

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 3 SEPTEMBER 1884

Electronic reproduction of original hardcopy

LEGISLATIVE ASSEMBLY.

Wednesday, 3 September, 1884.

Questions.—Gympie Gas Company Bill.—Formal Motion.
Defence Bill—second reading.—Health Bill—committee.—Adjournment.

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

QUESTIONS.

Mr. NORTON asked the Colonial Treasurer—

1. Has any report of the survey of the Narrows yet been received from the gentleman who surveyed that channel?

2. If so, will the Colonial Treasurer lay same on the table of the House?

The COLONIAL TREASURER (Hon. J. R. Dickson) replied—

1. Yes.

2. Yes.

Mr. BUCKLAND asked the Colonial Treasurer—

1. Is the survey now in progress in the Bulimba District in connection with the construction of a dam at the mouth of the Bulimba Creek?

2. If so, does the Bulimba Divisional Board bear any part of the expense of said survey?

The COLONIAL TREASURER replied—

1. A preliminary survey is now in progress to ascertain the available drainage area of Bulimba Creek, with a view to enable the divisional board to deal with conservation of water in that district.

2. Such preliminary survey is being carried on by Government.

Mr. PALMER asked the Minister for Works—
Whether his attention has been drawn to the importance of making a Geological Survey of the Etheridge and Cloncurry Gold Fields?—and, if so, can he say when the services of Mr. Jack, the geologist, will be available for making such surveys?

The MINISTER FOR WORKS (Hon. W. Miles) replied—

Mr. Jack will be instructed to make a Geological Survey of the Etheridge and Cloncurry Gold Fields as soon as he has completed the survey of the Ravenswood Field, upon which he is now engaged.

GYMPIE GAS COMPANY BILL.

Mr. SMYTH, as Chairman, brought forward the Report of the Select Committee appointed to inquire into this Bill.

The second reading of the Bill was made an Order of the Day for to-morrow.

FORMAL MOTION.

The following formal motion was agreed to :—

By Mr. NORTON—

That there be laid on the table of the House, a Return showing the area and annual rent of each run in the unsettled districts which is included in the first schedule of the Land Bill.

DEFENCE BILL—SECOND READING.

The PREMIER (Hon. S. W. Griffith) said :
Mr. Speaker.—This Bill, which is entitled "A Bill to make better provision for the Defence of the Colony of Queensland," proceeds upon the assumption that it is the duty of every country to make adequate provision for its own defence. That, sir, I take it, is the first duty of the State, as it is the first duty of every individual—to protect himself and his property. The system we have in force at the present time has now been in force about six years; and, although opinions differ as to what are the particular causes of inefficiency, the general consensus of opinion, I think, is that the system is unsatisfactory. The volunteers—as they are called under this system—enrol themselves for a period of a year, and can leave the service on giving three months' notice; and there is no adequate provision for discipline, and in many other respects. It does not in any way proceed upon the assumption that the State is bound to protect itself. Whenever the Volunteer Estimates have been before this House there have been great complaints that the present

system is unsatisfactory; and it has even been suggested that it was not expedient to continue to vote money for it. I think there can be no doubt that we in Queensland ought to recognise the duty I have pointed out. There may be some countries in the world that need not defend themselves, but, sir, such countries are not particularly respectable, and are not those most deserving of consideration or imitation. In this colony we are peculiarly exposed to attack in many parts. Probably there is no more defenceless town in the world than Townsville. What would that town do if attacked by even a small force? If it were attacked by one or two boats, with guns or mortars capable of shelling the town, it would be absolutely defenceless—absolutely at the mercy of the attacking vessels. We have during the last two or three years taken some steps to protect our coast. I was very glad, when I was in opposition, to assist the hon. gentleman then at the head of the Government in the proposal he made for the defence of the coast line of the colony, under which there are two gunboats now in course of construction; and I hope they will shortly be in the colony. Beyond this, no other steps have been taken for the purposes of defence, and I hope that on this question, which is in no sense a party question, both sides of the House will assist in making such provision as is best adapted for the defence of the colony. I do not claim for this measure any originality. There are various systems in different places; but the system which I believe is generally admitted to be the most successful and the most satisfactory is that in force in the Canadian Dominion; and that has been taken as the basis of this Bill, although it differs from that system in very many particulars. It proceeds upon the assumption that the colony is bound to protect itself; that in the case of war or invasion every man capable of bearing arms is, if necessary, bound to assist in the defence of the colony. It assumes that a defence force cannot be got together and made effective instantaneously; but that there must be in the colony, if it is to defend itself, a sufficient number of men who have received a certain degree of training. It is recognised that that training cannot be given without affording the opportunity of seeing how things should be done; it cannot be given by mere verbal instructions—without the opportunity of imitation. It also recognises that the persons who are in the first instance liable to serve for the defence of the country, and who should, therefore, be first drawn upon, are those who have no family attachments. Proceeding on these lines it is proposed to declare—the Bill does no more—that all adult male inhabitants of the colony are liable to serve in case of necessity, unless they are exempt. Some exemptions, of course, there must be. The exemptions are judges, superior and inferior; clergy, professors in any college or university; and teachers in religious orders, officers of gaols and lunatic asylums, persons disabled by bodily infirmity, and—a most important exemption—the only son of a widow, who is her only support. Then it is proposed—and in this we have followed the practice and principle of the Canadian system—to divide the male population into four classes. The first range from eighteen to thirty years of age, who are unmarried, or widowers without children—that is, without family attachments; secondly, those from thirty to forty-five, also without family attachments. Then the third class are men between eighteen and forty-five, who are married or widowers with children, and the fourth class are the rest of the male population up to sixty. If it should be necessary to call upon the defence force for active service, they will be

called upon in that order. I do not think any better order than that could be suggested. I should be very sorry indeed to think it would be necessary at any time to call out the fourth class in this colony. The force is proposed to be divided into a land and marine force. It will certainly be necessary for us to get a marine force to man our ships. There are numerous formal provisions to which I need not advert in detail. With respect to the constitution of the active force, it is proposed that the actual number of men who will be enrolled in the active force shall depend, as in England, upon Parliament, because the vote must be submitted annually to Parliament, and if Parliament thinks the provision made is too great it can reduce the vote. We do not propose, as in one of the neighbouring colonies, to take a vote for three or five years in advance. It is not proposed to depart from the old constitutional practice of making the military force depend on an annual vote of Parliament.

The HON. SIR T. McILWRAITH: You limit it.

The PREMIER: I was going to say that by clause 8 we propose to insert a maximum of 2,000, but we do not propose at the present time to ask for a vote for so large a number. Though it is considered expedient to insert that maximum, the actual force proposed on the Estimates will be a considerably less number. In the first instance the force is proposed to be constituted by volunteering, and I have not the slightest doubt that there will be found in the colony more than enough volunteers to fill up the corps. At the present time applications from many parts of the colony to form corps are in abeyance pending the settlement of the subject by Parliament, which has been promised for some time. We propose that corps shall be established when considered expedient by the Governor, who is of course to be commander of the forces as Her Majesty's representative. They are to be assigned to different districts. That probably will be the operation of the Act so far as the constitution of the corps is concerned; in fact I am confident that will be the actual operation of the Act, and that it will never be necessary to resort to the other provisions which are contained in the Bill, and which must be contained in any Bill which distinctly recognises the importance of placing on the Statute-book an enunciation of the principle that it is the duty of the State to defend itself—the duty of the male inhabitants of the colony to defend the country. The 13th section provides what I have just stated:—

"Whenever the Governor has appointed that any corps of any branch of the service shall be established in any district or place, any man volunteering to serve therein shall give in his name to a person appointed for that purpose by the Governor, and, so soon as a sufficient number of men between the ages of eighteen and forty-five years have so volunteered, the corps shall be deemed complete."

We do not propose to let men come in after a sufficient number have volunteered, and priority is to be given to members of existing corps. Then it is proposed that the term of service shall be three years, and after a man has served that period in a volunteer corps he shall be considered to have performed his duty until the other men in the colony have performed theirs. The 18th section provides for balloting, which, perhaps, will be objected to by persons who object to military service altogether; but if it be recognised that we require a defence force we must provide for keeping it up. It is provided by the 18th section that, if a corps has been reduced below, or is not formed up to, the proper strength, it can be raised to its proper strength by the Governor. For that purpose a

sufficient number may be drawn by ballot from the men in the district in which the corps is established. The ballot is to be taken from men in the first class—that is, unmarried men between the ages of eighteen and thirty; and if there are not enough of them, then it will be taken from unmarried men between thirty and forty-five. Beyond that it is scarcely necessary to go, because there is no possibility of a corps not being made up from these classes. Power is given by clause 20—

Mr. MOREHEAD: That is a peculiar clause.

The PREMIER: The clause is not peculiar; it is a very ordinary clause. What the country requires is to get a sufficient number of men.

Mr. MOREHEAD: The latter portion of the clause.

The PREMIER: The hon. member adverts to the latter portion of the clause, by which it is provided that, if a man who serves as a substitute for another himself becomes liable to serve, the man whose substitute he is shall again become liable to serve. If the substitute is liable to serve he is performing his own duty, and not the other man's; so that the first man will still be liable to perform the duty unless he provides another substitute. A man may retire from the corps on six months' notice; that is provided by the 27th section. Then, sir, I pass on to the provisions with respect to the permanent force, who will serve the important function of taking care of what we have to take care of—arms, ammunition, and forts—which must be in the country if we are to have a defence force at all; and who will perform duties now performed by salaried persons, and will give persons who desire to understand the art of defence the opportunity of learning the business by practical experience. It is proposed by the Bill that the permanent force shall consist of not more than 150 men. That is, however, a larger number than is at present contemplated. The number at present contemplated is just over 100; but it may be necessary to employ some others to take care of various forts besides that at Lytton, wherever they may be established. They will have to look after the ammunition, armouries, and so on, and will be engaged all their time. They will not be an idle body of persons, but will be actually engaged in work that must be done by somebody. In addition to that they will form a practical school of instruction, to which the officers of the different corps in the colony can be attached from time to time, as they think fit, receiving such pay as Parliament may vote. While so engaged they will be in the same position as if attached to a regiment in the army for a certain time, and will be learning their duties practically. I have reason to believe that advantage will be taken of this provision by many officers in the different corps of the colony; that they will ask to be attached for such periods as they can spare—for a month or two months—to this permanent force, in order to learn the actual daily routine of discipline, under a system of instruction which at the present time they simply cannot get. It is not fair to expect any officer or person desiring to be competent in any branch of science to become competent unless he has an opportunity of learning; and no learning of that kind is complete when learned from books only. I do not speak from personal experience, but I may say that the system has been found in Canada to give the greatest satisfaction. There the volunteer officers go and attach themselves to the permanent force, where they remain for shorter or longer periods until they not only become competent themselves, but become competent to

teach others. It is proposed that the permanent force shall consist of a certain number of paid men permanently attached to the force. They will, of course, be a corps of artillery, in which especially full practice is required. Anybody who has seen our volunteer artillery handling the large guns at Lytton will recognise at once how impossible it is for men to serve guns of that kind without more practice than can be got in the few days' annual practice for which provision is at present made. What is the use of artillery unless the men have an opportunity of becoming skilled in the management of it? For myself, I confess I should feel perfectly useless—probably worse than useless—if I were attached to a battery of artillery at the present time; and I do not think that any man, unless he possesses a great deal more than ordinary aptitude, can become efficient in the use of those instruments of warfare without fair opportunity of continuous training. Then we propose that there should be a certain number of salaried men attached to the force,—namely, a quartermaster sergeant, a master tailor, four sergeants, four corporals, four bombardiers, two trumpeters, and sixty gunners. That will be the force receiving daily pay, and will form the permanent force. In addition it is proposed that there should be, on an average, twenty-five non-commissioned officers and men from different corps under instruction, the total number at present proposed being 107. As I said before, ample occupation will be found for the permanent force, who, while not engaged in drill, will be occupied in looking after the armament and ammunition, and performing the various other duties which fall within their province. It is proposed that there should also be attached to this force an average of one captain and four lieutenants from different corps of the active force, for the purpose of receiving instruction, in addition to the twenty-five non-commissioned officers and men. A force of the kind proposed would give more than double the efficiency obtainable under the existing system, while the expense incurred will not be very much larger. The additional cost of the permanent force is estimated to be not more than £9,000 per annum. I have already referred to the proposition that the corps of artillery should have charge of the fort at Lytton. It is then proposed that men who have served in the permanent force for three years may be drafted into a permanent force reserve, and attached to some other corps in the district in which they live, receiving their ordinary pay and a small retaining fee as reserve pay. With respect to the Police Force, it is proposed that all persons who enter the Police Force in future shall become members of the defence force, and shall be liable to be attached to any corps, when ordered, in case of necessity. That is certainly very desirable. We shall then have a continually increasing body—small at first—of men who are being trained in the art of war, costing nothing in respect of being trained, and who will be of great service in case of actual necessity. The provisions with respect to officers are not materially different from those under the present system. Next come provisions as to the property of the corps, and so on, which I need not remark upon, as they also are similar to those now in existence. It is provided, with respect to drill and training, that the active force shall be trained and drilled for a period not exceeding sixteen days and not less than eight days in each year, during which each officer and man shall receive the prescribed pay of his rank. This is different from the present system, under which the only period at which the force can be called out for the purpose is Easter, which has been found extremely inconvenient. All the corps are called out at the same time, for not less than six days, terminating on Easter

Monday. Practically, that amounts to only five days—namely, Thursday, Friday, Saturday, Sunday, and Monday. The first day is spent in getting to the encampment, and the last day in breaking it up. The staff-officers can only be in one place, and consequently the practical usefulness of the annual camp of training is very much impaired. It is proposed to make the period more flexible, by fixing upon any time which may be thought most convenient. Then there are provisions for rifle-ranges and drill-sheds. The 54th section contains a very important provision:—

"The Governor may sanction the organisation of rifle corps or clubs, and of associations for purposes of drill, under such conditions as may be prescribed, and may provide arms and ammunition for them; but such corps, clubs, or associations shall not be provided with clothing or receive any allowance therefor."

That will encourage the formation of what we may call purely voluntary corps of men who desire to meet for the purposes of drill and shooting, and who will receive no remuneration whatever from the State. They may be provided with arms and ammunition, but will have to provide their own uniforms if they think fit to wear any. This provision, I believe, will be found to work in various ways in many parts of the colony. In some places men will simply form themselves into rifle clubs—associations for practising rifle shooting. In other places purely voluntary corps will be established where the men would like to wear a uniform, which they would provide for themselves. Then there are provisions for calling out the force in aid of the civil power, which are adapted from the Canadian Act. The 61st section provides that the active force, when called out, shall be subject to the Queen's regulations and orders for the army; and that when they are called out for active service, or during the annual period of drill and training, to the provisions of the Army Act. I have seen some objection made against the provision about the Army Act, but I fail to see how any effective discipline can be maintained unless the force is subjected to military discipline. There is nothing new in that. The provision is exactly the same as in the present Act:—

"Whenever any volunteer corps shall be called out for actual military service, such corps and every member thereof shall be and until released therefrom shall continue subject to all the provisions of the Mutiny Act."

It is now called the Army Act; it is only another name. They used to have an annual Mutiny Act, but within the last three or four years another system has been introduced, and an Act has been passed called "the Army Act," and every year a short Act is passed continuing it in force for another twelve months. Another provision which I should like to call attention to is in the 58th section, which enables the Governor to place the defence force when called out for actual service under the command of Her Majesty's regular forces in Queensland, or in any other place where the force is required to serve, or under the orders of any of the officers then in command of the forces of any other of the Australian colonies: that is to say, that if it is desirable, the defence force may march over the border of Queensland; and it may be placed under the command of any officer who may be appointed for the whole of the colonies. To many hon. members this may appear to be rather a startling provision, and inconsistent with the rule that we only legislate within our own limits; but, by an Act which the Imperial Parliament passed in 1881, express power was given to the Legislatures of the colonies to make provisions of this kind. The provisions for courts-martial and courts of inquiry are clear enough. The courts-martial

will be held under the Army Regulations, but, as is usual under the volunteer system, will consist of volunteer officers only. The other provisions are merely supplementary. The short scheme of the Bill may be summarised thus: It is the duty of every man to serve if required. When the numbers of volunteers fail to fill up the ranks of the different corps, and in case there is not a sufficient number of volunteers to provide for the actual defence of a place, you may have recourse to the male inhabitants in the order named, taking first the unmarried men and the married men without children up to the age of forty, before you have recourse to any other. I have indicated the necessity for making some provision for the defence of every portion of our coast. I do not suppose anyone will dispute that. It is absolutely certain that we must make some provision for the defence of Townsville. There is a volunteer force there, but a larger force could be established; and we are endeavouring to make some provision for that. Under the existing system there is no possibility of making the system at all effective. I believe this measure will have a good effect if it is passed. By it we shall affirm that it is not only our duty, but our intention to defend ourselves; and that we do not intend to entirely depend on the mother-country to defend us in case of trouble; that we really recognise the duty of defending ourselves, and we are prepared to embody in our Statute-book such provisions as will best assist to bring that about. If the Bill does nothing more than create a sentiment of that kind—even if its provisions were extraordinarily defective—it will have a good effect. At the present time the Volunteers are deserving of credit for the work they are doing; but there is no doubt that there is great dissatisfaction among the men in the ranks and among the general public. Men do not serve unless they like, and the provisions generally are unsatisfactory. It may be said that there is some dissatisfaction through defective administration. Perhaps there may be some ground of complaint on that account, though I have not been able myself to trace any dissatisfaction of that sort to any distinct cause. I have not referred to a marine force, though the Bill deals with that also. Of course we shall not have one so numerous as the land force. I commend the Bill with great confidence to the House, and I shall be glad if it is passed. I am sure that if it is passed it will not be long before the other Australian colonies will follow our example and pass a similar Bill. I move that the Bill be now read a second time.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I do not think any members of this House will question the proposal put before it by the Premier, that it is certainly our duty to provide for the defence of the colony. I think that duty has possibly been too long neglected. I think the attitude of the mother-country with regard to the colonies lately has forced the duty of self-defence very prominently before our eyes. There is not the slightest doubt that the action of the present Government in England towards the colonies, especially the Australian colonies, has indicated plainly her desire to lessen as much as possible her responsibility to defend them—making it as small as possible, both in extent and degree. I believe that her refusal to annex the islands in the South Seas proceeded from that desire; and I believe it was intimated, in as plain language as she could afford at the present to use, that we must look to our own defence. I agree, therefore, with the hon. member in saying that we must look to our own position now and do something in our defence. Whether this Bill is the best to adopt for that purpose I am

not prepared now to say; because the explanation given by the Premier was little more than reading and supplementing the clauses which hon. members have had an opportunity of reading themselves. He has not given us, plainly at all events, any reason for it. He has not explained the causes of the disorganisation of the present Defence or Volunteer Force. If he had gone into that matter, I believe, myself, we might have arrived at some steps better than we are likely to do by discussing the details of this Bill. When I was Colonial Secretary, I, of course, had to try and provide for the disorganised state of the Volunteer Force then. I quite agreed with everybody who deplored the state of affairs that existed two years ago, when the force was practically useless. I examined, as far as I could, into the principal cause of the disorganisation, and I had prepared a Bill for the purpose of keeping the force together and providing for its efficiency. The conclusion I arrived at was that there ought to be a higher subsidy from the Government towards the force. I should like to know what the effect of that has been. If it has not cured a great many of the evils, it has not borne out the expressed opinion of every one of the officers; if it has not done that, I think it ought to have done. The Bill looks at first as if, like the Immigration Bill, it had been suggested by the hon. member for Rosewood. It seems to be a chip from the legislation of old Bismarck. The hon. the Premier says that it is conscription, but that in the actual working of the system there will be so many volunteers that we shall not want conscription. The hon. member ought to have explained the causes of the disorganisation of the present Volunteer Force before he asked us to agree to a large number of new regulations, imported from a colony where it is quite possible a different state of things exists altogether. He has put before us, as one of the dangers to the colony, the unprotected position of a town like Townsville. I should like to know how this Bill will protect Townsville any more than now? If you want to protect Townsville, put a gunboat or two or three gunboats there, and fortifications. This Bill does not provide in the slightest way for that. I think that one of the principal points connected with the protection of our colony has been neglected altogether in this Bill—the hon. member refrained particularly from referring to it at all—that is, protection by sea. That is the way this colony ought to be protected from foreign aggression. A place like Townsville might be fortified, and yet a foreign force could land three or four miles away, where the guns or fortifications would be useless. The importance attributed to naval protection by the Government is not, I hope, exemplified by the use to which they have put one of their gunboats at the present time. The efficiency of gunboats depends upon their being kept constantly in use, so that we should have trained men whenever their services were required; but the present Government has, I believe, lent the gunboat to the British Government for survey purposes. Why should the British Government not bear half the expense of providing a boat for the purpose? I believe that it would be only fair if they were to bear three-quarters of the expense. So far as I can see, the Government have entered into an arrangement by which a boat which cost the colony £30,000 is to be appropriated for purposes of survey; that is the way they propose to provide for the protection of our coast! I listened patiently to the hon. member, and was very much disappointed with the reasons he gave why we should pass a Bill of this kind. The fact of the matter is, we are to take it on the assurance that the present Commandant is a man of ability and experience.

I believe he is both; but we should not be asked to take the whole thing on credit. The hon. member has not explained how the general principles of the Bill differ from the law in force at the present time. I admit that we are bound to provide for the defence of the colony; but I also insist that this Bill has missed the main point that I brought before the House when I introduced the question two years ago—the money consideration. The hon. member said not one word about what this is going to cost. He said the permanent force was going to cost £9,000.

The PREMIER: I did not mention the amount. I said the rest would cost about the same as it does at present—that is, about £23,000.

The HON. SIR T. MCILWRAITH: From the way in which the hon. gentleman has left it, it appears to me that this Bill will be debated in committee simply as a Volunteer Bill, and subject to the amount of money to be spent; and that it is very likely to be put out of operation any year by the money not being voted by the House. I should like to have heard something from the hon. member about the effect of the increase of pay upon the Volunteer Force within the last eighteen months. If he had given us information on that point I would have been able to express my views a great deal more fully. I do not intend to criticise any of the clauses, because I believe, as a Defence Bill, and as taken from the experience of Canada and of the Commandant, it is very likely to be a good Bill. I have gone over all the clauses, and must say that as a Defence Bill it will probably work very well; though there are a good many clauses not at all applicable to this colony, and some not applicable to any colony. Do I understand that this provision is for 2,000 men?

The PREMIER: About 1,300 men, besides the staff.

The HON. SIR T. MCILWRAITH: It will depend a great deal more on the amount of money that is voted than on the actual clauses of the Bill. I believe, myself, that the last Acts failed because the department was too stingy. There is no doubt that this will cost a great deal more than the old system; but I believe it ought to cost a great deal more. We will never get efficiency in the Volunteer Force unless men are paid for all the time they are engaged. The failure all along has been the want of money. If Parliament is willing to vote the money, there is no doubt that good may come from this, but it depends entirely on that point; and no doubt that is the point on which the discussion will take place. I am quite prepared, from the high character I have heard of the Commandant, to take a very great deal of this on credit; I believe it will provide a very efficient system. No doubt it will be debated more when the Estimates are under consideration than now.

Mr. BEATTIE said: Mr. Speaker,—I am certainly rather disappointed on looking over the Bill not to find some provision for what the leader of the Opposition referred to—that is, a naval force in connection with the volunteer system. I was in hopes—

The PREMIER: Look at clause 7.

Mr. MOREHEAD: That provides for horse marines.

Mr. BEATTIE: Yes, I see that clause 7 gives power to do so; and if this matter had been taken in hand some years ago there is no doubt we could have got a very large number of naval reserve men in the colony who would make a capital corps of volunteers. But, unfortunately, the whole thing has been mismanaged in some way or another. The leader of the Opposition said he did not understand how the matter

had become so disorganised. From my observation, the reason I have come to myself for the disorganisation of the Volunteer Force is, that during the last few years the system has been administered in a way which is best described by a story I remember reading at one time of a sailor who, when going into battle, knelt down beside a gun. The lieutenant in command of that particular gun, or that part of the deck, was astonished to see one of his men kneeling down beside his gun, and said, "Jack, I cannot understand this; surely you are not afraid?" Jack's reply was, "Oh! no, sir, I am not afraid; I am only praying that the shots may be distributed in the same way as the prize money—the largest quantity amongst the officers." The fact is that the largest amount of the money voted by this House for our volunteers has been distributed amongst the officers.

Mr. FORTON: No.

Mr. BEATTIE: I hear an hon. member on my left say "No"; but I have no hesitation in saying that it has been so. The greater amount of the money ought to be distributed amongst the men, to ensure that they shall be a successful and efficient body of volunteers. The volunteers deserve every credit for the hard way in which they have worked, under all circumstances. The largest amount of the sum we have voted hitherto seems to have gone for brigade purposes. I believe every man and officer in our Volunteer Corps have complained of the manner in which the business of the Brigade Office has been conducted for a long time past. Whose fault it is I do not know, but I may mention a matter which I think requires explanation. I saw in the papers not long ago that some order was issued from the Brigade Office, actually taking away £40 from the salary of an officer—I think, employed as a clerk in the Brigade Office. Although I think something like £200 a year was voted by this House as a salary for that officer, by the order of someone in the Brigade Office £40 is taken off the salary of this clerk and given to somebody else. I do not know that the Brigade Office has any power or right to interfere with the salary voted to an officer in that department by this House. I am not going to speak generally upon the volunteer system. I intend to direct my remarks to what I consider would be the advantage of the formation of a naval brigade. As has been very fairly stated, one of our gunboats ordered from England for the defence of our coast has been offered to the British Government for the purpose of completing the survey of Torres Straits and the northern part of this colony. I think, seeing that we have been so liberal in supplying a vessel to the British Government for the purpose of facilitating the survey of the northern coast of Queensland, if an application were made to the British Government for some of those vessels which they have at present lying up in Woolwich and in Deptford, they would be very glad to make this colony a present of one of them; and they would form the nucleus of a naval brigade. Instead of having those boys at Lytton in the reformatory, they could be put on one of those vessels, where they could be trained up to be useful members of society; I do not say that that is not being done at Lytton now, but if they were placed on one of those boats they would get such an education as would enable them to take their part in the defence of the colony, and make them good citizens. We may fairly ask the British Government for one or two of those vessels, seeing that we have been liberal enough to offer one of our gunboats for the purpose of finishing the survey of the northern part of our colony. I believe every encouragement should be given to volun-

teers, but I am afraid this Bill treads very closely on the militia system. Individually, although I believe every man in the country ought to do his share towards the protection of the colony in time of war, yet in time of peace, I believe, a great many persons will have very serious objection to anything in the shape of a Militia Bill being introduced into this colony. After the second reading, and when the Bill gets into committee, no doubt we will have an opportunity of expressing our opinions upon its various clauses; at the same time, I hope we will get some information as to how the money hitherto voted by Parliament for our volunteer system has been distributed amongst the officers and men. It has not been to the satisfaction of those who have willingly given their time and labour to keep the Volunteer Force up to its present state of efficiency. I know some of the officers of the various corps have spent hundreds of pounds since they joined the Volunteer Force, to be good fellows, and keep up the *esprit de corps* of their various companies. They have very largely indeed put their hands into their pockets and spent money, which they could perhaps ill afford; simply because they want to see their companies perhaps better than their neighbours. I do not think that is a position in which this House ought to place those volunteer officers. We should certainly give those officers more assistance than we have given them under the present Act, and not ask them continually to be putting their hands into their pockets to turn out their companies of men in a state of respectability and efficiency. The system of clothing the men, we know, has been for many years over and over again condemned, not only by the officers, but by the men themselves. I hope that when the Bill gets into committee we shall be able to make a good Bill of it, although I may say at once that I do not like anything that appears to approach anything like a militia. I shall support the second reading of the Bill.

Mr. MOREHEAD said: Mr. Speaker,—From what has fallen from the hon. leader of the Opposition I take it that there is no intention that we should go to a division on the second reading of this Bill. I am only sorry myself that it is not to be done, though I shall not take exception to it, after the expression of opinion we have heard from the hon. gentleman who leads this side of the House. I hold a very strong objection to this Bill, *ab initio*. I maintain that this is a great deal worse than the Militia Bill. It is a Conscription Bill; it is a Bill based upon the most stringent military laws in force in Europe at the present time. This Bill is, I believe, even more despotic in its provisions than are the Conscription Bills which prevail in the countries of Europe, although our position and the position of European countries are very different. We are not here, as they are in Europe, in the position of being compelled to defend ourselves against one another. Europe is, as has been very properly said, “an armed camp”; and we are asked now to pass a Bill to enable us to place ourselves in a similar position to those countries, surrounding each other, not knowing at what time they may be plunged into war with their neighbours. That is not our position; but at the same time I am not here to in any way deprecate putting ourselves in such a position that we should be able to defend ourselves if the necessity arose. I say we are here asked to provide a steam-hammer to crush a flea with; we are asked to pass a measure giving such powers as would only be necessary for one of those old and overstocked States that exist on the other side of the world, where there are always party quarrels and party fighting—where there is no rest—where it is the

duty of each nation to watch the other. We are not in that state; but we should no doubt place ourselves in such a position as to be able to defend ourselves against any aggression from outside. We are not likely to be an attacking power; nor is there any probability, even in the remote future, of our being attacked from outside. The time may come when Great Britain may not be able to defend us, and we may then have to take our defences into our own hands; but I hope, and everyone else hopes, that that time is very far off indeed. I most distinctly object to such a measure as this being passed unless under extreme pressure, and unless there is some very good reason set forth by the Government. Unless better and more sound reasons are given than those set forth by the Premier, we should not be asked to pass a Bill of such a sweeping character. It is a mixture of French and German, with a slight cross of the Canadian. No doubt in Canada there were very solid reasons why a measure of a somewhat similar description as this should come into existence, or should exist. There is a very long border line in that country—a border line, I am happy to say, of English-speaking races, who in years past have not always been completely at one with ourselves. As we know, sometimes the children quarrel with the parents, and that has happened with the Americans before now; and dangerous collisions have been imminent more than once within the last five-and-twenty years. Therefore, although the necessities of Canada might have demanded such a measure as this, we have not a parallel case here. Because a certain thing is necessary for them, it does not follow that it is necessary for us. I have been told, both inside and outside the House, that these conscription clauses, although introduced into the Canadian Act, have been a dead-letter; and they will be a dead-letter here. What, I would ask you, Mr. Speaker, is the necessity of introducing a Bill into this House, and asking hon. members to pass clauses which will practically remain a dead-letter? I must confess I can see no necessity for any such thing. I still adhere to the description I gave of the Volunteer Force not long ago; and notwithstanding that there is a retired major within the ranks of the Ministerial party at the present time, I will repeat that description, as not altogether an exaggerated one. I called them a “disorderly rabble,” and I used that phrase when protesting against the payment by the country of such immense sums of money for the purpose of keeping together a practically useless force. I am quite prepared to assist the Government in adopting some system by which we would really have a valuable body of men available for purposes of defence. I believe myself most thoroughly in one portion of this Bill, and that is that we should have a permanent force to form the nucleus of a large body of men in the future when required, and in the formation of a school of instruction for teaching the volunteers; but beyond that this House should not be asked to go at the present time. I am not going into the details of the measure, but I say that it is full of blemishes, and the clauses to which I have already referred show distinctly that it is a Conscription Bill. I would point out to the Colonial Treasurer that when asked by one of his constituents at a meeting at Enoggera, the district which he represents, whether he would support a Militia Bill, he said most distinctly, “No, he would not.”

The COLONIAL TREASURER: No.

Mr. MOREHEAD: I can only deal with what appears in the public papers; I can only deal with what the Colonial Treasurer is reported to have said. The question was asked

by Mr. Cooksley, if the Government intended to introduce a Militia Bill, because if so he would not support the hon. gentleman; and the Colonial Treasurer said the Government had no such intention. I have got the papers with me now in which the hon. gentleman was reported to have given that answer. The hon. gentleman has dexterously evaded the position by going in for something very much stronger—by going in for a Bismarck Conscription Bill, compelling every individual in the colony, with certain exemptions, to bear arms; and the exemptions are rather peculiar. I am fortunately exempted.

The PREMIER: You are not exempted.

Mr. MOREHEAD: The hon. gentleman need not speak so fast. I will show him how I am exempted. The exemptions are these:—First, "Judges of the Supreme and District Courts and police magistrates." Why police magistrates, and why should justices of the peace not be exempt? Next, "the clergy and ministers of all religious denominations." As far as I know, the strongest politicians and the most gifted men exist in the ranks of the clergy; and they have ever fought when required. We have heard in the old days—in the days of Cromwell—of bishops going into the field of battle; and the clergy have been the cause of fighting in others, if they have not fought themselves. I do not see why they should be exempt. Then come "the professors in any college or university, and all teachers in religious orders"; the superintendents, gaolers, and warders of gaols; and the officers, keepers, and warders of all public lunatic asylums; "also persons disabled by bodily infirmity." Would the Minister for Lands be "disabled by bodily infirmity"? because a worse-tempered man I never came across; and I should think that possibly if a man was very bad-tempered he might, by an error of judgment, commence the battle too soon and bring the army to grief. Then we come to the 3rd subsection, which I think would exempt a great many of us:—

"Any person otherwise subject to military duty, whom the doctrines of his religion forbid to bear arms or perform military service, shall be exempt from such service when balloted in time of peace or war, upon such conditions as may be prescribed."

Well, I can assure the hon. gentleman that, if he passes this Bill as it stands, the doctrines of my religion will most certainly forbid me to bear arms. I should certainly be exempt on that ground; and on the ground of Christianity—of the great Christian doctrine that if a man smites me on one cheek I should offer the other. Can there be any stronger argument against a true Christian becoming a soldier than that example? I certainly think that under the 3rd subsection I am entitled to exemption. Then the 6th clause says:—

"The male population liable to serve in the defence force shall be divided into four classes, as follows:—

"The first class shall comprise all men of the age of eighteen years and upwards, but under thirty years, who are unmarried or widowers without children.

"The second class shall comprise all men of the age of thirty years and upwards, but under forty-five years, who are unmarried, or widowers without children.

"The third class shall comprise all men of the age of eighteen years and upwards, but under forty-five years, who are married, or widowers with children.

"The fourth class shall comprise men of the age of forty-five years and upwards, but under sixty years.

"And whenever it is necessary to call upon men to serve in the defence force, they shall be so called upon in the order aforesaid."

There seems to be no provision as to ascertaining the truthfulness or otherwise of the statement of the person claiming exemption. I have seen men grey-headed at twenty-three; I have seen men of sixty-five without a grey hair in their heads; and I have seen plenty of men who claimed

they were fifty-five, when they were really only thirty. The whole Bill savours of German tyranny—an attempt at German tyranny. It clearly shows that the German element on that side of the House has altogether got the better of the judgment of the Premier of this colony. We have here a system proposed to be brought into force which does not exist in any other English-speaking community except, I am told, Canada; where, as I pointed out, the circumstances are vastly different. As to the proposals to put retired volunteer officers into better positions, I maintain that there are too many lieutenant-colonels in this colony; the whole place is full of them. We have got lieutenant-colonels and majors; and how we have not got beyond a lieutenant-colonel I do not know. I suppose no man can rise above that rank, or at any rate, if he does, he graciously retires. I have seen lieutenant-colonels who can well afford to be volunteers. I have seen one who is so attenuated in stature that, no matter how enthusiastic or desirous an enemy might be of driving a bayonet through him, it would take a quarter of an hour to hit him. I also know one who certainly, if he was most desirous, could not possibly avoid the blow of even the most unskilful wielder of the bayonet. I altogether object to the lines upon which this Bill is drawn. I object to the principle of the Bill, on the ground that it even goes beyond the principle which I do object to—the principle of the Militia Bill. It is founded on the principle of a Conscription Bill. I maintain further that, when this Bill—and in this particular it is like other measures introduced by this Government—was introduced we should have had set before us what the cost of it would be to the taxpayer of the colony. We have not the slightest idea, from what has fallen from the Colonial Secretary, what the cost—even the minimum—of the scheme of defence will be under this Bill, if it becomes law. The same thing, I say, has occurred in every Bill they have brought forward. They seem to feel that money is of no importance whatever. So long as they go in for political fireworks, they do not care how much it costs, or who pays the piper. That is the position they have taken up in regard to this Bill, and the position they have taken up with regard to the Land Bill, and the Immigration Bill—which, I suppose, they have abandoned for ever. These are three important Bills they have brought forward this session. On not one occasion have they deigned to tell the House how much it is to cost the Treasury. I believe, myself, that if the Bill, or anything approaching the Bill in its present shape, were passed it would cost the colony an enormous sum of money, which would have to be counted by tens of thousands of pounds. But if we are to be asked to go into such a large expenditure, we ought to get, at any rate, full value for our money. I do not think we will get full value for our money if this Bill becomes law. I am quite prepared, even if I cannot evade the 3rd subsection of the 5th clause, to pay a deputy. Possibly I may be alone in holding this view, but I should much prefer, if I have to be shot, Mr. Speaker, to be shot by deputy. If the necessity should ever arise that I should ever have to sacrifice my life for my country, I should much prefer to do it through a man whom I pay to do it for me. I admit that this is an eccentricity that has been developed by other people before me; and not only that, but I say that under the 20th clause a difficulty may arise that was pointed out to me by a friend of mine before I spoke, as regards the shooting of your substitute. It appears to me that there is no clause providing for that—that if your substitute is shot, who is shot?—whether it is you, or your substitute; or

whether you have to go again into the field of battle, and again risk the enemy's deadly ball, by paying another substitute, and so on until your bank becomes exhausted? At any rate I hope the Bill will not follow me so far that that will be the case. I take it that if I sacrifice two or three substitutes I should be allowed to rest my bones in peace, in this colony, not in any way injured by the vengeful bullet. Those are all the objections that I take to the Bill. I have to a certain extent poked fun at it, because I like to point out its absurdity. It is a Bill that should never become law, and never will if I can prevent it; because I think it is a Bill that is not only unnecessary but at variance with the traditions of the British race. No such Bill exists in England, where there is a much greater danger of invasion by a foreign power than exists here. I maintain, therefore, that if England can do without a Conscription Bill Australia can.

Mr. FOXTON said: Mr. Speaker,—I have listened with some interest, not unminged with amusement, to the speech which has fallen from the hon. member for Balonne. I am pleased to find that it is likely, if ever an invasion does take place, that he will avail himself of that 3rd subsection of the 5th clause. But the hon. member may have reckoned without his host. I think he said that it might be possible that a strong Christian might object to fighting. That, I believe, was the ground upon which he proposed to exempt himself. I call his particular attention to the fact that in exemption under the 5th clause, whether on the ground of age or otherwise, the burden of proof shall be on the claimant. I am not aware that the hon. member will be able to convince any set of unprejudiced men that he does possess true Christian principles.

Mr. MOREHEAD: I might be a Quaker.

Mr. FOXTON: If the hon. gentleman is, I will give in. The hon. gentleman also mentioned that certain men might claim exemption on the ground of age; that he has seen many grey-headed men who looked very much older than they really were. But they must prove their exemption just as a juror must prove his exemption from serving on a jury: that is a quite sufficient safeguard against anything of that sort. The hon. member mentioned also that the Premier, in introducing the Bill, had given us no estimate of what the cost would be. I thoroughly understood the hon. Premier—certainly after he had sat down—to inform the House, tolerably clearly, that the cost would be somewhere about £32,000 or £33,000 per annum, including the cost of the permanent force, which is to be about £9,000; and the remainder of the estimates will be somewhere about what it is now, which, I think, he stated to be about £23,000. The hon. gentleman says he has poked fun at this Bill. It is not the first time he has poked fun at the subject or at the volunteers, and I do not think his poking fun does him any credit. I can appreciate the hon. member's jokes as well as anybody else when they are fit and proper; but an hon. member who distinctly states, himself, that he will, if he possibly can, get somebody else to be shot for him if the emergency arises, is the last man who ought to poke fun at those who are prepared to defend their country, if necessary, with their blood. The hon. gentleman promised to give his best assistance to formulate any good scheme for the defence of the country, but what he may think a good scheme I do not know. He condemns the present system utterly—that is, the one at present in existence; and he condemns the scheme put forth in this Bill, but does not say one word as to an alternative scheme. He says he would support, as I believe everybody else

would, an efficient scheme of defence; but he has failed to tell us in what way that defence force should, in his opinion, be organised, or upon what principles it should be instituted or drawn. The hon. member also said that this Bill was an attempt to make Queensland an armed camp. I did not quite catch his words, but I think that is the substance of what he said. Now, sir, this scheme—or something very similar to it—has, as I believe everybody will admit, worked admirably in Canada. The hon. gentleman further stated that some portion of the scheme is a dead-letter in Canada. I do not know whether he referred to that portion which compels service. Perhaps the hon. gentleman will say whether that is the part to which he referred.

Mr. MOREHEAD: I did not say the scheme had failed in Canada. I said that a certain clause is a dead-letter in Canada; that clause being the one that deals with the conscription, as I prefer to call it, under this Bill.

Mr. FOXTON: That is the answer which I wished to elicit from the hon. member. Now, the reason that that provision is a dead-letter is because the emergency has never arisen, so far as I am aware, when that clause would be shown to be an absolute necessity—that is, the day when Canada should have to meet a foe which would demand all her resources and require every able-bodied man to be called out. That is the scheme here. This Bill proposes, as I read it, that nobody shall be liable to serve unless there is an emergency. I should like to see the man, except the hon. member for Balonne, who would stand up in this House and say he is not prepared to take his share in the defence of this our native land—I should say my native land—our adopted country. I see that in other countries people are doing it, and why should not Australians do the same thing? It is absolutely necessary that we should; there is no doubt about that. No nation has ever attained to greatness unless it has had the power and the will to defend itself from foreign aggression, and prevent its industrial accumulations from being taken away. That argument holds good to-day with greater force than it did twenty years ago, before the present system of levying large indemnities by victorious armies had become a recognised custom. It is the levying of these large indemnities that we have to fear in this colony; and it is in that respect that I think the colonies are England's weakest point. I do not suppose there are any nations on the earth that could land an army in England with any hope of ultimate success, but to attack the colonies is a different matter. The very fact of our being prepared and armed would be one of the surest means of preventing aggression of any sort. I think the leader of the Opposition raised the objection that the hon. the Premier did not state what are the causes of dissatisfaction with the organisation of the present force. I am prepared to admit that the force, as at present constituted, does not realise our expectations of it, and the causes are not far to seek. It is not worth the money expended on it; I say that freely, although I have been a volunteer on and off for the last fifteen or sixteen years. But the cause of failure does not lie with the men—with the *personnel* of the force—but with the system. Our system is a mere half-and-half system; it is neither one thing nor the other. The greatest, the most palpable, cause of failure is the want of discipline in the force; the very thing which some hon. members who have spoken this evening—I forget who—have objected to in this Bill. They say it is too stringent in its provisions. But I can tell hon. gentlemen that the volunteers do not care how stringent the

provisions are; they know that their own efficiency, their own standing, depends to a very great extent upon the discipline which can be enforced among them. There is another fact connected with the causes of failure of the existing system. At the present time men enlist just before the annual encampment; they earn what is called their recruit pay, they go into camp, they have a very good outing for five or six days, and in very many instances we hear nothing more of them. Those men have been provided with uniforms, which we have means of compelling them to return to the orderly store, but they are partially worn uniforms, and men joining after that naturally enough object to put on old clothes. This method of dealing out old uniforms to newly enlisted recruits is one of the chief causes which prevent us getting a better class of men. Another defect in the present system is the provision for the election of officers. I think, myself, that no officers ought to be elected by the men; all officers should undergo a thorough test examination before they are appointed. Should hostilities arise, and should they be called out, an enormous responsibility would rest upon them, and if they were unable to perform their duties properly they might endanger the lives of hundreds and thousands of their fellow-colonists. With all respect to the gentlemen who now hold office, I must say that there are officers in the force at the present time who do not, I think, realise the responsibility that would rest upon them under such circumstances. They are very few, I admit, but there are some. Another cause of failure in the present system is that the volunteers are not recognised as forming a department of the Government as other departments are recognised. This has been very graphically referred to in the report of Colonel French, which has been laid on the table of the House. I regret that I have not got it, as, if I had, I should quote from it. It was to this effect: that the other departments of the Government, one and all, did not recognise the Defence Department—if I may so call it—as one of themselves. Whenever the force, or members of the force, had to travel by rail, difficulties were thrown in their way; they had to come in after ordinary traffic at times to suit the convenience of the Railway Department. When the encampment was held at Westbrook it took ten or twelve hours to do a journey which is usually done in very much less time. The barracks, which naturally forms part of the property of the Defence Department, has been taken away; and in every other way the force has been, as it were, snuffed out. No sympathy is shown with them in any way, either officially or otherwise. That is another cause of failure in the present system: they are not properly recognised as an integral portion of the scheme of government. Admitting that the present force is more or less a failure, I wish to say one word before passing on, in regard to something which fell from the hon. member for Fortitude Valley, who said that a large proportion of the money voted went into the pockets of the officers. The hon. gentleman has since explained to me that he did not mean the officers as a whole, but the officers who are paid permanent salaries, the brigade officers—the staff, in fact. I would point out to the hon. member that a considerable proportion, it may be, of the money voted does go in that way; but he must bear in mind that a staff is necessary, whether it be a large force or whether it be a small force. Probably the same staff which can direct and administer a force costing £10,000 a year would be able to do the whole of the work which is necessary to organise and administer a force costing £100,000 a year; so that is scarcely a fair way to look at it. You must have heads

of different departments; because, more or less, our defence force must be a skeleton force capable of expansion, and therefore, where the money voted is small, it naturally follows of necessity that a considerable amount is swallowed up in the salaries of permanent officers. That there has been any fault in the administration of these officers, I do not think there is any ground for stating. Of course mistakes will occur in every department; but I venture to say that the Volunteer Force has been as well managed—more especially lately—as any department in the Public Service. There was another matter referred to by the hon. member. He mentioned that money had been voted for one purpose and appropriated to another; but I believe, sir, from what I have heard, that the matter referred to can be satisfactorily explained; and I have every confidence that it will be so explained. I am quite sure that the gentlemen who have charge of the Brigade Office are quite alive to their responsibilities, and that they carry out their duties in a thoroughly proper and efficient manner; and I am satisfied that a proper explanation of the matter to which I have referred will be forthcoming at the proper time. Now, sir, granting that the present force is not all that it ought to be, and also granting that it is our duty to defend ourselves—and in this connection I would mention that the Imperial Government spend considerably over £100,000 a year in our naval defence—granting that, it is our duty as a community—as a nation, may I say?—to at all events contribute to our own defence; the question arises—What is the best thing we can do? There are two methods. One is to have a paid standing army; the other is that we shall have citizen soldiers, as they are commonly called. I take it for granted that no person will venture to assert that a standing army is either advisable or necessary, or within our means in this colony. The being so, how can we best make efficient our citizen soldiers? I say, sir, that this Bill, so far as I am able to judge, carries out the idea of the thorough efficiency of citizen soldiers. Nobody will deny, I presume, that the persons who ought to defend the country, if it is necessary to sacrifice themselves in its defence, are those persons who have fewest family ties; and I think this Bill provides most efficiently for that. Those from eighteen to thirty years who are unmarried, or widowers without children, will be first called upon, and there are a great many of them; secondly, those from thirty to forty-five years who are unmarried or without children will be taken; and then come the married men. I think nothing could be fairer or more just than that; and I shall blush for any Australian who will not respond freely when called upon under such a scheme, it always being understood—and I understand that such is the scheme of the Bill—that they are not called upon unless the necessity or emergency arises. The permanent force, sir, will be about the most costly item of this scheme; but I venture to say that it will be very well worth the money. I know that there are some hon. members, and a very large number of persons outside the House, who hold that it is not necessary to do anything more than establish what are called rifle clubs. People who talk in that way do not, I think, as a rule, thoroughly understand what they mean by the expression “rifle club.” There seems to be an idea that it is sufficient to put a rifle into a man's hands, and give him a certain quantity of ammunition to practise shooting with, and that when he becomes a marksman he is as good as anybody else. The defeat of the British troops by the Boers of South Africa is frequently quoted as an instance of this. The

people who quote the Boers in that connection do not seem to know much about the matter. It is quite a mistake to imagine that those men were untrained. They are virtually soldiers from the time they are able to handle a rifle and ride a horse. Vast numbers of them earn their living, or at all events add to their earnings, by the use of the rifle. Moreover, they are at continual warfare with the surrounding native tribes. I forget the exact number now, but I went into the subject and counted up how many small wars they had had within a generation, and I think it was something like six or eight—nothing very serious, but still sufficient to show that these men were more or less trained. Another reason of their success—and a reason why they should not be quoted in connection with rifle clubs in this colony—is that their territory lies at a distance of some 400 miles from the seaboard, and is only accessible through mountain passes. They defeated the British at Laing's Nek just as a small force might defeat a very large one attempting to come through Cunningham's Gap. There was no railway; the road was a difficult one, and the British troops were thrown back; but all their assailants were mounted men, and they fired at our troops from behind cover—they were entrenched. On the Majuba Hill the same thing occurred. In fact it is impossible to draw any comparison between those men and ourselves, who would have to defend this colony on the seaboard. Brisbane is within twelve or fourteen miles of the seaboard; it is easily accessible, and we should have to oppose trained troops with trained troops. Moreover, in those rifle clubs it would be impossible to secure the proper preservation of the weapons. From my own experience, I know that it is a very difficult matter to make the men keep their weapons clean and properly looked after, as it is; but if the rifles were distributed broadcast, all over the country, the Government would never see one-half of them again, and ninety-nine out of every hundred that did come in would be in such a state that they would be almost useless. I say, without fear of contradiction, that unless the men are kept under discipline they will not take proper care of their weapons. Even granting there is no force in that objection, how on earth could an officer, commanding a number of troops, convey to them in action, his orders, unless they are trained men? If they are merely marksmen, without any drill—and I understand that the objection to an organised force is that drilling is all nonsense—how is a commander to handle his troops, and give them the necessary words of command, more especially in the present day, when infantry operations are carried on to a great extent by skirmishing? A commander must be able to hold his troops in hand, and advance or retire them as he may wish. Those are excellent reasons why it is absolutely necessary that there should be a thoroughly drilled force, and why mere rifle clubs, as the mainstay of our defence, would be perfectly useless. It is necessary that our defence force should be even more highly disciplined than the volunteers in England, though the latter are a very fine body of men; for in England the volunteers may be regarded as the third or fourth line of defence, whereas our force will be the first and only line of defence. If, under the proposed system, the men, apart from those of the permanent force, are to be paid not more than they are at present, I am of opinion that it is a low rate. I am not prepared to say that it is too low; but I certainly think that higher pay would secure better men. I am speaking, not of officers, but of non-commissioned officers and men. Still, there are certain encouragements held forth to the men under this Bill which will compensate them for any shortcomings in

that respect. For instance, they will be entitled to precedence over other persons for certain non-clerical offices under the Government, after having completed their service of three years; and they will be entitled to free passes on railways in coming to and going from drill. It is within my knowledge that many men spend a proportion of their pay in travelling backwards and forwards to their drills. That expense should certainly be paid by the Government; that is to say, they ought to receive free passes. The question has been brought up, time after time, and it is another instance of the way in which the volunteers have been always pooh-poohed by the departments. The objection has been that such a concession might be abused. So it might, but there are means of punishing any abuse of it. The volunteer would have to be in uniform or to carry a rifle, and he ought to be called upon to say that he was travelling to or from drill; and he ought to be supplied with a pass only to be used for that purpose. Officers in other departments, holding no higher social grade than many of the volunteers do, are allowed railway passes, and they travel backwards and forwards at their own pleasure. I scarcely see why the same concession should not be given to volunteers in uniform travelling to and from drill. But that is one of the instances in which the departments are continually throwing cold water upon the Volunteer Force. The pay is 6s. a day; and I am perfectly prepared to admit that it may be considered a fair wage for the work that is done, provided it is continuous work. But then it must be borne in mind that these men only get it in dribblets as it were; it is not continuous work. They receive it every quarter; some of it is deferred, and they receive it at the end of twelve months. Then they get the camp pay as well. If the force is to be made effective, it is necessary that there should be some system of deferred payments, so that if a man wants to get it he must serve to the end of the three years. At the present time he may be called out for half-a-day; but some of his friends may be going down to the Bay, and he may go with them. What is 3s. or 3s. 6d. to a man when he wants half-a-day's pleasure? It is nothing; but if he not only loses that pay but loses some of his deferred pay also, the force would be regulated more efficiently: a man might have a considerable amount of deferred pay, and he would get it in a lump sum at the expiration of his term of service. I know that never was the Volunteer Force so efficient as under the land-order system. I do not hold with that system, because it has some evils; but for the efficiency of the force it was an excellent scheme. Men knew that at the end of the period of five years they would get something which was worth money in the meantime. I am glad to see that there is a provision in the Bill for the defence force to serve outside the colony. That was very strongly advocated by Colonel Sargood, the present Minister of Defence in Victoria, in framing the Victorian scheme of defence. I venture to say there is no gentleman in Australia who is better qualified to give an opinion on colonial defences; he has devoted a great deal of time and money to it. His argument was—and it is a good one—that Melbourne might have to be defended off Sydney or even off Brisbane, and it might be necessary for the colonies to combine their forces, so as to be able to concentrate them at one particular point. It was also suggested that camps might be formed at various times in the different colonies to which troops could go from other colonies and be manœuvred together. The completion of the through line of railway from

here to Sydney and Melbourne, and even to Adelaide, will of course greatly facilitate this, and be one of the greatest factors in the defence of the colonies. I do not know that I have anything more to say. I have gone through the Bill very carefully, and I heartily approve of it in every way. Let there be no mistake on the part of hon. members; volunteers do not in any way object to the most thorough discipline. They know that if there is thorough discipline, and if the force is governed strictly there will be efficiency, and the effect will be that it will occupy a better position with regard to the community than it otherwise would do.

Mr. CHUBB said: Mr. Speaker,—As an individual who for nine years was a volunteer, perhaps I may be allowed to say a word or two on this Bill. The 4th section simply enunciates a truism, inasmuch as it says that the Governor may require all the male inhabitants of the colony capable of bearing arms to serve in case of war or invasion. Now, it is part of the law of nations that every citizen shall bear arms in defence of the State. In the olden days the king had the right of calling out all able-bodied men and compelling them to follow him to war; and we know that with the old republics of Greece and Rome their greatest prosperity was in the days when their armies were composed of their own population. It was only when they employed mercenaries that those great republics began to decay. It is proposed in this Bill to declare what is the unwritten law of the land—that every man shall bear arms in the defence of his country. It is true that by modern practice laws are required before you can compel citizens to bear arms, but it is much better to have a statute in force giving power to the authorities to call out the able-bodied men of this colony, rather than in an emergency to have to summon Parliament to pass a law giving the power which this Bill proposes to do. I do not intend to go into the details of the Bill. The hon. member for Carnarvon has already somewhat elaborately discussed its principles. What I have to say mainly I shall reserve until the Bill gets into committee; but there are one or two things I should like to refer to. Certainly the scheme will be a strong premium to marriage, and many men now included in the first and second class will be anxious to get into the third class—probably my hon. friend the member for Blackall amongst the number.

The PREMIER: He is safe.

Mr. CHUBB: I approve of the 27th clause very much. It is the one that gives persons who have served in the defence force a prior claim for appointments in the Public Service if they are candidates. I do not see, however, how the prior claim is to have effect. It simply gives them a prior claim whether they are appointed or not. They may ask for consideration owing to having been volunteers, and, all other things being equal, they will have a prior claim; but it will still remain in the hands of the Government whether they are appointed or not. It does not give them any legal right; it simply says that a man shall have a claim, though that claim may be worth something or nothing. Clause 30, which provides that the Police Force may form a portion of the defence force, is a very good one. I am not sure whether it means that members who hereafter join and sign the agreement will have preference over members of the force at the present time, having joined the Government service without reference to this Bill. The Bill says that, when promotion or other reward is to be given, preference shall be given to a man who has signed the agreement over a man who has not done so.

I am inclined to think that every member of the Police Force will sign the agreement; but assuming that anyone should not wish to do so, it would be rather hard that his promotion should be postponed in favour of a man who had chosen to sign it. It would be to a certain extent tacking on to his service a condition he did not contemplate when he joined the force. The 47th clause provides, I see, for a course of drill not exceeding sixteen days and not less than eight days; and for that period the men called out are to receive pay. Well, sir, I am inclined to think that, if you pay volunteers, you, to a certain extent, do away with the voluntary principle. I would far rather see this defence force purely voluntary, and no pay whatever given. The term "volunteer" applies to a man who gives his service voluntarily and gratuitously, and is inapplicable to a man who is paid. I am aware that some years ago it was thought advisable—indeed necessary—to provide for paying volunteers; but I believe there are many old officers of the force who are of opinion that it is a bad system, and that the old system without pay was much the best. Of course it may be said that you would not get those volunteers to come out to drill for this long period of time unless they were paid; and I know that the militia are paid at home when they go out for their six weeks' training every year. This Bill apparently applies that principle; and I have no objection, except the sentiment that, being volunteers, it would be better that they should not be paid. Referring to the 55th clause, which provides for military instruction at schools and colleges, I think it is a clause which is a very useful one, and might be improved upon. I believe that we should make it compulsory upon all our students attending the Grammar School, above the age of twelve years, to receive military instruction. The country pays a very large sum of money indeed for education, and that is the place where we could get at the boys at the earliest period. The lads growing up there are most of them over twelve, and are able to receive military instruction. I believe drill should form a compulsory part of the education, and that it should be given in school hours. At present, joining the Cadet Corps is optional, and I believe that in the Brisbane Grammar School the Cadet Corps does not number more than probably one-fourth of the boys who are eligible. If it were made compulsory, when the boys left school they would have gained a considerable amount of training, and would be able to enter the defence force in the locality where they resided; and even if they did not do so, the training would be of use to them if ever they were called out. With regard to the permanent force, I understood the Premier to say that the cost of that is estimated at about £9,000 per annum. I read the report of the Commandant with reference to that. In Appendix B to his report of the 10th March, 1880, he gives the cost of what I take to be the permanent force, at £8,451. That provides for a school of instruction, consisting of certain officers, sixty gunners and drivers, and so on. But I see that no provision is made for barracks. If we have a permanent force, I presume barracks would be required, and, having an artillery force—field batteries—stabling would be required, and also horses. That would add rather considerably to the cost, and I am inclined to think that £9,000 is too small an estimate. There would be the interest on the first cost of buildings, and, after that, there would probably be from £10,000 to £12,000 required. But I do not think that would be too much to pay for the permanent force, which would form the nucleus of the defence force. It would be a trained body able

to impart instruction, and would form a rallying point round which the defence force would be able to manoeuvre when they were called upon for active service. I therefore think that if the House will seriously set itself to work and treat this Bill in the spirit in which it is offered—not look upon it as a party measure, but try to make it as perfect as possible—we may have the credit of passing the best Bill of the kind in force in the colonies. From my experience I say that we shall never have an effective force if Parliament puts a check on the expenditure. We must find the funds. It is no use passing a Bill of this kind, providing for a permanent force, and then voting one-fourth or one-half of the money required; we must vote as much as is wanted, and be by no means stingy. I know that in times past not only the officers but the men have paid considerable sums of money for uniforms, and not long ago I saw a guard of honour which, so far as their appearance went, seemed to me most discreditable. I do not reflect upon the staff or the men themselves—they could not help it. They had helmets that did not match and were dirty and ill-shaped; they had uniforms that had been worn by other men—ill-fitting, and partly worn out, and extremely dirty; and altogether, although they did their best, they presented a very lamentable appearance. If we expect to have a good defence force—an effective force—a force men will join freely and take an interest in—we must provide them with decent uniforms, and not leave it to them either to stay away, as many have done, because they were ashamed to appear on parade, or to put their hands in their pockets. If we wish for an effective force we must pay for it. I shall cheerfully give my support to the Bill, both now and in committee.

Mr. FOXTON: I wish to make a personal explanation. I made a mistake in saying that the amount of pay privates received was 6s. a day; I should have said "7s."

Mr. MACFARLANE said: Mr. Speaker,—I have nothing to say against this Bill. It may be a very good one, but I do not think the time has yet come when the country should demand such a Bill as this for our protection. I look upon this as a Bill which, if passed, will entail a considerable amount of expense upon the colony. Looking cursorily over it, I find in the 27th clause, for instance, there is an inducement held out to persons to join the Volunteer Force, by giving persons who have served for three years preference for employment in the Government Service. What will be the effect of such an inducement? We will get all the loafers in the country to join the Volunteer Force, so that they may get into the Government Service. If the Bill passes I think this clause should be expunged from it. Besides giving preference to those who have served for three years there is another objectionable feature in the clause; certain classes are excepted. The clause states employment "in any non-clerical department of the Public Service." I will read the clause in order that hon. members may understand it more clearly. It says:—

"Any man who has served in the defence force for a period of not less than three years may, at the expiration of that period, be employed in any non-clerical department of the Public Service of the colony on fulfilling all requirements which would have to be fulfilled by other candidates for employment therein, and men who have so served shall have a prior claim to be appointed to any vacancy which may occur therein over all other persons whatsoever."

I say that is a very dangerous expedient to hold out as an inducement to persons to join the Volunteer Force, who may make very poor volunteers, but who may be very anxious to get into the Public Service. It seems also that

a certain class of persons are to be excepted, and I do not think this exception should be allowed to remain, even though the clause should be passed. A volunteer may make a very good clerk in some of the departments, and why should he not be allowed to do that work? It will certainly be a very expensive Bill. Under it, barracks will have to be erected; clothing will have to be provided for the volunteers; and if anyone should be unfortunate enough to meet with an accident while in active service there must be compensation for that accident, and if the person should be killed his widow will remain a burden on the State. I do not object to that; it may be only fair, but I only mention it to show the expense which may be entailed under this Bill. I think the time has not yet come for us to pass a Bill of this kind through the House. I should prefer waiting a little bit, and in the meantime training anyone willing to be trained in rifle-shooting at long ranges. Notwithstanding the objection of the hon. member for Carnarvon to it, I think that if in the meantime men were trained in rifle-shooting it would be found much cheaper than the system proposed in this Bill. I agree with what the hon. member for Bowen said concerning the training of the children in our schools, and in the meantime I think with such measures we will be doing sufficient without going into the great expense which this Bill will entail upon the colony. I would far rather see no such Bill at all. I think we will have no necessity for it in Queensland, and holding these views, if the Bill goes to a division, I shall vote against it.

Mr. PALMER said: Mr. Speaker,—This is "A Bill to make better provision for the Defence of the Colony of Queensland." That is the title given to it, and yet I think it has missed the first and principal item with regard to the defence of Queensland, and that is naval defence. I think in future years the great principle of Australian defences will consist of marine defence. A force able to move from point to point, and which can be concentrated easily at any given point, will be the force likely to help us in any time of trouble, on such an extensive coast-line as we have. The 1st clause of this Bill repeals the Volunteer Act of 1878, and I suppose from that that the volunteers may consider themselves completely snuffed out or done away with. Judging from the report made by Colonel French, I do not think all the evils of the Volunteer Force are to be laid at their own door. In the first place, from his description of the clothing of the men, they would appear to have been like Falstaff's ragged regiment, who hardly had a whole shirt in the whole company. Colonel French says:—

"The force in general seems to suffer on account of lack of interest on the part of the public. It appears to be fair game not alone for big and little wits, but for all the Government departments. The 1st Regiment is now, and has been for some months past, without a drill-shed, the railway authorities having taken their shed and armoury for offices."

"The police hold the military barracks, though they have only a few men there."

"The Immigration Department takes the tents and drill-sheds of the volunteers."

"The Post Office Department takes the torpedo cable."

What they do with it, I do not know.

"The Lands Office sells or hands over our rifle ranges."

"The Queen's Wharf and store-houses are taken possession of by the Colonial Secretary's Department, and the ammunition and stores of the force have had to be carted at great expense to the gaol or other place of refuge."

"To the above may be added the fact that the utterances of some of our public men are not of a nature to encourage volunteering; were it not that the Press has usually a kind word for the force I believe it would have disappeared altogether ere this."

Judging from the amount that has been expended in the colony, I do not think the volunteers are deserving of such hard usage. There are 16,000 men in the colonies who have voluntarily undertaken military service, and that number out of a population of about 2,900,000 is not so bad. I see that since 1877 over a million of money has been expended in permanent fortifications, and the annual expenditure has been about £272,000. It will be seen, I think, that the volunteers have not been slow to help themselves. The initiation of this system should begin at the outset with the drilling of the scholars attending our State schools, and the masters themselves should be subject to efficient drill instruction. That would tend to improve the discipline in the schools, and I believe the system should start from there. With the principle enunciated by the Colonial Secretary, that every man should defend his own country, no one will find fault. If this new Land Bill is to do what is claimed for it, and settle so many people upon the land, it will be of little use to the colony if those people are not able also to defend themselves. The Bill, I think, has many points to commend it to us, and I shall support the second reading very heartily.

Mr. STEVENS said: Mr. Speaker,—I am very glad indeed that the Ministry have lost so little time in introducing a measure of the kind now before us. The subject of defence is one upon which I have thought a great deal, and I must confess that I have never to my mind arrived at a satisfactory solution of it. Session after session I have assisted to vote a large sum of money towards the maintenance of our volunteers, but I have always done it grudgingly, for I felt we were not on the right track, and that the system was not the best by any means that could be adopted for the defence of our colony. I do not feel at all inclined to go into the details of the Bill, for this is a subject upon which the ordinary civilian knows very little, and the more he says upon it the more he will show his ignorance. I have been assured that we are now on the right track, and that if this Bill is carried we will soon have a complete system of defence. It has been remarked by one speaker this afternoon that the old country shows evident signs of leaving us to take care of ourselves; and that is made more evident by a telegram in this morning's paper which states that Mr. Gladstone had congratulated a foreign power upon her colonisation schemes; while at the same time he denies to us the privilege of colonising the islands near us. I am not quite sure that this Bill will be very effective in the outside districts, where population is very thin, and the small centres of population are so far apart; but I think it will be of very great service in the inside districts where population is thicker. I am inclined to think that if Queensland takes the initiative the other colonies will very probably follow in her steps before long. Acting entirely by ourselves the system will not be quite effective, but if some similar system is carried out in all the colonies it will be brought to a great state of perfection. I am quite prepared to admit that Colonel French is an authority on the subject; and from what he has said in his report regarding the present system of volunteering, and from the means of information which are within reach of the Colonial Secretary, I believe that this Bill will be found the best way out of the difficulty. At any rate, I shall cordially support the second reading of it, for I have no doubt that in committee it will be discussed very freely, and that we shall have the advantage of the advice of those hon. members who are well up in the subject.

Mr. ISAMBERT said: Mr. Speaker,—I am very much pleased with the manner in which

the Premier has advocated the Bill, and with the principles upon which the Bill is based—namely, that every able man is in duty bound, when called upon, to assist in the defence of the colony that gives him home and shelter. That duty is a very complicated one, and a duty which has to be learned. If a man does not perform that duty, he is, in time of need, an encumbrance. He is better out of the road, than that his uncultured services in that respect should be accepted. If we do not adopt such measures as will enable men to intelligently perform their duty and give them a thorough knowledge of it, we had better leave the military game alone altogether. It involves far more serious principles than seem to be admitted by the hon. member who indulged in the supercilious buffoonery the House has been furnished with this afternoon, which is quite unworthy of any member of this House. The Bill strikes at the root of many evils, and embodies many principles in accordance with the highest principles of statesmanship. It will affect the whole social community, and will affect it for the better. It will bring more home to our consciences the duty we owe to the country that gives us homes and shelter. It contains the principle that every able-bodied man is liable to be called upon to defend the country which is his home; and I say that no man has a right to be here for even twenty-four hours, except as a visitor, unless he recognises that duty. It strikes at the root of that evil called slavery, or cheap compulsory labour: and therefore I am not at all surprised at the arguments advanced by the leader of the Opposition and the ex-leader. It is quite in harmony and in keeping with their sentiments. Anyone who listened to their silly remarks on the Immigration Bill last night could expect nothing else. When the leader of the Opposition was Treasurer he said to his Minister for Lands, "I want money in the Treasury and you must get it by selling the patrimony of the people," and the Minister for Lands packed his traps and went down to Victoria and hawked about our patrimony. The present Treasurer, if he acts like a statesman, will say to the Premier, "Get me taxpayers"; and he will say to the Minister for Lands, "You settle them on the country." Those are the men who in time of need will take up arms and cheerfully perform the duty devolving upon every citizen of this colony. This duty is recognised to a far greater extent than is supposed, and our volunteer system, so far as it has been carried out, is an eloquent proof of that; and those who do not recognise it should be made to do so. The leader of the Opposition paid me certainly a very high compliment, when he suspected that I had a hand in this Bill; but really all I had to do with it was to read it when it came out. I suspect that, in the first instance, it is Colonel French who is the father of it; and the sound advice of His Excellency the Governor, no doubt, was not wanting. The Premier is only the godfather, and a very able and good godfather he is to it. The hon. member for Ipswich said he entertained a very serious objection to giving a preference to men who are actually or have been in the defence force. I think that that is a very wise provision, and, further than that, I would embody in the Bill a clause to the effect that any Civil servant who is not enrolled in active service according to the Bill should have no right to promotion. The Civil servants are men who have more leisure and more education than others, and hence the colony has a right to expect that they should qualify themselves in order that they may become officers, for without officers the rank and file is of very little good. The hon. leader of the Opposition said the Bill smelt of

Bismarck and the Continent. The same remark was made yesterday with regard to the Health Bill. But, sir, if an epidemic broke out we could not indulge in disputes as to whose duty it is to do what is necessary. There must be some authority to see that those duties are performed. Hence such despotic powers should be placed in the hands of the proper authorities. Without that, we have no power of enforcing the best of measures; and absolute power must be placed in the hands of the authorities for the benefit of the colony. Several remarks have been made by hon. members to the effect that the defence of the colony should be commenced in even our schools, and I quite agree with them. The children in all the schools ought to be trained; and certain of the school hours should be devoted to giving them free practice in gymnastic exercises. A good gymnast, with a fair amount of exercise and training, is almost half a soldier; and when the time of need comes we shall want such men, who, having had previous training, can very soon be made into soldiers. In fact, the whole of our social system ought to be developed to the supremest height of a nation. Engineers tell us that the strength of a chain is calculated by its weakest link, which is in reality the strength of the chain; and if all the rest of the links are ever so big and ever so strong they are as so much useless, rubbishy iron. And so it is with our social system. If we are ever so rich, and when the hour of trial comes and we are attacked we cannot keep our own, what are all our riches—what are all our social enjoyments? What are they worth? They will be scattered to the winds like chaff. A nation's life is for something higher than mere money-grubbing. We may look on society with its rich men, and its huge corporations, but when we are involved in war that will not avail us anything. The richer we are the sooner we will be attacked. Our riches will be a temptation. It is absolutely necessary, therefore, that the means of defence should not be neglected in time of peace. This Bill strikes at the root of slavery. In ancient republics, when all men were liable to be called out to fight for their homes, and when they cultivated their own soil, they were powerful and respected; but when they employed mercenaries, like Great Britain at the present time, and tilled their soil by slaves—as the leader of the Opposition wants us to do—the hour of their doom arrived. In what state will the colony be if the policy of the leader of the Opposition is carried out, and our lands are exploited by means of cheap labour? Why, any little filibustering vessel can come and take possession. This shows us that we should allow no one here who will not be liable and able to serve his country, to use arms and defend the land that gives him shelter. As I have already said, the leader of the Opposition has paid me a very high compliment in saying that he suspects I am behind every measure of the Government that is based on true principles of statesmanship.

Mr. MOREHEAD: This is Germany with a vengeance.

Mr. ISAMBERT: He suspects that I am behind them. I disagree with the proposal as to a naval defence force. I think we should confine our attention to bringing our land force into the highest possible state of efficiency. The two gunboats which were ordered by the late Government, and which will shortly be here, cannot be better employed than in surveying, or going down to the Bay schnapper-fishing. The beginning made in the direction of a naval defence should be small, and the vessel should be built so as to obtain the highest possible speed that naval architecture can accomplish.

They should be small gunboats useful as despatch vessels and for scouting. The gunboats which are expected to arrive shortly will only make ten knots an hour. When the Bill authorising their construction was under the consideration of this House, I ridiculed them and said they would not be fast enough to run away from an enemy. The only fault I find in this Bill is that it is too expensive. The German military organisation is the wonder and admiration of every civilised community—

Mr. MOREHEAD: No, no!

Mr. ISAMBERT: And is feared by every community—

Mr. MOREHEAD: No, no!

Mr. ISAMBERT: I say it is feared by every community, and it costs the Empire far less than the little defence scheme proposed in this measure will cost the colony. I say it costs the country far less, for every penny spent on the German military organisation is spent in the country; hence, from a statesman's point of view, it does not cost the country a single sixpence. We shall never have a proper defence force until we get rid of the "Manchester Adam." This House not only smells, but it actually stinks, of Manchester shopkeepers. Until we do more ourselves, we shall never be a powerful country. I object to any person, whether from England or Germany, coming here to exploit the lands of the colony and take every shilling away.

Mr. MOREHEAD: This colony is part of England. If you are a German, get out.

Mr. ISAMBERT: I am a British subject.

Mr. MOREHEAD: You do not speak like one.

Mr. ISAMBERT: I am perhaps more loyal than the hon. gentleman who treats this important measure with such supercilious buffoonery.

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

On the motion of the PREMIER, the committal of the Bill was made an Order of the Day for to-morrow.

HEALTH BILL—COMMITTEE.

On the motion of the PREMIER, the House went into Committee to consider this Bill.

Clauses from 1 to 3 passed as printed.

On clause 4, as follows:—

"The Health Act of 1872 is hereby repealed"—

Mr. MOREHEAD said he should like to know the reason for the repeal. A very short clause repealed a very long Act, and no reason was given. He objected to the clauses being galloped through.

The PREMIER said the Bill was much too important to be galloped through, and he hoped hon. members would give it their fullest attention. He explained yesterday why it was proposed to repeal the Act of 1872—because its provisions were unsatisfactory and totally inadequate to the purposes for which it was passed.

Clause put and passed.

On clause 5, as follows:—]

"The provisions of the third and fourth parts of this Act extend to, and are in force in, the municipalities of

Brisbane,	Ipswich,	Toowoomba,
Bundaberg,	Maryborough,	Townsville, and
Charters Towers,	Rockhampton,	Warwick;
Cooktown,	Roma,	
Gympie,	Toowong,	

and the divisions of Booroodabin, Toombul, and Woolongabba, so far as such provisions are respectively applicable thereto.

"The Governor in Council may from time to time, by proclamation, declare that all or any of the provisions of the said parts of this Act shall be in force in any other municipality or division or any subdivision thereof. Upon the publication of any such proclamation the said parts of this Act, or such provisions thereof as shall be declared in the proclamation, shall extend to and be in force in the municipality, division, or subdivision mentioned therein."

"Except as aforesaid, this Act applies to the whole colony."

"The Governor in Council may, nevertheless, by proclamation, suspend the operation of any of the provisions of this Act in any district."

Mr. MIDGLEY said that if there was any good in the Bill—which he believed there was—anything tending to promote the health of the people—the clause might be made to apply at any rate to Sandgate. Places of resort, where people went for a change to improve their health, ought to have every protection of a sanitary nature. Would the Premier inform the Committee on what principle the places mentioned in the clause had been selected?

The PREMIER said those places were selected as being the larger and older municipal corporations of the colony. He had no objection to include Sandgate, and he was much obliged to the hon. member for his suggestion.

Mr. KATES said the municipality of Allora might be included. It was a growing place, and likely to be one of the principal centres of the agricultural population on the Darling Downs.

The PREMIER said it had not been proposed to include Allora, not because the subject was not considered, but because there were many matters in the 3rd and 4th parts of the Bill that might be impolitic and hard as applied to a country municipality. For instance, the provisions relating to the keeping of pigs, to earth-closets, drains, sewers, and lodging-houses, did not seem to him to be applicable to a country district. They were specially applicable to crowded towns. Though Allora was a municipality under the Local Government Act of 1876, it was really not more urban in regard to its population than many divisional boards; and that was the reason why it had been excluded. If, however, the local authorities desired to include Allora, he had no objection. It could be done at any moment by proclamation.

Mr. MOREHEAD asked why the divisions of Booroodabin, Toombul, and Woollongabba had been particularly mentioned, and not others—such as Nundah—in the neighbourhood of Brisbane? Those divisions must have been selected on some principle, and the Premier ought to give some explanation on the point.

The PREMIER said he had explained that also yesterday, although he did not know whether the hon. member was in his place at the time. Those three divisions were really parts of Brisbane. They were only separated by lines drawn on a map. Certainly the division of Booroodabin was as much a part of Brisbane as many portions of the municipality itself, and required exactly the same sanitary laws. The same observations applied, with slight modifications, to the divisions of Woollongabba and Toombul. They were, to all intents and purposes, urban, not rural, populations.

Mr. MOREHEAD said that, as a resident of the Booroodabin Division, to which, according to the Premier, the sanitary laws of the city were to be applied, he protested against the application to it of the disgusting earth-closet system of Brisbane. He did not see why that and the other divisions should be subjected to that disgusting law, and he hoped the chairman of the Booroodabin Board would also protest against it.

The PREMIER said that because the same statutory sanitary laws were applicable to the

division of Booroodabin as to the city of Brisbane it did not follow that the corporation of Brisbane should make laws for the division of Booroodabin. What was proposed was that the local authorities of each place should have equal power. How that power should be exercised, it would be for the local authorities to determine.

Mr. ANNEAR remarked that Gladstone, which was omitted from the list, ought to be brought under the operation of the measure.

Mr. STEVENSON said that with regard to Allora, if it was included, he could mention forty or fifty larger townships in the colony which would have an equal right to a place in the list. He should like to know on what principle the Premier had made the selection. He noticed that Mackay was omitted, and Mackay was a very important town. Then there were Bowen, St. Lawrence, and other important places which were not mentioned. If the Bill was to be of any use at all, it ought to apply to the towns he had named, especially to Mackay.

The PREMIER said he was glad his attention had been called to the omission of Mackay, which should certainly have been inserted, and he must apologise to Mackay for not having inserted it before. He would move that it be inserted after "Ipswich."

Mr. MOREHEAD: Has Cairns no claim?

The PREMIER: No. Cairns is a division which goes right up to the top of the range.

Mr. MOREHEAD said he did not care how far it went. He was simply putting a fishing question to the hon. gentleman, who seemed to accept every suggestion that had been made from both sides with respect to the filling up of omissions. There were a great many omissions in the hon. gentleman's Bills generally. Was the clause perfect now, or was the hon. gentleman prepared to accept any further suggestions?

The PREMIER said he trusted the Committee would approach the Bill in the same spirit in which it was approached by the leader of the Opposition yesterday, and assist in making it a good one. Any suggestion that might be made he was willing to consider on its merits. Mackay and Sandgate were proper places to be included, but it would be a mistake to include Allora or Bowen. It would be inconvenient to impose such arduous duties on those municipalities, and for the same reason he could not accept the suggestion to include Gladstone. If hon. members would look at Parts III. and IV. of the Bill, they would see that its provisions could not be enforced in sparsely populated townships.

Mr. GROOM said it would be exceedingly inconvenient to include Allora in a Bill like the present. The township was comparatively small, while the municipal boundaries were very large and took in a considerable number of farmers. It would be a very serious thing, for instance, if the Central Board of Health were to send an intimation to Allora that the people were not to keep swine near dwelling-houses. What would the farmers of the district do? A considerable number of them went in for pig-breeding, and such a regulation would only have the effect of abolishing the industry. But there was one municipality which he was surprised not to see included—that was Bundaberg.

Mr. MOREHEAD: It is included.

Mr. GROOM said that another reason why Allora should not be included was that to carry out the provisions of the Bill there would swallow up the entire revenue of the municipality for three years. In 1882 the entire amount of rates collected only amounted to £177 10s., and how many drains, for instance, could be

constructed for that sum in a country which was exceedingly flat? It would be unjust to apply such provisions to country districts, however applicable they might be to large cities and other populous centres.

Mr. ALAND said the hon. member (Mr. Groom) had just stated that the municipality of Allora might receive an intimation from the Central Board of Health requesting them not to keep pigs. He wished to know whether those municipalities were to receive their instructions from the Central Board of Health. He did not think it was very advisable, and he believed that it was never intended. In reference to the municipalities which had been left out of that list, the clause said that from time to time the Governor in Council might declare that the Act should be in force in any municipality. If at any time the Governor in Council thought a municipality should come under the provisions of the Act, he would issue a proclamation to that effect. If Allora, for instance, was anxious to come under the provisions of the Act, the Governor in Council would comply with the request.

Mr. FERGUSON said he wished to know whether Rockhampton included North Rockhampton; they were distinct local authorities; but a large number of people on one side lived on the other side. If there was any defect in the sanitary arrangements on one side the river, it would affect the people on both sides. He thought North Rockhampton should be left out because it was too young, and the revenue received there would not be sufficient to carry out the provisions of the Bill.

The PREMIER said that North Rockhampton was not included, for the reason that it was too young, and the population was not sufficient. In answer to the hon. member for Toowoomba, he would call attention to the 15th section, which provided that—

"Where complaint is made to the board that a local authority has made default in enforcing any provisions of this Act which it is its duty to enforce, the Governor in Council on the recommendation of the board, if satisfied after due inquiry that the local authority has been guilty of the alleged default, may make an order directing the local authority to perform its duty in the matter of such complaint, and limiting a time for such performance."

There would be no captious interference on the part of the Board of Health, but if the local authorities neglected their duty the board would have the power of compelling them to do it.

Amendment agreed to.

On the motion of the PREMIER, "Sandgate" was inserted after "Roma"; and the clause as amended was agreed to.

On clause 6, as follows:—

"When any of the provisions of this Act are in force in any district, the provisions of the Local Government Act of 1878, and the Divisional Boards Act of 1879, and any Acts amending the same respectively, relating to the making of by-laws for dealing with any of the matters which are dealt with by the provisions of this Act so in force, shall, so far as such matters are dealt with by the provisions of this Act so in force, be suspended.

"Provided that any by-laws made under the said Acts or any of them, which would have been valid if they had been made under this Act, shall remain in force as if they had been made under this Act."

Mr. GROOM said he would like to have a little explanation from the Colonial Secretary as to the operation of that clause. In 1882, at the instance of the Municipal Conference which sat in Brisbane, a deputation waited on the then Colonial Secretary, and requested him to put in force the provisions of the Health Act of 1872 in various country municipalities. Sir Thomas McIlwraith acceded to the request; and following that, various municipalities framed by-laws affecting the public health; in fact, they went to consider-

1884—2 L

able expense in order to carry out the provisions embodied in the Health Act of 1872. In place of being carried out by the Central Board of Health in Brisbane, they had been carried out—and, as he thought, wisely—by the local authorities. He would like to know how far the by-laws passed by these municipalities were affected by this clause. Did it repeal them all or not? They were passed for the express purpose of preserving the public health; and he would like to know whether they would have to be framed afresh, or whether they would still be in force under the present Bill.

The PREMIER said that clause 6 dealt with the matter the hon. member referred to. No by-law not authorised by the present Bill would remain in force; but any by-laws previously made, which would have been valid if made under the Bill, would remain in force under the Bill when it passed.

Clause put and passed.

Clause 7—"Districts and local authorities"—agreed to.

On clause 8, as follows:—

"The Governor in Council may from time to time appoint any number of fit and proper persons, not less than seven, to be a board for the purpose of superintending the operation of this Act. The board so constituted shall be called 'The Central Board of Health.'

"The Minister shall be *ex officio* a member and chairman of the board. He shall have a vote, and in case of equality of votes shall have a casting vote.

"Three members of the board at the least shall be legally qualified medical practitioners."

Mr. MOREHEAD said they wanted some little explanation about the clause. He did not see why seven was selected, unless it was that that was the particular number of devils which came out of a certain unfortunate individual. He did not see why the board should consist of more than one member, and why the Bill should not be administered by one capable medical man, responsible to the Minister for the time being. They knew perfectly well that the system of having a board of health with a number of members had absolutely broken down; and why several men were to be put into a position, when one man could do the work very well, he did not know. In the proposed and board there were to be two members, and they were told by the Minister for Lands that he could not possibly conceive of two men quarrelling in such a position. If two men could not quarrel, then probably neither the hon. gentleman nor the Premier could possibly conceive of seven men quarrelling. He held that one man in a case of this sort, in subordination to a Minister, was better than any seven who could be appointed. His duties were clear, and if he were really to carry out the work laid down by the Bill it was a matter of very little importance what salary he was paid, whether £1,000 or £2,000, so long as we had a competent man, who should be responsible to the Minister, and the Minister in turn responsible to the House. If they had a board they would practically be irresponsible, as they could shelter themselves behind their numbers. They might get a majority one way or the other on the same subject on different occasions, and they could not be brought to book by the House or the Minister. He was certain the Minister in charge of the Bill was earnest in his desire to benefit the State, but he did not think this clause, if it passed, would effect that object. He did not believe a board of seven, or any other number, would do the same good that one individual might do, if he was the kind of man that he believed could be selected to perform the duties required under this and the following clause. He hoped the hon. member would not persist in pressing this.

The PREMIER said that he had pointed out, on the second reading, that he considered such a board essential to the working of a scheme of this kind. The local authorities must have some supervising power. There were two alternatives—either the Minister alone was to have the power to compel the local authorities to do as he pleased, or else he was to be assisted by persons possessed of special knowledge of the subject. In England there was a local government board, charged with the supervision of the local authorities in certain matters; there was no such board here, nor was there any means of constituting an exactly analogous body. This was a matter requiring special knowledge, and he himself was not disposed to propose that the Minister of the day, with the advice of one medical officer, should be empowered to order the local authorities to do what he liked. He thought that a body empowered to exercise authority in so serious a manner should be a body consisting of more than one man; and, therefore, that it would be best to have a board composed of persons with special knowledge, who should be empowered to make regulations and perform the other duties required; otherwise they would be centralising to a very great extent, making the Minister do all sorts of things, and giving him powers which should be exercised by no Minister. He understood that that principle had been universally accepted; that there should be somebody to exercise authority over the local boards. No measure of this kind had ever been introduced without an attempt to carry out something of that kind. As to the contention that the number was too great, the object of proposing that there should be seven members on the board was to give confidence to the local authorities that they would not be interfered with unnecessarily and capriciously, by providing that there should be a sufficiently large body to secure the full consideration of any matter. They would be a committee of experts called in by the Government to assist the local authorities in the administration of the Act.

Mr. MOREHEAD said there would be some force in the contention of the hon. member if the local authorities had any voice in the appointment of this board; but it was to start with a minimum of seven, and might be swamped at any time by the Governor in Council appointing whatever number they pleased. The security the local authorities might derive from the number of members went to the winds under the clause as it stood. He thought it would be better if one man were appointed as director immediately under the Minister, with perhaps a board of advice consisting of three men, two of whom should be medical men. If this clause were passed, the power in the hands of the Executive of multiplying the number of members to 100 or 500 would not tend to the proper working out of the principle upon which the system was based. He did not himself think that in the multitude of councillors there was always safety; he thought that sometimes if the number of persons in whom the executive power was lodged were limited, as in the case of the constitution of the Government of the country, they were much more likely to get good management; and if they made the number unlimited they would lead to mismanagement. He thought the hon. the Premier might very fairly modify the proposal by altering the clause so as to vest the power in one permanent head under the Colonial Secretary, with a board of advice of three persons, two of whom, if it were thought necessary—and he considered it would be necessary—should be medical men.

Mr. NORTON said he was not in favour of the constitution of this board as proposed in the

Bill. It was hardly worth while referring to the present board, as they had no power to act; but even if they had power to act he thought they could not perform the necessary duties so satisfactorily as they could be carried out by one man. If it were possible to get one man who thoroughly understood the work—it would not be an easy matter, but it might be done—the Act would, he believed, work much more favourably. They knew very well that medical men had the most diverse opinions with regard to these matters. Even in questions of mere disease they could not agree. For months past, in Melbourne, they had seen that some of the medical men actually refused to believe that smallpox was existing in the colony; and the difference of opinion was still continuing, or, at any rate, was a few weeks ago. Less than a fortnight back, he saw that one medical man at least held out that there was no smallpox in Victoria. In New South Wales, too, they found that one medical man had been treating cases for about a fortnight, and when at last it was discovered by some other means that the disease was smallpox, he said he did not believe it was anything of the sort. These differences of opinion which existed amongst medical men with reference to diseases existed also in reference to sanitary matters; they had evidence of that every day. It did not follow that the appointment of a medical man would lead to any satisfactory result. He saw it suggested somewhere the other day that one gentleman, thoroughly versed in sanitary matters, should be appointed in place of the board. There was no doubt that it was desirable to have a board of advice, as a good deal of responsibility would be taken off the Minister's shoulders, and they would be able to assist him in coming to a decision. He was quite sure there should be some better arrangement than to make the board the executive authority under whom the Act would be worked.

Mr. BEATTIE said he did not agree with the hon. gentleman as to the appointment of one man, because he thought it would be giving extreme power to that one individual, whoever he might be.

The PREMIER: And he might be a man who did not know smallpox when he saw it.

Mr. BEATTIE said hon. members should look at clause 16. He would not think of giving such powers as were given under that clause to any man unless he was a man of transcendent abilities. The clause said:—

"In any case of emergency the board may, if ordered by the Governor in Council so to do, exercise all or any of the powers by the Act conferred upon a local authority."

Such a power should not be given to any one man. And the clause further said:—

"In any such case the expenses incurred in the execution of such powers shall be paid out of the Consolidated Revenue Fund."

That was an extraordinary power to give one individual; and under it such a person might put the colony to an immense expense. He saw no particular virtue in the number "seven." He had never believed in large boards or large committees. Still, seeing that by the clause there were to be three qualified medical practitioners, they ought to have several lay members to counteract their influence. Sometimes those gentlemen did not know the best advice to give, and—following the argument of the last speaker—they differed often amongst themselves. They differed frequently in cases of disease, and in a matter of this kind they should have a counteracting body in connection with the board, to have some supervision over the professional men. He hoped hon. members

opposite would allow the clause to pass, as he thought even a board of seven would be better than what they had suggested.

Mr. ARCHER said there was no desire on the part of the Opposition to prevent the Bill passing. Of course, they would let it pass, but they were discussing what they thought would be the best plan to enable them to have the Bill carried into effect if it did pass. They were considering the executive authority to carry it out. Lord Macaulay had told them of the difficulty found in the management of the army, even during the time of Marlborough, when they were always hampered by the Dutch commissioners sent to look after the generals commanding, even when they had a man like Marlborough there. He believed, as a rule, that boards formed a very convenient authority to carry out works; but if there was to be a board in connection with the Bill it should undoubtedly be a smaller one than was proposed. When a board or committee was formed of a large number of members, they usually found some of them saying, "It will not be necessary for me to be there," and the consequence was they were very often without a quorum. When a small number formed a board or committee each member knew that it was necessary he should be present at the meetings to make a quorum. His experience was that the larger a committee or a board, the more often they were unable to form a quorum. He was satisfied that a large board, such as was proposed, would not be the best for carrying out the purposes of the Act.

The PREMIER said he did not believe in large boards himself; but the reason for making the board so large in this case, was that they might command confidence. They were to be a board to supervise the local authorities in carrying out the Act, and it was necessary that they should have the confidence of the people. A board of one would certainly not command respect, and would be rebelled against; and a board of two for that purpose would probably be rebelled against also. If they had a board of one, as had been suggested, the gentleman appointed might turn out to be one of those medical gentlemen spoken of who did not know smallpox when he saw it, or that it was an infectious disease. This was a matter in which he thought there was wisdom in a multitude of counsellors. For many purposes a committee or a board of one might be the best they could have to invest with the executive authority; but in many other cases it would be found that a much larger committee was more useful, not only because they combined in their numbers a greater amount of wisdom, but they would command a greater amount of respect. Whether it was too large a minimum was quite another matter. It did not matter particularly whether they had a committee of five or seven. He had no objection to reduce the number to three, provided that two of them were medical practitioners. The object was to get men on the board whose opinions would be valuable, as they could not expect a Minister to be familiar with all matters relating to health. He knew, on many occasions when he had to decide matters relating to health himself, he had consulted four or five medical officers, and they often differed in opinion. This was a matter in which the Government should have the best assistance they could get. They could get that assistance informally no doubt, but it was far better that the assistance should be given under a sense of responsibility. As to the number to form the board, he thought that entirely a matter of indifference.

Mr. MOREHEAD said he would have no objection to accept the hon. gentleman's sug-

gestion that the board should be composed of three members, or if he liked, of five or even seven; but the clause should read "not exceeding" that number, instead of "not less than" that number. The maximum number to be on the board, whether it was three, five, or seven, should be fixed by the Bill.

The PREMIER: Say "not more than seven."

Mr. MOREHEAD said he did not think the hon. member quite understood what he meant. He meant that they should not leave the number unlimited, as the clause did as it stood at present. Instead of being "not less than seven," the clause should read "not exceeding seven," or "not more than seven."

The PREMIER: I do not object to that.

Mr. FERGUSON said he did not see any provision in the Bill to have the board paid. If the members of the board were to be paid for their attendance, there need be no fear but they would attend to their duties pretty well. Respecting the composition of the board, he had always believed that they should have a majority of business men on a board or committee. Medical gentlemen were very useful on such boards; but they did not consider the question of expenses at all, and would put the local authorities to almost any expense. He knew, from the little experience he had had himself in the working of boards, medical gentlemen were always inclined to go in for extravagant expenditure. If the majority of the board was composed of non-medical men, there would always be a check upon them, and he hoped, therefore, that if the number on the board was reduced, there would be a smaller proportion of medical men than was now proposed.

The PREMIER said, with reference to the suggestion that had been made, he did not think it would be desirable to have less than three medical practitioners on the board. He thought it would be very desirable to obtain the assistance of three medical gentlemen, because if that number was reduced the Government would be prohibited from getting the best advice possible. While agreeing that the number of medical practitioners should be limited, he did not think they should limit the number to less than three. He might say that the constitution of the present Board of Health was similar to that proposed by the Bill.

Mr. MOREHEAD said if it was provided that not less than three members of the board should be legally qualified practitioners that would not prevent three or four being medical men. His own opinion was, that the more members there were on the board, the more would they fight and squabble amongst themselves; and the three medical men were those who would fight most. He did not think they could do better than have one good medical man on the board. That would be sufficient, and he should limit it to one. If two or three medical men were put on the board they would never agree; they would be constantly fighting, and, like the Kilkenny cats, eventually end by killing one another.

Mr. BLACK said he would like to ask the Colonial Secretary how the board was to be paid?

The PREMIER: By fees.

Mr. BLACK said he did not see any provision for that, except in clause 12, which said:—

"The board may make orders as to the costs of inquiries or proceedings instituted by, or of appeals to, the board under this Act, and as to the parties by whom, or the rates out of which, such costs shall be borne; and every such order when confirmed by the Governor in Council may be made a rule of the Supreme Court on the application of any person named therein."

The PREMIER : That does not apply.

Mr. BLACK said, according to that, he should imagine that the board could levy on the local bodies for their own remuneration. There was another point he would mention. Although it appeared the Governor in Council might from time to time appoint the board, he did not see any provision for the removal of the members or alteration of the board.

The PREMIER : That is provided for in the Acts Shortening Act.

Mr. BLACK said if it was thought the clause was sufficiently explanatory without an additional clause being inserted he should not oppose it, but he could not see how the members were to be removed.

The PREMIER : It is provided for in another Act.

Mr. BLACK said he should like to know what the fees would be. The country should know what a matter of this sort was going to cost.

The PREMIER said the power to remove members of the board was involved in the power to appoint by the Acts Shortening Act. As to the fees that would be paid, they would be placed on the Estimates. There was nothing in the Bill fixing the amount to be paid, but he supposed the fee would be £1 ls. a sitting. As to the exact cost of working the Act, and the exact amount to be paid in fees, that would depend on the amount of work to be done. Supposing an epidemic, such as smallpox or cholera, broke out, and the board had to meet every day, their remuneration would be very much greater than if they only met once a month.

Mr. MOREHEAD said he understood all the hon. member for Mackay wanted to know was what the Act would cost to work, taking one year with another.

Mr. ARCHER said : As he felt rather strongly on the subject of large boards he would, with the object of taking the sense of the Committee, move that on the 2nd line of the clause the words "any number of" be struck out, with a view of inserting the words "not more than five." He also felt inclined to move an amendment further on in the clause.

The PREMIER : Say "appoint any number not more than five."

Mr. ARCHER said he would move that the words "less than seven" be struck out, for the purpose of inserting "more than five."

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

The PREMIER said he hoped hon. members would consider the undesirableness of preventing more than two medical practitioners being on the board. That was the great objection to the amendment. They ought to have a majority of laymen on the board, but there ought to be at least three medical men as well. For his own part he would not be satisfied with one medical man's opinion unless it was endorsed by another, and, if they disagreed, an intelligent layman could arrive at the truth between them. If there were three medical practitioners, so much the better, for they would then arrive at a more correct decision.

Mr. MOREHEAD said he was sure his hon. friend would not object to accepting the suggestion of the Premier, so that the whole number of the board should not exceed seven, and that three of those should be medical men.

Amendment, by leave, withdrawn.

Mr. ARCHER moved that the word "less" in the 2nd line of the clause be omitted, with a view of inserting the word "more."

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

Mr. NORTON said he thought the compromise would make matters very much better than they now stood ; but if this board was appointed they ought to have someone, even if he had to be brought from England, who was scientifically acquainted with sanitary science, and these gentlemen could then act merely as a board of advice to the Minister. For his part he was ready to withdraw any opposition to the proposal, but he hoped that some other arrangements would be made which would lead to the appointment of a man who was well acquainted with the whole matter.

Amendment put and passed.

Clause, as amended, put and passed.

On clause 9, as follows :—

"The board may from time to time, subject to the approval of the Governor in Council, appoint such officers and servants as they may deem necessary to assist them in carrying out the provisions of the Act, and every person so appointed shall be removable at the pleasure of the board. The board shall make appointments and orders in the execution of this Act by writing signed by them or a majority of them."

The PREMIER said he would take the opportunity of saying, with reference to what had fallen from the hon. member for Port Curtis, that it would be necessary before long for the Government to have a principal medical officer, and something in the way of a department of health.

Mr. MOREHEAD : I assume that the Premier does not intend to put the present Health Officer in that position.

The PREMIER : I am not speaking of the present time at all.

Mr. MOREHEAD said he was referring to the present time. He was referring to Dr. Hobbs. He supposed it was not intended to give that gentleman the position. They wanted a really first-class man and a young man, who thoroughly understood all the sanitary requirements of a city such as Brisbane now was, to occupy the position of health officer. He said so without any intention of disparaging Dr. Hobbs ; but he contended he was not the gentleman to be appointed to such a position, and he trusted the Government did not intend to give it to him.

The PREMIER : It is a matter for consideration.

Mr. MOREHEAD said that, with all his good qualities, at his age Dr. Hobbs was not fitted for such a position. It was a very important matter, and concerned, not only the health of the inhabitants of Brisbane, but of all the centres of population in the colony.

Mr. NORTON said he thought there ought to be a little more said upon the subject. The Government ought to take into their consideration, if they had not already done so, the advisability of getting someone from home specially for the appointment. He believed Dr. Hobbs was highly respected both inside and outside the House, but still it was a matter of the utmost importance that the man who got the appointment of health officer should be one who was up to all the latest theories and practices in connection with medical matters.

Mr. BEATTIE said he thought it was rather unfair to ask the Colonial Secretary to bind himself by any such promise as that suggested, because it was a matter for discussion whether Dr. Hobbs would not make a very capable health officer. He was a man who had a very great experience, and he thought that a medical man of that gentleman's standing in the city for so many years must progress with the age so far as medical knowledge was concerned. From the remarks of the last speaker one would be given

the impression that Dr. Hobbs was not in the habit of reading up the latest medical works that were introduced. He (Mr. Beattie) presumed that he was. All medical men had to read up to make themselves conversant with what was going on, and he did not think that any doctor coming out from England would know a great deal more of what was necessary for sanitary improvement than the medical gentlemen at present in Brisbane. He believed Dr. Hobbs knew every inch of the city, and the portions that really required more attention than others—namely, the portions of the city that had been filled up. Those localities deserved special attention from medical men and the local authorities. Places had been filled up with all kinds of filth and rubbish, and those were the places where special attention had to be paid to sanitary matters. He was not going to praise Dr. Hobbs, nor any other medical gentleman, but he did not think it would be fair to bind the Government to give a promise that they would fetch a man from England to do what he believed there were plenty of professional men in the colony as well able to do.

Mr. MOREHEAD: All I can say is, Heaven help me from my friends. Dr. Hobbs—

The PREMIER: What do we want to discuss Dr. Hobbs for?

Mr. MOREHEAD said that, as the hon. member for Fortitude Valley was desirous of discussing Dr. Hobbs, they would discuss him. The leader of the Government was in the habit of turning irritable at twenty minutes to 9 o'clock or thereabouts. He did not know why; perhaps his circulation became defective about that time, but he noticed that about that time he became irritable. There was certainly no member on the Opposition side of the House who wished to irritate him, and no one knew that better than the hon. gentleman himself. With regard to the question of Dr. Hobbs, the hon. member for Fortitude Valley seemed to think that Brisbane was Queensland, and the only medical man in Queensland was Dr. Hobbs. He (Mr. Morehead) joined issue with him on both points. First he maintained that the whole of Queensland was not Brisbane, and also that he was not the only doctor in Brisbane. Therefore they were starting from very different standpoints. He maintained that the Bill did not only deal with Brisbane, but with the whole of Queensland. While being quite at one with the hon. member for Fortitude Valley as to the capability of Dr. Hobbs as a medical man, he was not at all prepared to say with him that he was the best possible man to deal with the present Bill, as health officer to the colony. He maintained that he was too old a man to have followed up the great question of sanitary reform that had taken place within even the last few years, and what they wanted under the Bill was a man, a young man, who had read up the subject—an active man and a man who had a knowledge of the great sanitary reforms which had taken place in Europe recently. It would be utterly impossible for a man like Dr. Hobbs to be in the position that that man would be; it would be impossible for Dr. Hobbs to land himself in that position even if he were as heaven-born a genius as the Minister for Lands. He therefore thought it was as well that attention had been called to the matter. The Committee did not expect that the position of health officer—or rather sanitary officer—would be given to a man such as Dr. Hobbs. He (Mr. Morehead) said this without any disrespect to Dr. Hobbs. He simply said that that gentleman's surroundings had not given him the qualifications which were absolutely necessary for an officer having duties such as were laid down by the Bill. He

did trust that his friends would not push the doctor's claims forward, and attempt to place him in a position which he was sure the doctor himself would refuse if it were offered to him.

The PREMIER said the Committee had nothing whatever to do with Dr. Hobbs in discussing that Bill. They might as well ask whom did the Government intend to appoint as medical officer for Port Moresby, if one were to be appointed there, or who was to be appointed district court judge, if the number were increased from three to four, or anything else that might occur during the next five years. When the Government proposed to appoint an officer of that kind they would have to ask the sanction of the House to his salary. The discussion of that subject would not facilitate the passage of the Bill.

Mr. JORDAN said the contention of the hon. member for Balonne seemed to be that a young man must necessarily have read up in his profession, and be better acquainted with sanitary science than an old man. He joined issue with the hon. gentleman there. An old man who had been a student all his lifetime was much more likely than a young man to be well up in sanitary science. He thought they had medical gentlemen in Brisbane, as well read in sanitary science—and he knew something about the subject himself—as any they were likely to get from Great Britain.

Clause put and passed.

On clause 10, as follows:—

"The board shall hold their meetings at such times and places as the Minister may appoint, and the powers and duties vested in the board may be exercised and executed at such meetings by a majority of the members of the board."

"In the absence of the Minister any other member of the board may be chosen to preside, but he shall have only a casting vote."

Mr. MOREHEAD said that clause provided that the board should hold their meetings at such times and places as the Minister might appoint. Was the Minister to be director-general in that matter? The clause also stated that "in the absence of the Minister any other member of the board may be chosen to preside"; but he did not see how the board were to be called together unless the Minister called them.

The PREMIER said the clause only provided that the Minister should appoint the time and place of meeting. He thought the Minister, as chairman, was the fittest person to convene the meetings.

Clause put and passed.

Clauses 11 and 12 passed as printed.

On clause 13, as follows:—

"All orders made by the board in pursuance of this Act shall be binding and conclusive in respect of the matters to which they refer, and shall be published in such manner as the board may direct."

Mr. BEATTIE said he did not hear clause 12 being put, and there was one matter in it he did not perfectly understand. The clause stated that—

"The board may make orders as to the costs of inquiries or proceedings instituted by, or of appeals to, the board under this Act, and as to the parties by whom, or the rates out of which, such costs shall be borne."

In cases of appeal, would the board have the power to dictate to a local body as to the levying of a special rate?

The PREMIER said a local authority might direct a person to make certain improvements on his property. If he did not do so, then they might make the improvements for him, and make him pay for them; and in case of appeal from any decision of that kind, the central board had the same power as a court to award costs of the appeal.

Clause put and passed.

Clause 14 passed as printed.

On clause 15, as follows :—

"Where complaint is made to the board that a local authority has made default in enforcing any provisions of this Act which it is its duty to enforce, the Governor in Council, on the recommendation of the board, if satisfied, after due inquiry, that the local authority has been guilty of the alleged default, may make an order directing the local authority to perform its duty in the matter of such complaint, and limiting a time for such performance.

"If such duty is not performed within the time limited in the order, the order may be enforced by writ of *mandamus*, or the board may appoint some person to perform the duty, and shall by order direct that the expenses of performing the same, together with a reasonable remuneration to the person appointed for superintending such performance, and amounting to a sum specified in the order, together with the costs of the proceedings, shall be paid by the local authority in default; and any order made for the payment of such expenses and costs may be removed into the Supreme Court and be enforced in the same manner as if the same were an order of that court.

"Any person appointed under this section to perform the duty of a defaulting local authority shall, in the performance and for the purposes of such duty, have all the powers of such local authority other than (save as hereinafter provided) the powers of levying rates; and the board may from time to time by order change any person so appointed."

Mr. MOREHEAD said he desired to hear the opinion of the hon. member for Fortitude Valley, who was chairman of the Booroodabin Divisional Board, and was very well up in divisional boards, as to what effect that clause would have on divisional boards. It seemed to him that it gave a great power into the hands of the central board.

Mr. FERGUSON said he thought the clause was rather severe when he first read it, but on considering it carefully he came to the conclusion that it was quite necessary. It only dealt with those local authorities who would not carry out their duties. If those in authority did not perform their duties, then the board could step in and perform them. That was a very necessary provision.

Mr. BEATTIE said he did not read the clause in the same way as the hon. member for Rockhampton. If a ratepayer thought he was aggrieved, and complained to the central board that the local authority had neglected their duty, the local authority would have to appear before the board, and answer the charge made against it. He did not believe in the local authorities being interfered with when carrying out improvements. If a ratepayer made a complaint against the local authorities on account of some work intended for the improvement of the sanitary condition of the locality, and if the appeal to the central board proved that his complaint was without foundation, the central board should have power to make him pay the expenses of that appeal.

The PREMIER: That is provided by the 12th section.

Mr. BEATTIE said it would be better to give the ratepayers an opportunity of appealing against any arbitrary measure that might be introduced by the local board.

Mr. MOREHEAD said that again they found a variation in the legislation of the present Government. In the Bill before the Committee there was a right of appeal from a local board to the principal board; but that was not proposed under the new Land Bill. What was to be served out under the clause was not to be served out to the selector and the pastoral tenant. He rose purposely to get an expression of opinion from the hon. member for Fortitude Valley on the subject, in order that he would be able to assist the Opposition when the time came for dealing with a very much more serious matter.

Clause put and passed.

On clause 16, as follows :—

"In any case of emergency the board may, if ordered by the Governor in Council so to do, exercise all or any of the powers by this Act conferred upon a local authority. In any such case the expenses incurred in the execution of such powers shall be paid out of the Consolidated Revenue Fund."

Mr. FERGUSON asked whether the local authorities were to be free from expense in cases of emergency, seeing that the expenses were to be paid out of the Consolidated Revenue? It was not explained what was meant by a case of emergency.

The PREMIER said it was scarcely possible to define a case of emergency. There might be a sudden outbreak of cholera, smallpox, or other deadly disease, which the local authorities would not be competent to deal with at once, and which there must be some authority to deal with, no matter in what part of the colony or how much the expense. There was no provision of the kind in the English Act, but, as it appeared to him a serious omission in a Bill relating to the colony, he had inserted it.

Mr. MOREHEAD asked why the wording of the clause was so complicated? It should read, "The board shall, if commanded by the Governor in Council"; or, better still, "power shall be given to the Governor in Council to act without reference to the board." The clause would be stronger in that form than it was at present. As it stood, it was a "namby-pamby" sort of clause.

The PREMIER said the language of the clause was perfectly correct. The words "may exercise the powers" made it lawful for the board to do so. The clause made it lawful, when called upon by the Governor in Council, for the board to interfere with private property, and if necessary private liberty, in the exercise of their powers. If they did not exercise those powers when called upon they would be removed, and others would be put in their place.

Mr. MOREHEAD said the 10th clause provided for the board being called together by the Minister for the exercise of their powers, but the clause before the Committee was intended to meet cases of emergency. He considered that the Governor in Council should be clothed with the powers vested in the board to meet such cases. If there were an outbreak of cholera or smallpox it was necessary that the Governor in Council should have power to act at once, independent of the board. He took it that was really the intention of the clause, which, as it stood, was a complicated, laboured, ill-constructed piece of English.

Mr. ARCHER said he quite agreed with what had fallen from the hon. member for Balonne. Of course there should be a board which the Governor in Council might consult; but there were cases in which it was necessary for the Minister to act at once on his own responsibility. If the Colonial Secretary heard of a case of smallpox in the town he would at once take the necessary steps for dealing with the matter; and he would not be fit for his position unless he did so at once without calling in the aid of the board. The Governor in Council would always have the command of the board's advice; but it would be much better that the gentleman administering the Act should have the power to at once take the necessary steps in cases of emergency.

Mr. MOREHEAD suggested that, to meet the objection, the clause might be amended so as to read, "In any case of emergency, the Governor in Council may exercise all or any of the powers by this Act conferred upon a local authority."

On the motion of the PREMIER, the words "or Minister" were inserted after the word "board," and the words "if ordered by the Governor in Council to do so" were omitted.

Clause, as amended, passed.

Clause 17—"Sewers vested in local authorities"; and 18—"Power to purchase sewers"—passed as printed.

On clause 19, as follows:—

"Every local authority shall keep in repair all sewers belonging to it, and shall cause to be made such sewers as may be necessary for effectually draining its district for the purposes of this Act."

Mr. FERGUSON said the clause was a short one, but it meant a great deal. The Committee had already passed clauses which gave almost every power to the Central Board of Health to compel local authorities to carry out any improvements they might think necessary for the purposes of the Act, but the power now sought for was, he thought, going a little too far. If, for instance, the board were to send instructions to the corporation of Rockhampton to effectually drain the municipality as the clause provided, the amount of money required for the purpose would put it simply beyond their power; and the same would be the case in every other town in the colony. Even in Brisbane, if the board were to send similar instructions to the corporation, they would not be in a position to carry them out. It was rather a dangerous power to be left in the hands of the Central Board of Health.

The PREMIER said it would be better to make it "may" instead of "shall." He would therefore move an amendment to that effect.

Mr. BEATTIE said he perfectly agreed with the hon. member for Rockhampton, as to the central board dictating to local authorities that they should construct sewers. The fact of the matter was that the local authorities were the very best judges of the necessities of their own district. Take the city of Brisbane for instance. Being rich, the municipal council was enabled to construct sewers all over the city; but to get rid of the filth they were compelled to go into outside divisions and municipalities. Supposing the central board said to those outside bodies that for the purpose of receiving the sewage from Brisbane they must immediately construct drains to carry it off: was that board going to compel local authorities to enter into a large loan for that purpose—a loan which would be of serious consequence to the ratepayer? Because under the Divisional Boards Act they could only levy a special rate on the individuals who were benefited by the particular work constructed. As far as the locality which he had in his mind was concerned, a loan of that kind would swamp the whole of the revenue for the next ten years. But there was a provision, he thought, by which, if a division emptied its sewage into another, it could be compelled to pay its proportionate share of carrying it still further on. He did not think it was intended for one moment that the central board should have any such power as that now proposed. They knew very well that local bodies were always anxious to improve the sanitary condition of their localities, but it seemed to him that they had to see that the money contributed by the ratepayers was not wasted, as it would be if a provision were made compelling them to receive filth and other matter from the larger localities.

The PREMIER said that what the hon. gentleman referred to was carefully dealt with by the 30th and following clauses. On consideration, there was a great deal to be said in favour of retaining the imperative word in the section. There might be cases where it would be beyond the power of a local authority to

make sewers, still so called; but then sewers in the Bill meant all kinds of drains—including street drains—to carry off water. One of the most important duties imposed on local bodies by the Act was the making of proper drains for carrying off waste water. He had often had to walk across the road as far as he could simply to avoid the filthy water discharged into the surface drains of the city, which were sewers within the definition in the Bill. If they made the Act compulsory, and a complaint was made to the central board, that body would make inquiry into the matter. If it was found that the local authority had made default, then the Governor in Council might direct the work to be done. First, there would be the local authorities; if they made default, then the central board would step in, and then, if necessary, the Governor in Council; and they knew that if the Governor in Council ordered work the Government would have to find the money. If the local authorities refused to provide drains to carry off the filthy water, which had so much to do with disease, then the Governor in Council would step in. If the clause meant underground sewers only, he thought it would be more than could be expected; but seeing that other kind of drains were included, he thought it would be better to retain the imperative word, trusting that no work would be ordered that was beyond the power of any local body to carry out.

Mr. MOREHEAD said he would like to know from the Premier what would happen if the local board did not carry out the orders given? They knew that a corporation was said to have no soul to be blessed nor any portion of its body to be kicked; and what was the alternative, supposing the local body did not carry out a work? Besides that, who was to pay?—were the ratepayers? Who was the damage to be recovered from? Supposing a local body simply folded its arms and looked on, what would happen? Clause 15 did not apply altogether; at least he could not see that it did, and he had read the clause. A local body could not be put into the insolvency court, as far as he could make out.

Mr. BEATTIE: Look at the last part of clause 15.

The PREMIER: It must be read with Part IX.

Mr. MOREHEAD said he found there was greater power than he supposed. It appeared, however, that if a local authority in one division did not choose to fall in with the views of a local authority in another division, or of the Board of Health, it would be cast in damages and severe penalties by a special rate being levied on the ratepayers in that district. That was because they did not like to follow the dictates of either the division next to them or of the Board of Health. He trusted that hon. members, who were all very much interested in the proper working of the Local Government Act and divisional boards, would pay particular attention to this clause, as it appeared to contain very dangerous provisions.

The PREMIER said he had pointed out that it was an essential duty of local authorities to carry off filthy water. Were they to allow them to do as they liked, and leave things as they were? He was sure that if all the surface water lying about the streets were carried off there would be much less stink, and probably much less disease; and the work must be declared to be a duty. It must be remembered that it could only be enforced by the Governor in Council on a recommendation made after full inquiry into the circumstances; and as the Government had to find the money in the first instance, it was not likely they would direct the carrying out of expensive works unless they were absolutely necessary.

Those were the safeguards against the enforcement of the duty in an unreasonable manner. The power must be entrusted to somebody—in England it was entrusted to the Local Government Board. He thought the hon. gentleman who had raised the objection would agree with him now that it was better to allow the language to remain compulsory, and trust to the restrictions which would operate to prevent an undue exercise of power.

Mr. MOREHEAD said that the 17th clause referred to—

“All existing and future sewers within any district.”

And so on; and the 19th clause said—

“Every local authority shall keep in repair all sewers belonging to it.”

Now, if there was to be a system of drainage under the Bill, as he assumed there would be, he took it that the local authority through whose district the sewer passed would, at any rate, have a say as to whether it was sufficient to carry through that division all the sewage that might come from other divisions. Now, many hon. members knew—at any rate the hon. member for the Valley knew—that an enormous amount of storm-water and sewage of the city was swept through one division of the Valley during flood-time. It was very unfair that that division should be compelled to carry off all the sewage that came to it from a large portion of the city. If the sewer going through that division was to be part of the main sewerage system of the city, let it be so made, but he would ask the Committee to insist that an excessive tax should not be put on the inhabitants of that division—which was, as it were, a midway division between the river and a large part of the highest portion of the city—to pay for the sewerage system of that higher portion. That was what he believed would be the result of these two clauses as they stood.

Mr. BEATTIE said that would be so, but for clause 31, in which the last proviso read:—

“Provided that, so far as practicable, storm-waters shall be prevented from flowing from the sewers of the first-mentioned local authority into the sewers of the last-mentioned local authority, and that the sewage of other districts or places shall not be permitted by the first-mentioned local authority to pass into its sewers so as to be discharged into the sewers of the last-mentioned local authority without the consent of such last-mentioned local authority.”

The fact of the matter was that their consent was not asked at all. When a storm took place they were deluged in that locality at once, and had had to make provision to receive this drainage at a cost of £400. He was glad to say that arrangements had been made to carry that drainage somewhere else, so that that would dispose of the difficulty so far as his district was concerned; but there might be other places suffering from the same disadvantage under which they lay at the present time.

Mr. FERGUSON said that he had not observed that the sewage included surface drainage, such as channel drainage in the city streets. Since that was so, it was quite necessary that the authorities should be compelled to carry it out, because it was not a heavy work, and was very necessary. The expensive sewerage which he had alluded to was the underground system, which cost an enormous amount of money; but he did not suppose the Government would force the authorities to carry that out when they had to provide the money in the first place. He thought, on consideration, that it would be well to leave the clause as it was.

Mr. MOREHEAD said that he did not see that the latter part of the 31st clause in any way mitigated the evil which existed under the 19th clause. It read—

“Provided that so far as practicable”—

What did that mean? The other division might say it was not practicable to drain their storm-waters, and then what would come of those who had their houses deluged through the neglect in the matter of drainage of those in the higher division? The clause went on to say—

“Storm-waters shall be prevented from flowing from the sewers of the first-mentioned local authority into the sewers of the last-mentioned local authority, and that the sewage of other districts or places shall not be permitted by the first-mentioned local authority to pass into its sewers so as to be discharged into the sewers of the last-mentioned local authority without the consent of such last-mentioned local authority.”

Now was it at all likely that the water would remain there till the “last-mentioned local authority” decided whether it should be allowed to come down or not? From what he had seen, he was under the impression that during a heavy thunderstorm the water came down very much more rapidly than a board of health could be called together. If the clause passed, great injustice would be done to many divisional boards, especially those which had low-lying lands within their boundaries, and more especially those low-lying lands which were portions of the suburbs of cities, such as the parts of the divisions he had spoken of in the neighbourhood of Brisbane. The Government seemed to him to be passing these divisional boards on to all time; but he was inclined to think that there would be a day of reckoning some time, when the divisional boards would come down on the Government with a vengeance. It was all very well for the Minister for Works to look black, and refer people, when they called on him, to the divisional boards, but he would tell the hon. gentleman that he would have to find a very large sum to supplement votes already given to the boards. He thought they were passing important Bills of this sort too rapidly. They had got to the 19th clause now, and it was half-past 9. He did not suppose the hon. member proposed to go very much further. He supposed when he got, say, to the 37th clause, he would stop. It was one upon which he fancied there would be a good deal of discussion on the other side of the House, as it was bringing the subject home.

Amendment by leave withdrawn, and clause agreed to.

Clauses 20, 21, and 22 passed as printed.

On clause 23, as follows:—

“A local authority may, if it thinks fit, provide a map exhibiting a system of sewerage for effectually draining the district, and any such map shall be kept at the office of the local authority, and shall at all reasonable times be open to the inspection of the ratepayers of the district.”

Mr. NORTON said he could not see how the clause could be necessary. If the local authority wished to provide such a map they had the power to do so at present. If so, it could not be necessary to give them a power which they had already.

The PREMIER said they had that power already, no doubt, but the object of the clause was that if they had a map exhibiting their system of sewerage they were bound to display it. The next clause gave power to owners and occupiers within the district to connect with the sewers of the local authority. If the local authority had a map of the kind, they were bound to exhibit it so that people constructing buildings might know exactly how to construct them in order to connect their drainage with the sewers of the local authority.

Clause passed as printed.

Clauses 24 and 25 passed as printed.

On clause 26, as follows:—

“Where any house within the district of a local authority is without a drain sufficient for effectual drainage, the local authority may by written notice

require the owner or occupier of such house, within a reasonable time therein specified, to make a covered drain or drains emptying into any sewer which the local authority is entitled to use, and which is not more than one hundred feet from the site of such house; or, if no such means of drainage are within that distance, then emptying into such covered cesspool or other place within that distance, and not being under any house, as the local authority directs; and the local authority may require any such drain or drains to be of such materials and size, and to be laid at such level and with such fall, as, on the report of the surveyor, may appear to the local authority to be necessary.

"If such notice is not complied with, the local authority may, after the expiration of the time specified in the notice, do the work required, and may recover in a summary manner the expenses incurred by it in so doing from the owner."

"Provided that where, in the opinion of the local authority, greater expense would be incurred in causing the drains of two or more houses to empty into an existing sewer pursuant to this section than in constructing a new sewer and causing such drains to empty therein, the local authority may construct such new sewer and require the owners or occupiers of such houses to cause their drains to empty therein, and may apportion as it deems just the expenses of the construction of such sewer among the owners of the several houses, and may recover from such owners in a summary manner the sums so apportioned."

Mr. ARCHER said he would like to have some explanation of the clause. It appeared that, where the owner or occupier of a house was more than 100 feet from any sewer, he might make a drain "emptying into such covered cesspool or other place within that distance, and not being under any house, as the local authority directs." That appeared to him to be about the worst thing he could do, and he could not understand it being authorised by law. He should like to know if the clause was taken from any Act.

The PREMIER said it was a provision taken from the English statute. Covered cesspools were very much used in many parts of the world. If the sewer of the local authority was within 100 feet, the person was bound to connect with it, but if not he took the drain somewhere else. He was not to leave stagnant water about his premises. Probably the best place he could take it to would be to some place underground full of stone, with vegetation growing above it, or near it, where it might be absorbed. It was intended that the cesspool should be a covered one from which there should be no emanations. It did not follow that the cesspool into which the drain was carried should be what was commonly called a cesspool, an offensive open waterhole connected with a closet. It meant some place underground covered up, and from which there should be no emanations. That was how he understood it.

Mr. ARCHER said it was a very difficult thing to know what to do in a case such as that mentioned by the hon. gentleman, but he certainly thought that to carry offensive matter in a drain into a cesspool was the very worst thing they could do with it. He knew a case in point, in which a gentleman, who was well known to the hon. member, nearly lost his life from a disease engendered by just such a practice of draining offensive matter into a cesspool. Putting the matter out of sight did not by any means prevent its becoming poisonous and engendering disease. It was much better that water containing offensive matter, whether animal or vegetable, should be exposed to the air; and it certainly was a much better way of getting rid of it than by locking it up underground in a covered cesspool. Their system of sewerage, if it would take things away altogether, would be all right; but if it did not succeed in carrying them away, it would be much more dangerous than no sewerage at all. Surface sewerage, in which the offensive matter, while being carried away, was exposed to the air, was

by far the best they could have, as when it was covered away from the air it naturally generated the very worst diseases, and brought on the diseases they wished to prevent. Putting offensive matter out of sight, and preventing the oxygen of the air from getting at it, was the very best means of spreading disease through the whole community. Therefore he really thought that the clause was not even a makeshift, because he believed it was better to leave stinking matter open to the air than to put it away out of sight, so long as it was carried to some distance.

Mr. JORDAN said he thought there was a great deal in what the hon. member for Blackall had said. It would be an improvement to omit the word "cesspool." In cases where householders were not able to drain within a distance of 100 feet, then the drainage had to be conveyed to some other place approved by the local authority. If the word "cesspool" were to remain in the clause, it would be very suggestive to those persons who were only too much inclined to keep such things upon their premises.

The PREMIER said it would be an improvement if the word "cesspool" were left out, and the local authority was left to direct where the drainage was to be carried to. The clause was taken from the English Act without any change in that respect. He confessed he did not like the word "cesspool," which had struck him when revising the Bill. The use of the word would probably suggest that that was the proper place to take the drainage to, whereas it would probably be the very worst. He would, therefore, accept the suggestion to omit the words "cesspool or other place." There could be no difficulty in disposing of the drainage, for a drain of loose stones would serve the purpose. He knew of cases where large volumes of water were disposed of by this means and drained under trees. The trees flourished, and that was all. Mr. Pettigrew was a gentleman who was continually preaching on the disposal of water in this manner, and he thought it a very good system.

Mr. FERGUSON said the distance of 100 feet was altogether too short. In Rockhampton, for instance, where the streets were wide, the distance from the houses to the main sewer would be more than double that. The Bill, in consequence, would not fit in with the general sewerage system of the town. There was far more likelihood of danger arising from the house drainage than from street drainage, and if the distance was not increased the authorities would not have power to compel householders to drain into the main sewer of the town. Where houses were situated in the middle of, say, an acre of land, or were beyond the town, there was no necessity for this; but in the thickly populated parts of the city, householders should be compelled to drain at whatever distance they were from the sewer. The distance should at least be increased to 300 feet.

Mr. MOREHEAD said he objected to what this clause proposed to legislate—namely, to compel householders to have closed drains. He thought that should be left to the local authorities to determine; if not, to the owner of the property to be drained. The latest and best authorities considered that open drains were better than closed ones, and, speaking for himself, he had no closed drains connected with his house whatever. Although the best authorities agreed that open drains were the best, yet he would be compelled to make covered drains. They were all aware that the very drains in which those germs which were supposed to create fever were contained were those which were shut off from the air, and in

open or surface drains no such gases existed, because they were dispelled by the atmosphere. He had had covered drains on his establishment, which he had taken up and had open ones made in their place. The hon. Premier would know that what he said was absolutely correct.

Mr. ARCHER said he quite agreed with what had fallen from the hon. member for Balonne, that open drains, situated as he was, were preferable; but in the towns it was absolutely necessary to have covered drains. Circumstances altered cases. In a town where a system of drainage was laid down through the streets, the drainage of the houses must connect with the main sewers, and in so doing they must pass through the streets, and consequently, must be covered up. Open drains, of course, were better in open places, because most of the fevers from which we suffer were caused by the bad air from drains. Referring to what the hon. member for Rockhampton had said, he agreed with him that in Rockhampton, where the streets were very wide, the distance of 100 feet should be extended. With reference to what had fallen from the Colonial Secretary, he could only say that he was quite mistaken if he supposed that letting water run through stones prevented smells arising from it. The most dangerous gases had no smell at all. A good solid stink was not half so dangerous as those gases which even the finest nostrils could not detect. The Colonial Secretary had consented to make one amendment, and he had better make another compelling people in town to connect their drains with the main drains. They could not be allowed to let their drains run over the streets.

On the motion of the PREMIER, the word "covered" in the 4th line was omitted.

On the motion of Mr. FERGUSON, the word "three" was substituted for the word "one" in the 42nd line.

On the motion of the PREMIER, the words "cesspool or other" in the 44th line were omitted.

Mr. NORTON said he would take the opportunity of pointing out that the definition of the word "drain" in the 3rd clause, would require amendment.

Clause, as amended, put and passed.

Clause 27, passed as printed.

Clause 28—"Penalty on building house without drains in municipal district"—passed with verbal consequential amendments.

On clause 29, as follows:—

"Any person who in any municipal district without the written consent of the local authority—

(1) Causes any building to be newly erected over any sewer of the local authority; or

(2) Causes any vault, arch, or cellar, to be newly built or constructed under the carriage-way of any street;

shall forfeit to the local authority the sum of five pounds and a further sum of forty shillings for every day during which the offence is continued after written notice from the local authority.

"A local authority may cause any building, vault, arch, or cellar, erected or constructed contrary to the provisions of this section, to be altered, pulled down, or otherwise dealt with as it thinks fit, and may recover in a summary manner from the offender any expenses incurred by the local authority in so doing."

Mr. MOREHEAD said he would call the attention of the Premier to the fact that, in the passage of the last clause, the word "covered" was struck out when it must have been the intention of the hon. gentleman that it should remain. Would the hon. gentleman recommit the Bill?

The PREMIER: Yes.

Mr. MOREHEAD said he thought that was an opportune time for adjourning, because they were just coming on to a distinct section of what

was a most important Bill. They could hardly commence debating it at that late hour of the evening, and were all anxious to make the Bill as nearly perfect as possible. It had been dealt with in anything but a party spirit; they had all done their best, and he supposed that was because it concerned their own existence. Under no other circumstances would they have been so amiable over it.

Mr. NORTON said he noticed the word "newly" in the 1st and 2nd subsections. In the 1st subsection there was the phrase "causing any building to be newly erected." He supposed if a building was erected at all it was newly erected. The same word occurred in the 2nd subsection—"causes any vault, arch, or cellar to be newly erected or constructed." He did not think the word "newly" was necessary.

The PREMIER said he agreed with the hon. member and scarcely thought the word was wanted. It was a curious expression used in the English Act. In England a number of buildings were pulled down and put up afresh, and the word was used to signify that the owners were not to be allowed to put up an entirely new structure. Of course, in England there were any quantity of buildings erected over sewers, and any quantity of cellars running under streets. He did not think there were very many buildings in this colony built over sewers. He was, however, informed that there were some in Brisbane, and therefore thought they had better allow the words to stand as they were. If those buildings were pulled down, there was no reason why they should not be put up again—they could not then be called new. He did not think there were any cellars under streets in Brisbane, and hoped there never would be. That clause was to prevent such a thing.

Clause put and passed.

The PREMIER said, as he understood that hon. members were desirous of discussing the question of the disposal of sewage, which was dealt with in the next section of the Bill—though he did not apprehend that there would be difference of opinion on the subject—he would move that the Chairman leave the chair, report progress, and ask leave to sit again. The Bill was a very long one, and a very important one, and he did not for a moment desire that it should be discussed otherwise than fully, but he did hope that assistance would be given that it might become law. It was very badly wanted. It might be necessary, however, to sit a little later than 10 o'clock when long Bills of that kind were under consideration. He hoped they would have an opportunity of proceeding with the Bill to-morrow.

Mr. MOREHEAD said he thought the Bill was of very much more importance to the State than the Land Bill, and it was certainly very much better set forth.

Question put and passed.

The House resumed; the CHAIRMAN reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

The PREMIER moved that the House do now adjourn; and said, as far as he knew, there was no private business on the paper for to-morrow, except a formal second reading, and a motion by the hon. member for Port Curtis. Those would not take long, and he therefore proposed to go on with the Health Bill to-morrow, and hoped they should be able to make substantial progress.

Question put and passed.

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