the Minister shall cause inquiry to be made, and thereafter the Governor in Council may make such order as the circumstances of the case require."

"May" make such order. They all knew the meaning of that—or, if the hon. member for Blackall did not, he (Mr. Garrick) did. That was what was called voluntary. There was a petition by one municipality out of three. There was a counter-petition from the other two, but the Executive Council might ignore it and act on the petition sent by the one-third only. That was what was called a voluntary scheme. He would have liked to have seen this subject discussed without any reference to other matters, and he was sorry the hon. member for Blackall thought it necessary to refer to this side of the House in what was intended to be disparaging terms. This was only shelving the question, and he failed to see any force in the remarks. This was an interference with the incidence of taxation. They had all along contended that the thickly peopled parts of the colony were already sufficiently taxed. There was no difference made. They contributed as they had heretofore done—indirectly. They were taxed, and money was set apart for carrying railways elsewhere. That was what they objected to, and he hoped this side of the House would always be active, forcible, and eloquent in asserting their rights in

this particular. It had been stated by the Premier that the hon. member for Enoggera had asked for a vote for an appropriation of a sum of £100,000 as a sort of bribe for members to adopt the Divisional Boards Bill. He did not remember that the hon. gentleman did anything of the kind. He did not remember it, but it was merely a question of memory.

The PREMIER: I never said he asked for a £100,000 bribe.

Mr. GARRICK did not say the hon. gentleman did so. If he did not listen, he (Mr. Garrick) was not going to repeat it. They had asked for a little bit of assistance, and he did not see any harm in it. The hon. member for Blackall said they wanted to revert to the pernicious system of the management of the roads being again undertaken by the Government. Nothing of the sort was intended. What was asked was that as £100,000 should be given to the boards themselves—not that the management of the boards should be left to the Government or that there should be a forming again of the Department of Works, but inasmuch as the endowment had been given in the other instance—so the Government should give assistance now for the maintenance of main roads, and bridges which occurred so frequently on them, which maintenance was expected to be performed by the local bodies. Now that these works were to be maintained by the local bodies, was there any harm in asking for such assistance? He knew some bridges which had cost thousands of pounds to construct and maintain; so was it unreasonable that they should ask that the same principle should be carried out as formerly, and that the Government should give an increased amount of assistance? There were two or three curious things in this Bill which showed, he thought, that there had been something of haste in its preparation; but possibly they were matters which would be better referred to in committee, and amended there. He would point out, however, to the Secretary for Works that, under this Bill, the board would have unlimited powers of taxation; and he would submit to the Government that they should have clauses prepared altering this. Another curious thing in this Bill was that, where there was a question of contribution by the different parts of a united municipality, it should be settled by a court of petty sessions. All he had to say was that it was an extremely odd tribunal for the settlement of matters, where thousands of pounds were called in question. If there was a severance of the united municipalities the payment of the existing balances was in the hands of the Executive Council. It was not advisable that courts of petty sessions should be the tribunal for settling heavy matters of that kind. The Bill provided that a majority of the board should decide the question, but the board consisted of only two members, and there was no provision for a casting vote. However, he had no objection to the principle of the Bill, but he thought what was asked for by the hon. member for Enoggera (Mr. Dickson) should be conceded. There was no desire on his side of the House to revive any of those acrimonious feelings which had characterised other debates.

The MINISTER FOR LANDS said that, whatever doubts might have existed in the minds of hon. members opposite during the passage of the Divisional Boards Bill, there was reason to hope that they had been dispelled by this time. It must be evident to those who had watched the operation of the Divisional Boards Act that in every part of the colony, except in the most sparsely-populated districts, the Act had met with a greater measure of success than its promoters had anticipated at the time. He had done business with the chairmen of several boards, and their unanimous expression of opinion was that the system was very satisfactory. They said that previous to the passage of the Divisional Boards Act they had to go to members of Parliament, or to the Government, to get their wants attended to; and when money was voted a staff of men was sent to superintend its expenditure, and they did not get value for the money. However, they now had the expenditure in their own hands, and they expended the money where the work was most required. They did the work their own way, and small contracts were let, which were of great benefit to the neighbourhood. He regretted to find a gentleman like the hon. member for Moreton trying to mislead the House and the people outside by the continual cry of taxation, and by trying to persuade people that this was a fresh attempt to tax them. The facts were briefly these: it was optional with the boards to unite or not. If they did not feel it their interest to do so, they would not unite; but when they did unite for the purpose of repairing roads on which there was a division of opinion amongst themselves as to who should incur the expense, it was paid in this way, as the Bill provided. Supposing the precept was for £100. If a board had funds, they would pay out of those funds, and if not, the expense would be paid out of the proceeds of a rate to be levied in the ordinary way. Of this amount they would pay £66 13s. 4d. in obedience to the precept by subsidy and £33 6s. 8d. by rates. Assuming that they paid £100 in obedience to the precept, they were entitled for that £100 to get an additional subsidy of £200 from the State. That was a simple explanation of the matter, and where was the hardship? Where did the fresh taxation come in? For his part, he failed to see it, and could only repeat the statement of the hon. member for Blackall, that it appeared strange that when any measure was proposed from the Government side of the House to confer extra benefits on the people, it was sure to meet with opposition from the other side. He hoped that new light would dawn on the people of the colony, and that, before another year or two passed, they would see who were their real friends.

Mr. GROOM said he had no objection to the Bill, but would like to know from the Minister for Works whether a case which came under his (Mr. Groom's) knowledge might be placed within the scope of the Bill. The Municipality of Toowoomba was surrounded by two divisions and a shire. There were three roads or streets, which were at this moment in an exceedingly bad state of repair—one of them being so bad that a serious accident might occur on it at any time. Neither the shire council nor the adjoining divisional boards would spend a shilling on those roads, though the municipality were quite willing to pay their share. He should like to know from the Minister for Works whether he would insert the term "boundary roads" in subsection 1 of the 2nd clause, so that the municipality might petition to be placed under the Act in order to get those roads repaired. No doubt there were other cases such as he had mentioned. He believed the Bill would do good; and, no doubt, on the Darling Downs, where the divisions were numerous and the main roads needed repairs, they would lend their assistance and form united municipalities for the purposes mentioned in the Bill. He could certify from his own knowledge that, as far as the working of the Divisional Boards Act was concerned, it was a great success on the Darling Downs; and he did not think the people there had the remotest wish to go back to the old system. He should not have spoken on this

occasion had he not wished to draw the attention of the Minister to the grievance existing in his district. As he had pointed out, the municipality were quite willing to do their share; but the divisions on the north and west, and the shire on the south, would do nothing; and the result was that, if some repairs were not effected in one particular case, some serious accident would shortly occur. He would like the hon. member to insert the words "boundary roads" after the words "main roads" in the 2nd clause.

Mr. REA said the hon. the Colonial Secretary had begun his speech by giving them a specimen of a prayer, but members of the Opposition side would now, when he 'got up, have to establish a prayer of their own—namely, "O Lord, let us have less bluster and better manners!" Hon. members on the other side forgot to show that in three years the subsidy would lapse; and then the whole expense of the roads of the colony would fall on the inhabitants themselves. This point had also been lost sight of: the taxation would fall very unfairly on each man's homestead, fence, and cultivation, whereas in the outside districts the squatter was merely assessed on the pretence for a rent which he paid. The whole outcome of this was, that those who had to bring their wool to a port could use those roads which had been made by the farmers without paying one sixpence. Under the New South Wales system the squatter had to pay to the general revenue his fair share for the roads of the colony; but, under the system now proposed, the squatter would be relieved of the whole expense of road-making. The hon. member for Blackall had referred to the illiberalism of the Opposition, but the Liberalism on the other side was buttoning up their pockets and making others pay for their roads. The Premier said that the Ministry had adopted a manly course when they found they could not define main roads; but the manly course was to break his word. In the debate on the Bill last session the hon. member for Stanley (Mr. Kellett) said—

> "When the Divisional Boards Bill was brought before the House and passed, it was distinctly stated—he understood, both by the Premier and the Colonial Secretary—that the Government would provide for the main roads."

The Liberalism of hon. members opposite meant getting the farmers to tax themselves for their benefit. Had the point contended for by the hon. member for Enoggera (Mr. Dickson) been conceded by the Government there would not have been half the opposition to the Bill that there had been. As had been already pointed out, an appeal against the making of the rate would not be worth the paper it was written on; and, therefore, it came to this: that the levying of the rate would go on, whether the protesting parties liked it or not. He was quite confident that if this was persevered in the Government would be in duty bound to extend the collection of the vote for the extra revenue over a number of years.

Mr. ALAND said his colleague had already forestalled the remarks which he intended to make on this subject. Indeed, he should not have spoken at all but for the remark of the hon. the Minister for Lands; and he (Mr. Aland) certainly deprecated the statement which he made—that, no matter what was done on the Government side of the House, it was certain to meet with hostile criticism from this side. Now, so far as the Bill was concerned, he gave it considerable support. He was certainly aware that taxation must be levied, and it appeared to him that the principle upon which the taxation was based in this Bill was a fair one. A great deal had been said to-night about main roads, and he sympathised with the Government in not being able to define what a main road really was. He supposed that, in the municipality in which he lived, the people would look upon the streets referred to by his hon. colleague as main roads; but he thought it would be very hard to force it on the Government that these streets, which for years past had been kept in a sort of semi-repair by the municipalities, should be considered as main roads. He believed that this Bill would be productive of much good; at all events, it would prevent what appeared to his mind, when he read of it in *Hansard* some sessions ago—when he considered that a most indecent raid was made upon the Treasurer for grants in aid for various roads in different parts of the colony;—it would most assuredly put a stop to such a thing as that, and it would be productive of much good.

Mr. LOW said it appeared that various men had various minds. In the far interior—at least as far as he had gone—the question of what was a main road was hard to decide. A man going for the first time to a new station with a dray would leave a track, and another man passing near and seeing it might say—"I see a track there; somebody has gone before me, and this a main road." How was the Government to assist in converting such private roads as these into main roads?

Question put and passed; the Bill was read a second time, and its committal, on the motion of the MINISTER FOR WORKS, made an Order of the Day for Tuesday next.

ADJOURNMENT.

On the motion of the PREMIER, the House adjourned at five minutes past 10 till the usual hour next day.