Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 29 JULY 1885

LEGISLATIVE ASSEMBLY.

Wednesday, 29 *July*, 1885.

Question of Privilege.—Question.—Petition.—Formal Motions.—Charitable Institutions Management Bill—committee.—Rabbit Bill.—Local Government Act Amendment Bill—committee.—Marsupials Destruction Act Continuation Bill—committee.—Adjournment.

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

QUESTION OF PRIVILEGE.

Mr. BAILEY said: Mr. Speaker,—As a question of privilege, and in connection with the decision you gave last night as to Bills being brought before this House without a preamble, I would ask your ruling as to whether such a practice is not in contravention of our Standing Orders. Standing Order No. 228 lays down that when a Bill is in committee—

"The Chairman shall put a question—'That the preamble be postponed'—which being agreed to, every clause is considered by the committee seriatim."

I am not disputing that this custom of omitting the preamble is the practice of the Imperial Parliament, my objection simply being that the omission of a preamble is in contravention to our own rules. Then the 233rd Standing Order says:—

"After every clause and schedule has been agreed to, and any clauses added which are within the title of the Bill, or pursuant to any instruction, the preamble is considered, and, if necessary, amended; and a question is put, 'That this be the preamble of the Bill.'"

It is very evident to my mind that our Standing Orders never contemplated the present practice of presenting Bills to this House without a preamble, notwithstanding that is the practice of the Imperial Parliament. I may say, sir, that some years ago your predecessor in the chair, Mr. Walsh, in speaking on the Judicature Bill, complained that it was passed through committee without the enactment having been agreed to, and he characterised that as "a rushing through of business very much to be deprecated." I would therefore ask your ruling as to whether Bills should be brought in in this way, and whether such a practice is in accordance with our Standing Orders.

The SPEAKER: I scarcely think the question is one that the Chair should be called upon to decide at the present time. It is a sort of floating question which may or may not arise, and the best time for the hon. gentleman to take an objection and raise a point of that kind will be when a Bill is brought in without a preamble. At the present time I do not think the Chair is called upon to give an authoritative opinion upon such a very important question as to whether a Bill should or should not be introduced into this House without a preamble.

QUESTION.

Mr. MOREHEAD asked the Minister for Lands—

1. Whether the Blackall Range Reserve, proclaimed some four years ago, has been cancelled?
2. Whether such reservation only permitted timber-getters, who had already felled timber, six months to remove such timber?
3. Whether, within the last two weeks or thereabouts, permits have been granted to two men (amongst others) named Simpson and Page, allowing them to remove timber from the reserve named, such timber having been cut long after the period allowed after reservation had elapsed?
4. Have the present Government alienated in any way, as freehold or otherwise, any portion of the Blackall Range?
5. If so, in what way and to whom was this privilege extended?

The MINISTER FOR LANDS (Hon. C. B. Dutton) replied—

1. No.
2. No condition of the nature referred to included in the reservation of land.
3. A Mr. Simpson has got an extension of time until the 31st December next, to remove some timber from the reserve.
4. A small portion of the reserve, containing about 11 acres, was allowed in 1882 to be added to selection 3389A, Brisbane district (C. W. Walker).
5. C. W. Walker.

PETITION.

Mr. KATES presented a petition signed by more than 700 residents of Queensland, in connection with the timber case of Brydon, Jones, and Company *v.* Ransome, tried last year in Toowoomba, before the Chief Justice and a special jury. The petition was signed by 15 justices of the peace, and over 100 persons closely connected with the timber trade—carpenters, joiners, sawmill proprietors, and timber merchants, and stated that Ransome had suffered injustice. He moved that the petition be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. KATES, the petition was received.

FORMAL MOTIONS.

The following motions were agreed to :—

By Mr. BLACK—

That there be laid upon the table of the House, all correspondence connected with the proposed removal of St. Joseph's Orphanage from Mackay, with latest reports from the Inspector of Orphanages on that orphanage.

By the HON. SIR T. MCILWRAITH—

That there be laid upon the table of the House, a schedule of contracts let for carrying immigrants from Great Britain and European countries to the various ports of Queensland, giving names of contractors, rates, and conditions.

CHARITABLE INSTITUTIONS MANAGEMENT BILL—COMMITTEE.

On the motion of the PREMIER (Hon. S. W. Griffith), the House went into Committee to consider this Bill in detail.

Preamble postponed.

Clause 1—"Interpretation"—passed as printed.

On clause 2, as follows :—

"The Governor may, by Order in Council, declare any public institution which is maintained wholly or in part at the public expense for the reception, maintenance, and care of indigent persons, or other persons requiring medical aid or comfort, not being a hospital for the insane, or a hospital established under the statutes relating to hospitals, to be a public charitable institution for the purposes of this Act, and may, by the like Order in Council, declare that all or any of the provisions of this Act shall be applicable to such institution. And the provisions of this Act so declared to be applicable shall thereupon apply to such institution accordingly."

The HON. SIR T. MCILWRAITH said that on the second reading of the Bill he drew the attention of the House to the advisability of confining the operation of the Bill, if possible, to the Dunwich Asylum. He would like to know what institutions were likely to come under its operation?

The PREMIER said there was at the present time a benevolent asylum at Rockhampton which would come under the Bill. It must not be assumed that the institution at Dunwich was the only one that would come under its operation. The question might arise some day whether that institution should not be divided into male and female branches, and then, though in the same locality, the two institutions might be at a considerable distance from one another. His own opinion was that at the present time it was not expedient to divide it, but, as he had said, the question might arise some day. Then there were other institutions to which Government aid was afforded that should come under the Bill. For instance, there was the Female Refuge. It was desirable that such institutions as that should be under proper rules and regulations, though, of course, in cases where they were under the management of committees Government regulations would not be made against the wish of the committees. It had, however, occurred to him that the expression "medical aid or comfort" was too limited to cover those institutions.

The HON. SIR T. MCILWRAITH asked if the two institutions mentioned were the only ones that occurred to the hon. gentleman as likely to come under the Bill? What about the orphanages?

The PREMIER said he mentioned on the previous day that since the Bill was drawn his attention had been called to the fact that it might be held to include orphanages, which were already provided for by the Orphanages Act of 1879. He intended to propose an amendment in the clause before the Committee, which would clearly exclude orphanages. There was another institution, called, he thought, the Industrial Home—but at that moment he forgot the exact name—which had been established for some time, and to which it was proposed some assistance should be given by the Government. In that case it would be desirable that it also should come under that Bill. He would now move that the clause be amended by inserting the words "or other" after the word "medical" in the 4th line. After that was disposed of he would propose the amendment with reference to orphanages.

Mr. MOREHEAD said he would ask whether it would not be as well for the hon. gentleman to postpone the consideration of the Bill with the view of amending that clause? The hon. gentleman had just told the Committee that his attention had been called on the previous day to the manner in which the orphanages would be affected if the Bill became law as it at present stood, and now he told the Committee that there might be some other institutions which would be injuriously affected by the Bill.

The PREMIER: No. I said institutions to which this Bill would apply and should apply.

Mr. MOREHEAD: Then the hon. gentleman ought to be prepared with the necessary amendments.

The PREMIER: So I am.

Mr. MOREHEAD said the hon. gentleman asked that the 2nd clause should go without making any explanation whatever.

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

The PREMIER moved that the words "and not being an orphanage within the meaning of the Orphanages Act of 1879" be inserted after the word "hospitals" in the 15th line of the clause.

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

The HON. SIR T. MCILWRAITH said he did not think that was the right way to leave the clause, because as it now stood it left it entirely to the Governor in Council to put into operation the whole or any part of the Bill with regard even to the Benevolent Asylum at Dunwich. Now the intention of the Committee was to make all the provisions of the measure applicable to the Dunwich Asylum, and leave it to the Governor

in Council simply to make such regulations as he might deem right, applicable to any other institutions that might come under the operation of the Bill.

The PREMIER said he thought it would be most satisfactory to leave the clause as it was. They could not put in the name of "Dunwich," because the institution might not always be there. He himself thought Dunwich was a very good place for a benevolent asylum, but he knew many persons were of a different opinion, and it might some day be removed; that was a sufficient reason for not mentioning it by name.

The HON. SIR T. McILWRAITH said he wished to know if it was the intention of the Government immediately on the passage of the Bill to frame an Order in Council placing Dunwich under the whole of the Act.

The PREMIER: Yes.

Clause, as amended, put and passed.

Clauses 3 and 4 passed as printed.

On clause 5, as follows:—

"The Governor in Council may appoint for every institution a superintendent and matron, and, if necessary, an assistant superintendent or matron.

"The superintendent may, subject to the approval of the Minister, appoint such and so many other officers, attendants, and servants as may be necessary for the proper management of the institution."

The HON. SIR T. McILWRAITH said he thought the second part of the clause would be found to work very badly. The Minister should have the appointment entirely in his own hands. He knew that whenever by Act of Parliament such power was given to a subordinate official it was always exercised as a right, and the appointment was virtually taken out of the hands of the Minister.

The PREMIER said he would have no objection to adopt the hon. member's suggestion; he knew that subordinates were fond of taking power into their own hands. When a medical officer was in charge of an institution like that, he generally maintained that, as he was responsible for the good order of the establishment, he should not have men put under him who would not work with him. In the case of a lunatic asylum such as Goodna, there was a good deal of force in the contention that the appointment should be recommended by the superintendent, but the same argument, although good, would not apply with so great force to an institution like Dunwich.

The HON. SIR T. McILWRAITH said there were some officers in the Colonial Secretary's Department who had the appointment of certain officials subject to the approval of the Minister; and they looked upon it as their patronage, and would thwart the Minister in every possible way so as to get in their own men, who were not generally good men. A wise Colonial Secretary would, of course, leave a good deal to the superintendent of such a place as Woogaroo, but the real safeguard was for the Minister to keep the appointment in his own hands. Wherever an officer had the appointment subject to the approval of the Minister it always worked badly. The officer got in his men, or disturbed the department very considerably.

The PREMIER said he had no objection to accept the suggestion. He moved the omission of the words "superintendent" and "subject to the approval of the Minister," and the insertion of the word "Minister" before "may."

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

On clause 6—"Curator to manage estates of inmates of certain institutions; powers of curator"—

The HON. SIR T. McILWRAITH asked who was the Curator in Insanity now?

The PREMIER: Mr. Newman, who is also Curator of Intestate Estates.

Clause put and passed.

Clause 7 passed as printed.

On clause 8—

"The relatives of an inmate shall, if they are of sufficient means, and if such inmate is not of sufficient means, be liable to defray the cost of such inmate's maintenance in an institution."

The PREMIER said the question arose last night as to whether the term "relatives" was not rather too wide. It would be convenient to show, beyond all doubt, that the meaning was only those relatives who were thereinafter mentioned.

The HON. SIR T. McILWRAITH: Who do you propose to mention?

The PREMIER said the 11th clause mentioned them—"husband or wife," "father or mother," etc. He was, himself, disposed to add "grandparents or grandchildren." That was his impression; he only wished to show that there should be a limitation. The present clause was merely formal; when they came to the 11th clause the matter could be settled. He moved that the words "hereinafter mentioned" be inserted after the word "inmate" in the 1st line of the clause.

Amendment put.

Mr. MOREHEAD said he thought he was at liberty to speak. He conceived that the proposed system was one that should not be introduced into their Bills, dealing with matters of that sort. He did not see, as he said last night, why any one should be responsible, whether it were son, husband, wife, grandfather, or cousin, or anything else, for the blackguardism, or ruffianism, or drunkenness of any relative. He did not see why the penalty should have to be paid by innocent persons, and he did not see where the liability proposed under the clause came in. He thought the Premier ought to show them how he justified the clause—where the liability came in. He could quite understand, if the clause became law, some unfortunate members of the community being absolutely blackmailed by dissolute relatives, who would say, "If you do not give me money, and allow me to go on as I like, and get drunk, I will go to Dunwich or get into some one of these institutions, and I will force you, through your relationship to myself, to pay for my support." That was the position that might be taken up, and probably would be taken up, by many of those worthless wretches who might have respectable relations. They would then be permitted to blackmail respectable people. He objected to it on another ground, and that was, that if the clause and the following ones became law it appeared to him that they would be constituting an Inquisition in the colony and would have people brought up at the police court, and compelled to disclose their private affairs, as to their position, and whether they were able to maintain those wretched creatures in the asylum or not. Then there would be evidence brought in to prove that those people were in a position to support them. It would be a disgrace to their Statute-book if that clause were allowed to stand, and he thought, as he said last night, that there should be, possibly, a workhouse established in the city, and, perhaps, in other centres of population as well, where those who were unfit and not suited for the Dunwich Benevolent Asylum, and not criminal enough to be put in gaol, might go—a kind of middle course—and be made to work. He would support a measure of that kind, but he never would, so long as he had the honour of a seat in that Committee, consent to decent, honest

people, who might have unhappy connections or relatives, being taxed to support them—the crime really not resting upon the persons who were supported but upon those who supported them. He thought that objection would commend itself to every member of the Committee. They had no right to cast upon the heads of respectable people the sins of others. Speaking for himself now—although a member of the Church of England, he never was confirmed in that church—he admitted that he had cast the responsibility of his sins upon his godfathers and godmothers; but he doubted very much whether there would be a confirmation elsewhere, so he fancied he would have to answer for them when the time came. They had no right to ask that those who were in any way dissolute—and, in fact, he might almost call it criminally dissolute—should be supported by people who, by consanguinity or otherwise, might be connected with them. It was as absurd as to make a man responsible for the debts or drunkenness of a father or son, that the onus of any man or woman's crime should be cast upon a really innocent person. Upon those grounds he thought, and every right-minded person would agree with him, that the clause could quite as well be excised from the Bill. There were many good points in the measure that they had before them, but he held that it was too tyrannical a measure to exist in this colony. He should oppose the introduction of the clause to the utmost, and would do anything to prevent its becoming law.

The PREMIER said the hon. gentleman's arguments were beside the question. It was not proposed to make persons maintain their distant unfortunate relatives. He supposed that if a husband was able to maintain his wife, and his wife was maintained at the public expense, he ought to maintain her.

Mr. MOREHEAD: Reverse the positions.

The PREMIER: Suppose a wife was able to maintain her husband, ought not she to do so? Could anybody say "No" to that?

Mr. MOREHEAD: I say "No"!

The PREMIER said why should he and others, or in other words the State, pay the cost of maintaining somebody else's wife when the husband could keep her himself? In the case of a father or mother, if they were able to maintain their sons or daughters he maintained that they should do so, and not cast the responsibility upon the State. In the same way, when a child was able to maintain his father or mother, why should he not do so instead of leaving them dependent upon public charity? Could anybody say that it was not the plain duty of a child who could maintain his parents to do so? What was the alternative? They would either subsist upon public charity or starve. Their duty seemed to be apparent; but when it came to brothers and sisters another question might come in. In the case of a husband or wife, or parent, or child of the age of twenty-one years, there could be scarcely any difference of opinion—it was a moral duty. The question whether brothers and sisters should be included did not arise now.

Mr. MOREHEAD said he did not see why, because a man had a drunken worthless wife, he should be compelled to support her if she was sent to one of those institutions. Take the case of a woman drinking until it became necessary to send her to Woogaroo.

The PREMIER: Then he would have to pay for her.

Mr. MOREHEAD said that was the present law with regard to the lunatic asylum. Supposing the husband had not driven his wife to drink, why should he, out of his hard-won earnings, be compelled to support her while at Woogaroo? The man's domestic peace had been destroyed, and his home probably broken up, and he was to be further taxed to support her who had been the cause of it. Such cases should be looked upon, so to say, as a "visitation of God"; a dreadful calamity which had befallen a man through no fault of his own, and he ought not to have an additional burden placed upon him in consequence. It was still worse when the cases were reversed, and where the unfortunate wife would be taxed to support a dissolute husband who had been sent to one of those institutions. There was no necessity for the clause, and he hoped the Committee would not consent to it. It was a tax which the community could well afford to pay. The hon. member for Fassifern said last night that, as the State had been the cause of the diseases which had driven many men into lunatic asylums or benevolent asylums, therefore the State should pay for them while there. No person outside the individual himself should be made to suffer. He was certain his argument was a good one, and it was based on common sense, justice, and humanity.

The MINISTER FOR WORKS (Hon. W. Miles) said he believed the hon. member for Balonne was arguing against his own convictions.

Mr. MOREHEAD: I think that is a piece of impertinence.

The MINISTER FOR WORKS said all he could say was that if the hon. member was of that opinion he was sorry for him. The hon. member, he was certain, would do nothing of the sort in his own case, and he did not mean what he said. Cases were of constant occurrence where a husband was compelled by the police magistrate to support a drunken wife; and why, in the name of common sense, should individuals of that sort be thrown on the public when their husbands were in a position to support them? He hoped there were not many members who held the opinions expressed by the hon. member for Balonne.

Mr. MOREHEAD said the Minister for Works seemed to think he was speaking from a personal point of view. He had been trying to explain that such was not the case, but the density of the hon. gentleman's outside casing was such that it took some little time to reach what, in ordinary individuals, was called the brain. He was speaking not for himself, but for those who had not a voice in the House—for the people of the colony; and he insisted that if the clause was retained in the Bill it would lead to an enormous amount of injury and injustice, besides having an inquisitorial effect, as he had already pointed out. It was not a party question. Even members on that side were divided upon it; and they were generally a very happy family. There was a good deal to be said on both sides, but the weight of argument was in favour of his contention.

Mr. SHERIDAN asked whether, in the case of a wife who had got a protection order against the extravagance and misconduct of her husband, and the husband was subsequently sent to Dunwich, she would have to contribute towards his maintenance while there?

The PREMIER replied that in the event of there being a decree of judicial separation the liability of one to the other ceased.

Mr. SHERIDAN: But there are many cases where only a protection order exists.

The PREMIER: A protection order has the same effect.

Mr. GRIMES said he saw no reason why a husband should not be compelled to support a wife or a wife a husband. On going through the marriage ceremony they had taken each other for better or worse, and the husband had promised to support and sustain and endow his wife with his worldly goods and all the rest of it; but perhaps it was so long since the hon. member for Balonne stood at the altar that he had forgotten it. Nor could he see any reason why the children should not support their parents or parents their children. But there they should stop. It would be exceedingly hard to call upon a brother who had been industrious and provident, and who had established himself in a way of business, to support another brother who, by his improvidence and dissolute habits, had come to disease and want. There would be many cases of real hardship if they were to include brothers and sisters amongst the relatives who should be called upon to contribute towards the maintenance of the inmates of those establishments.

Mr. JORDAN said he went a long way with the hon. member for Balonne in this matter, but at the same time he thought there was an obligation—a strong obligation—upon people to support relatives who, from any circumstances whatever, became inmates of those benevolent institutions. The husband should certainly contribute to the support of his wife under all possible circumstances conceivable.

Mr. MOREHEAD: I do not agree with you there.

Mr. JORDAN said that was his view of it; but he did not think it would be just to oblige a wife — possibly a hard-working poor woman with a family of children whom she was bound to support — to contribute towards the maintenance of a drunken husband who might be sent to one of those institutions. Therefore, if the hon. member for Balonne would move that the word "wife" be left out of the clause he should support him. He thought, too, that it would be a hardship, as the hon. member who had just sat down had pointed out, that brothers should be compelled to contribute towards the support of sisters or sisters of brothers; but he should certainly compel a husband to contribute towards the support of his wife; that fathers and mothers should contribute to the support of their children, and, *vice versâ*, that children should contribute towards the support of their parents. He thought they could not properly be released from that obligation, which was a solemn obligation upon such near relatives as those. As the hon. member for Balonne had said, the inquiries that would have to be made as to the means relatives had of contributing to the support of inmates of those institutions would, in many cases, be highly objectionable. For instance, he did not think it at all desirable that a poor woman should be compelled to go into the witness-box to prove that she had not sufficient means to support a drunken husband at Dunwich.

Mr. ARCHER said in dealing with a Bill like the present, which to a certain extent would be administered by justices, it must be taken for granted, although some of the justices might not be very wise men, that no justice would order a poor hard-working woman to contribute to the support of her husband at Dunwich. The idea was too absurd. If such a thing were done it would be the Colonial Secretary's duty to at once strike such justices off the roll. But there might be cases in which a man had married a woman when in good circumstances: the man might become physically and mentally debauched, but they might have accquired sufficient property to support both of them, and in such a case why should not the wife contribute to her husband's support? It was only those who were actually able to support their relatives who would be called upon to do so, and the idea of justices ordering a woman who was earning 15s. or 20s. a week, and had perhaps four or five children to support, to contribute to the maintenance of her husband in an institution of the kind, was utterly absurd. Of course, some of the justices of Queensland were not very wise, particularly those appointed by the hon. gentleman at the head of the Government, but still they were not such fools as all that. He did not believe that they would do such a thing, and, on the whole, he was rather in favour of the clauses. No doubt some of them might very fairly be argued against. In common life it was really wonderful to see how children would allow their parents to almost starve, and how fathers and mothers would not look after their children, and he was exceedingly glad that they would be compelled to do so, because he did not think there was any man sitting in that Chamber who had the slightest sympathy with one who would not contribute to make the declining years of his parents, however bad they might have been, as comfortable as possible. He agreed with the clause as to brothers and sisters, but, as the hon. the Premier had said, it was open to further argument. It was, no doubt, very hard that a brother should be called upon to pay for the maintenance of an undutiful brother, who had not gone to the bad from any want of supervision on the part of his brother, but more likely from want of supervision on the part of his parents. It was also hard that sisters should be called upon to support sisters or brothers who had gone to the bad; but he did not believe that justices were such fools as they were supposed to be—although there were fools of justices—and under the circumstances he should feel inclined to strike out the 4th line —"brothers and sisters"; but he should be very sorry to see the other portions of the clause altered.

Mr. MOREHEAD said if there was really any justice or propriety in the clause it appeared to him that the matter should be dealt with in an entirely different way. If there was to be an inquisition—surely if there was anything in British law, it should take place before the individual was sent to one of those institutions; that was to say that if an individual was to be sent to Dunwich or a benevolent asylum, or workhouse, or whatever those places were to be termed, he should be taken before the court in the first instance, and witnesses could be brought forward to show whether he had friends or others directly interested in his welfare who were in a position to support him. Then the justices, although they might not be utter fools, as the hon. member for Blackall had said, could decide whether or not it was a fit case for the State to interfere with, or whether it was not a case which should be dealt with under the Vagrancy Act, and send the person to gaol. As the matter stood at present, persons could be sent to Dunwich without any inquiry whatever, and that system was proposed to be perpetuated by the Bill. Then when they got the individual to Dunwich the question would arise whether he might not have some rich relatives, and inquiries would be made to see whether they could not be got at and be compelled to contribute to his support. The inquiry would be held in some secret way. It would not be *in coram populo*—before the bench in the police court. There was to be no inquiry whatever in the first place, nor could there be if the Bill became law. If there was an inquiry in the first

instance he could see some glimmering of reason in the proposal; but as the matter stood now there was to be a star chamber inquiry into the condition of a man; and if he were sent to one of those institutions inquiries were then to be made under the Bill to see whether the State could be relieved of a portion of the cost of his maintenance, and people were to be dragged up to disclose the secrets of their means of living and what their means were. He contended that such a state of things should not be allowed to exist in a colony like this, nor in any part of the world except where they had the workhouse system, to which the whole of their recent legislation seemed to be tending. In addition to that the clause was very ambiguous. It said:—

"Every inmate shall, when he is of sufficient means, be liable upon demand to pay all sums of money which may be demanded of him for and in respect and on account of his maintenance in an institution, and the same may be recovered from him in the manner hereinafter provided for recovering the same from any relative."

They had been given no information as to how much money those people were supposed to have, or how much they were to contribute. It was monstrous that any man's or woman's relatives should be compelled by law, no matter how wealthy they might be, to support some worthless vagabond. He would go further, and say that if an individual who had means, and relatives so near to him as those mentioned in the 11th clause and did not keep them out of such institutions, no power on earth would get such a person to contribute to their support in such an institution. He would say, also, that there was not one case in a hundred where relatives mentioned in the 11th clause would allow such close relations to go into such an institution if they could afford to support them—they would do all they could to prevent their poverty and degradation being brought before the public; and in any other case, if they were able to keep them from such an institution and did not, that clause would never get any money from them. The clause then would be worthless if passed, and would be a blot upon their Statute-book if ever put upon it. The State had a duty to perform, and a duty that overrode any of those errors of omission or commission on the part of individual members of the State. The clause would be a disgrace to their Statute-book if it should ever become law.

The PREMIER said there was an analogous clause to that in the Insanity Act passed last year. It had been six months in operation, and had—during the last three months, at all events—been sufficiently in operation to enable him to know how the clause worked. Before the passing of that Act an immense number of inmates in the Woogaroo Asylum had relatives able to keep them, but none of them did so. When he said none of them, only two or three did out of the number. The effect of the passing of that Act, and of an analogous clause to the one under discussion, was to say that those relatives must pay something; and they were found willing to do it. So far from the clause being a dead-letter, it had resulted in a very substantial contribution towards the maintenance of the institution. The way the clause was worked was this: The Curator made inquiries first of all as to whether the relatives were able to contribute. If he thought they were not, he took no further steps; but if he found they were able to contribute they were asked to do so. There were, of course, cases which ran between those two, where, technically speaking, they might be able to contribute, but it would be hard to ask them to do so. In such cases it had been the practice—and he hoped it would be continued—to refer to the Minister in charge of the department. In cases like that, where persons could be compelled to contribute, and who had some means, but where it would be unjust to take steps against them, the Curator was directed to take no steps. That was the way in which the clause worked under the Insanity Act, and he thought it worked satisfactorily. He did not know of any cases where persons were let off who ought not to be let off. He knew of one case in which a poor woman had a relative in the asylum and actually offered to contribute out of her hard-earned money to the support of her relative. In that case the Curator recommended to him that no demand should be made, though the woman was willing to contribute; and he confirmed the recommendation. That was the way the clause worked under the Insanity Act, and he hoped it would work in the same way under the Bill before them.

Mr. NORTON said he believed the intention of the Bill was a good one, but he could understand that there might be some cases in which it would cause great hardship. The Premier had mentioned what took place under the Insanity Act. Before that Act was passed the contributions of relatives towards the support of inmates of the asylum were exceedingly small, and did not exceed £150 a year, he thought. What had happened here had happened in the other colonies. In New South Wales they had an Act which compelled the relatives of inmates of lunatic asylums to contribute towards their support, and there they received a large revenue from the contributions of relatives. In Victoria they had a different system, and, from the report of a commission appointed to inquire into the matter, it was found that the sum actually received from relatives was exceedingly small—though that was shown to be partly due to the laxity of the department. There were, however, cases brought out in the evidence taken before that commission which showed that in some instances people who had relatives in the asylum, and who were able to pay ten times as much as was necessary to keep them, left them to be supported at the public expense and lived in comfort themselves in various parts of the colony. In one case a wife promised to contribute to the support of her husband during the time he was in the asylum; she made one or two contributions and she then removed from the neighbourhood—went up to Bendigo, or some distant place—and never contributed after that. There were cases very much worse than that brought before the commission, and there was no reason to doubt their truth. Having evidence of that kind before them, he thought there was good reason for introducing a measure of that kind. There were cases of hardship which might occur under the clause if passed as it stood. Where, for instance, a man who could work and was able to work, but having no inclination to work, got into an asylum of that kind simply that he might live in indolence—it would be very hard indeed that his relatives should be compelled to contribute to his support. That was where the danger came in. Persons who were able to do so should contribute to the support of their relatives in an institution such as that; but some provision should be made to prevent anyone being admitted to an asylum of that kind who was able to work.

The PREMIER: It is not done, if we know it, now.

Mr. NORTON said the worst of it was that the Government did not always know it; but the friends of such people did know it, and they refused to assist them because they knew they could work but would not.

Mr. SCOTT said it seemed to him that some very curious complications were likely to arise

under the 11th clause. The provisions for husband and wife, father and mother, were right enough; but when they came to the children, and to brother and sister, the complications began. Take the case of a girl: So long as she was under the age of twenty-one years she was not compelled to support her relatives; but suppose the girl married when she was eighteen years of age, her husband could not be called upon either, but as soon as his wife became twenty-one she could be compelled to support her father or mother, or her brother. Was the husband also liable? As he understood, the law at present made the husband liable for his wife's debts.

The PREMIER said he wished they could make a husband liable in such a case, but that Bill did not do it. He knew a case where a man who received a good salary and was in a comfortable position refused to pay for the support of his wife's mother who was in Dunwich.

Mr. MOREHEAD: The Bill will not affect mothers-in-law, then?

The PREMIER: No.

Mr. MOREHEAD said he did not see that one single argument had been brought forward by the Premier or anybody else who had spoken in favour of the clause, why any blood relation, by marriage or any other way, should compel an unfortunate decent man or woman to pay for the misconduct of relatives or connections. Had he heard any argument in support of that he might have changed his opinion. He was hoping that some reason would be given for the proposal, but there was none forthcoming. He was still of the opinion he had already expressed, that no one should be made responsible for the misdoings or evil doings of any relative, no matter how near that relative might be, because every one who had means would, he believed, shelter and assist any erring ones who might be related to him; but he objected to that being made compulsory. He objected to the State dealing with a case which, to his mind, did not concern the State. On those grounds alone he objected to the clause before the Committee. He objected to any such interference with the subject; he objected to any tax being put on any individual for the errors of other people, for the errors of those who by accident of birth or marriage might be connected with him. He opposed the clause for no personal reason, but on the broad grounds that they should not be held responsible for the sins of others.

The MINISTER FOR LANDS said one of the chief reasons that necessitated the establishment of such institutions as the Dunwich Benevolent Asylum was the prevalence of the feeling just expressed by the hon. member for Balonne, that he was disposed to shift the responsibility of the individual members of a family off their shoulders on to the State. He (Mr. Dutton) maintained that the hon. member was entirely wrong, and that every person who had a drunken relative in Dunwich should be required to contribute towards his maintenance; the burden should not be thrown on the State. If he had any relative in that asylum he thought he was morally bound to maintain him if he could do so, and that he should be legally bound to maintain him. A wife should pay for her husband, the husband for his wife, the father for his children, and children for their parents. There might, as the Premier had said, be some doubt as to what should be the liability of brothers and sisters, but he (Mr. Dutton) would not draw the line there; he maintained that every member of a family should be responsible for the other members. He would cover the whole family relationship; then each would know what was the extent of his responsibility, and would endeavour to control the actions of his relatives. It was the feeling that there was no responsibility in this connection that induced so much indifference with regard to the ultimate well-being or misery of the members of a family, and this feeling would be removed if people knew that they would be required to contribute towards the maintenance of any relatives who might become inmates of Dunwich.

Mr. MOREHEAD said he believed in every word that had fallen from the Minister for Lands, and was quite prepared to carry out his theory. He would carry the principle back to Adam, to the first originator of their race. The argument of the hon. gentleman supported the contention he (Mr. Morehead) had set up all through, that the bond of humanity, irrespective of the bonds of relationship which were created in after ages, was such that that clause was unnecessary and ill-placed. The hon. gentleman was perfectly right; they should not narrow the operation of the clause to brothers and sisters, or cousins and aunts. It should embrace the whole family of humanity. That was the position he (Mr. Morehead) took up, and he was glad that on that one subject the Minister for Lands and himself thought in common—that the bond of humanity which existed between them showed, though they did not like it, that they had both sprung from a common stock. He was very glad to be in accord with the hon. gentleman, and hoped to get his vote when they went to a division on the 11th clause.

Mr. KELLETT said he certainly could not go as far as the Minister for Lands. If young men thought that on getting married they might have to look after another family besides their own, they would be very chary about entering into the matrimonial state. As a rule, men in all countries, in this colony especially, paid attention to their poor relatives. There were some exceptions, no doubt, and probably the gentlemen in office were the parties who found out those exceptions. He agreed with some hon. members who had already spoken, that it would be a very hard matter if, after a person had gone on year after year trying to keep a scapegrace straight, he should be compelled to support him in Dunwich. He did not think it would be fair to ask anyone to contribute towards the maintenance of such a relative. He did not believe it would be in accord with the ideas of people in general that they should be forced into anything of the kind. He did not see why if he had a brother in the asylum he should be bound to pay for his maintenance. The whole State paid for poor-houses in every country in the world, and always had done so since the present system of government commenced. But why, in the name of fortune, should a man who was unlucky enough to have a relation in the asylum be taxed for that relation's support? He believed nine-tenths of the people of Queensland were inclined to assist those who had made mistakes and gone wrong, but they would not care about being compelled to do it. There was a limit to everything, and that would be forcing it beyond the limit. When people were shoved into such a place as Dunwich the State should protect them.

Mr. DONALDSON said the question was one which deserved a great amount of attention, and he was glad to hear the discussion it had evoked. After hearing all the arguments, he remained of his previous opinion, that it was their duty to try and prevent frauds on the State. It frequently happened that wealthy people, or people in moderately good circumstances, allowed their relatives to go to such institutions when they

were capable of maintaining them themselves, and that ought certainly to be prevented. The Bill provided safeguards for the protection of individuals who were not sufficiently well-off to bear the cost of maintaining their relatives. In the first place the case had to come before a justice, and the whole circumstances would be inquired into before any order would be made; and then, as an additional safeguard, the order had to be confirmed by the Minister administering the Act. There might be some difficulty as regarded the degree of relationship, but he thought all the nearer relations at all events should be responsible. A few isolated cases might be mentioned where it would bear rather hardly. A remark had been made that when people of dissolute habits were sent to Dunwich it would be hard that their relatives should have to contribute to their support; but he supposed no one would be sent to Dunwich so long as he was able to work for his living. If such people were able to work for their living they would be dealt with under the Vagrancy Act and sent to gaol, where their relatives were not called upon to support them. They would not go to Dunwich until they were in such a state of health as not to be able to work. He would certainly support the clause so far as it referred to brothers and sisters, but he would like to hear further argument upon the question of other relationships.

Mr. CHUBB said he was entirely in agreement with the principle of the clause, but there might be some little trouble in the application of it. The clause as it stood provided that an inmate was to be supported by his relatives—that was to say, the whole cost of his maintenance was to be thrown on the relatives or relative. Now, the Insanity Act provided that the relatives were to be called upon to contribute a reasonable sum towards the support of a patient; and he thought it would be a wise thing if a maximum amount were fixed in the present case. The minimum cost of maintenance should be ascertained, and that should be the limit of the contribution which the justices could impose. He would put a case by way of illustration of the working of the clause: Suppose there were five brothers, four of them very bad eggs, and the other a very decent fellow; and suppose this one had an income of £300 a year. If he were single and had no claims upon him, and his four brothers were in that institution, then, taking the cost of maintenance in the asylum at £50 per annum, he would be compelled to pay £200 out of his £300 for their maintenance. The other clauses provided that where a relative refused to contribute he was to be proceeded against, and the justices might make an order against him. The justices were not given power to make no order; they were to make such order as they thought fit; he doubted very much whether they could refuse to make an order that some amount should be contributed. The 11th clause included brothers and sisters of the half-blood — step-brothers might be called upon for maintenance. The difficulty was to get at those people who ought to support their relatives but were quite willing to let the State support them, while at the same time not imposing too heavy a burden on those who were willing but had not the means. A very pertinent question had been asked by the hon. member for Maryborough as to the effect of a protection order in the case of a wife. It would be entirely a matter of whether the wife was willing to contribute or not. If not she could obtain a protection order and then she would be relieved from paying anything at all. He certainly thought that one of the main objections to the clause would be got over by fixing a maximum amount beyond which it would be impossible for the justices to make any order. In that case people would know what the cost would be, and it might so happen that the cost of maintenance would be very great. As the Bill stood, parties were liable to pay the entire cost; but, of course, it might not be so worked out. He suggested that the clause should be amended—that there should be some words inserted making the maximum sum not more than so much per annum.

Mr. WHITE said that in the poor-law unions in England they did not hold a man responsible for his brothers or sisters. They looked for the party to be responsible downward to the descendants or back to the ancestors. A grandfather was responsible for the grandchildren or even the great-grandchildren, and the grandchildren were responsible for their ancestors right back; but they never looked to the brothers or sisters—they were outside the range of search. He thought that, considering the amount of experience they must now have in England upon those matters, if their system were adopted here that House would not be left very far in error.

Mr. SMYTH said he would take advantage of the privileges of the Committee to mention a case which had occurred in his own district. He did not know how ever the person got into Dunwich, but he knew that he had a very good home and a house worth £120 or £130 in Gympie. He had a wife there, and grown-up sons who were making no less than £2 10s. each per week. His name was Kermode. When the last report from Dunwich was received he saw that man's name upon the list of inmates. He considered it decidedly wrong that that man should be in Dunwich. He had sons and a wife living comfortably; he had put up the house himself and had been shut out of it. He did not know what had become of him; but he was now supported by the colony, whilst his wife and sons were living in almost luxury at Gympie.

Mr. NORTON said that before the question was put he wished to ask the Premier what examination was made of people who made application—was any medical examination made? He knew in some cases an examination was made, but he wished to know if a medical examination were necessary.

The PREMIER said that in most cases a medical certificate was required. If a man went into the office and saw the Colonial Secretary, and was evidently helpless or crippled, it was not considered necessary to have a medical examination; but in all cases where they had to determine merely by witnesses a medical examination was required. He did not know of any instance where it was dispensed with, unless the man was crippled and unfit to work for a living.

Amendment put and passed.

Question—That the clause, as amended, stand part of the Bill—put.

The Committee divided:—

AYES, 30.

Sir T. McIlwraith, Messrs. Griffith, Rutledge, Dutton, Dickson, Aland, Miles, Smyth, Mellor, Isambert, White, Jordan, Moreton, Buckland, Wakefield, J. Campbell, Kates, Archer, Grimes, Salkeld, Norton, Beattie, Foote, Donaldson, Hamilton, Sheridan, Ferguson, Macfarlane, Nelson, and Wallace.

NOES, 9.

Messrs. Morehead, Annear, Midgley, Govett, Kellett, Scott, Jessop, Lalor, and Horwitz.

Question resolved in the affirmative

On clause 9, as follows:—

"If any relative of an inmate refuses or neglects to pay on demand any sum of money which is demanded of him by the curator, then any justice of the peace may, upon the complaint of the curator, or any person authorised by him in that behalf, issue his summons to

the relative named in such complaint, requiring him to appear before any two justices, at a certain time and place to be therein named, to show cause why he should not pay such money."

Mr. MOREHEAD asked if the clause compelled the other side also to show cause why the relative should pay?

The PREMIER: Of course.

Mr. MOREHEAD: And judgment will go by default in the case of a man who does not appear?

The PREMIER: Yes.

Mr. MOREHEAD: Then, I am sorry such a clause should be on our Statute-book.

Clause put and passed.

On clause 10, as follows:—

"Any two justices of the peace may hear and determine any such complaint in a summary way and make such order therein as they think fit."

Mr. CHUBB moved, by way of amendment, that the following words be added to the clause:—

"Provided that no order shall be made for the payment of any sum exceeding £30 in respect of each inmate for any one year."

Mr. MOREHEAD: That seems inconsistent with clause 7. Why not make it £500 a year?

The PREMIER said he hoped the hon. member would not press his amendment. £30 might be the average cost of maintenance of an inmate at Dunwich, but he was not prepared to say.

An HONOURABLE MEMBER: The cost is 11s. 2½d. a week.

The HON. SIR T. McILWRAITH: But you must take other items of cost into consideration.

The PREMIER said that was not the only institution that might come under the provisions of the Bill. Hon. members would observe that the 7th clause provided that an inmate should be liable to pay the expenses of his maintenance, which would be recovered from him in the same way that it could be recovered from a relative. There were many more expenses than mere maintenance to be taken into consideration in the liability of the inmate, and the matter had far better be left to the justices. But the amendment was too late; it should have been moved when clause 8 was before the Committee.

Mr. MOREHEAD said it was quite evident that the amendment should have been introduced earlier, and could not be put into that clause. Clauses 7, 8, and 9 dealt with the question of maintenance. There was no fixed cost; it was an unknown quantity, and must remain to be fixed afterwards.

Mr. WHITE said he was surprised at the cost of that institution. In the poor-law unions at home the cost per head was only 3s. 6d. a week. They might go into the rooms there and witness an air of comparative comfort—rooms where there were two or three old women, with a teapot on the hob, living as cosily as possible—and the average cost was only 3s. 6d. a week.

Mr. MOREHEAD: Where is that?

Mr. WHITE: In the poor-law unions in England.

Mr. MOREHEAD: Then let us send all our paupers there.

Mr. CHUBB said the argument of the hon. the Premier showed more than ever that there should be some limit to the extent of the contributions. He did not object to inmates being made to pay for themselves, but if relatives were made liable for the cost of buildings and exceptional charges, how were the justices to fix the amount of contribution? They would have to take into consideration the total expenditure on the institution during the year and take the average. If the contribution was to be for simple maintenance, it was very easy to fix it, and he would like to amend his amendment by adding the words "against any relative." If the cost was £20 per annum the extra £10 was surely quite enough to cover the other charges.

The PREMIER said it would be a mistake to adopt the amendment. The effect of it would be that that amount would be contributed by the relatives. So far from it relieving the relatives it would probably be to their detriment. It would have entirely the opposite effect to what the hon. member wanted.

Amendment put and negatived.

Clause 10 passed as printed.

On clause 11—

"In making every such order the relatives of an inmate shall be held liable for his maintenance in the order and according to the priority hereinafter enumerated—

1. Husband or wife;
2. Father or mother;
3. Children of the age of twenty-one years;
4. Brothers or sisters."

The PREMIER said the first five words of the clause had got into it by mistake. He did not know how they had got there, but they had clearly nothing whatever to do with the clause.

Mr. MOREHEAD: That is the reason why I thought they were there.

The PREMIER said the hon. gentleman forgot that he was not now the Government Draftsman. He (the Premier) thought they might omit the words he referred to, and decide the question as to brothers and sisters afterwards. He moved that the words "in making every such order" be omitted.

Mr. MOREHEAD said he thought the hon. gentleman might have found out the mistake before. He would point out that one might comment very unfavourably on the slipshod way in which the Bill had been drafted, were it not—the hon. the Premier laughed, but what he was going to say was a compliment—had it not been that the Bill was in the hands of the Premier, who had really so much to do in undertaking the Bills of his colleagues that he did not bring down this Bill in the careful manner in which he usually introduced Bills. He meant what he had said as a compliment, and therefore the hon. gentleman had laughed too soon.

Amendment put and passed.

Question—That the clause, as amended, stand part of the Bill—put.

Mr. ARCHER said he had shown from what he had said before, and by his last vote, that he thought the Bill was decidedly a necessary measure. He could quite understand the relatives of persons who were imbecile, or who were brought to a state of indigence, being called upon to contribute to their support, but there was one matter concerning which he was somewhat puzzled. Of course a legal gentleman like the hon. the Premier might be able to see his way out of the difficulty, which was this: A sister, for example, might be married to a man who was wealthy, but she might have no separate means of her own to support an indigent brother. Would she be liable to contribute to his support under the clause as it stood?

The PREMIER: No.

Mr. ARCHER said that was a matter upon which the hon. gentleman could give information, because, as far as he was personally concerned, he could not tell what the extent of the liability was—whether a husband would be liable for the debts of his wife, or, if an order was made by justices in such a case as he had mentioned, would the husband have to pay the amount?

The PREMIER said the husband in such a case would not be liable, and the sister could not be made to pay unless she had means of her own. In fact he doubted whether she could be made to pay at all if she were married. He was afraid it was no use trying to keep in the words "brothers or sisters."

Mr. MOREHEAD: I thought the Minister for Lands wanted to extend the relationship.

The PREMIER said he thought it would be better to adopt the English system and include grandfathers and grandmothers.

Mr. MOREHEAD: And grandchildren?

The PREMIER: Yes, and grandchildren.

Mr. MOREHEAD: And great-grandchildren?

The PREMIER said he was not prepared to go that far; but after the general opinion expressed by the Committee he proposed to omit the words "brothers and sisters," with the view of inserting "and grandfathers or grandmothers."

Question—That the words "brothers or sisters" be omitted—put and passed.

The PREMIER then moved that the words "grandfathers or grandmothers" be inserted. He did not see why they should have less liability here than was adopted in the old country. He proposed to add, after that was carried, "grandchildren."

Question put.

Mr. KATES said the Premier had made a good amendment in striking out the words "brothers and sisters," but he would spoil it by putting in "grandfathers and grandmothers." A grandfather or grandmother would not be likely to be in a position to support a grandchild at such an institution. He suggested that the hon. gentleman should withdraw his last amendment.

Mr. MOREHEAD said the Premier was going a step further back. He had struck out the brothers and sisters, and in the amendment now proposed he went back a step and had got into the grandfather and grandmother stage. They could quite understand why there might be some responsibility attached to a child for the support of his father or mother, because they were the authors of his being, but he did not think the same reason applied in the case of the grandfather and grandmother. Surely there was no moral or legal responsibility attached to the grandchild for the support of a grandfather or grandmother! The Government were taking that geometrical progression both ways. The grandfather or grandmother was to be compelled to support the grandchild and the grandchild to support the grandfather or grandmother. He was glad the hon. gentleman had not gone into the fourth generation, as he was afraid the arithmetical ability of the Committee would not have enabled them to follow him. It was too bad that a grandchild should have to be responsible for the sins of his grandfather or grandmother. The relationship was too remote.

The PREMIER: For their food, not for their sins.

Mr. MOREHEAD: Well, the grandfather would have to be fed for his sins. It must be through his weaknesses or his sins that he was brought into such a position that his grandchild would have to support him. Hon. members should recollect also that as they went further back the number of people they would have to support under the clause increased. They had each got one father and mother, but at the next step they had two of each—two grandfathers and two grandmothers. Why, the thing was monstrous! Better that a man was an orphan, and had no relatives; that he was left alone in the world. The result of the Bill would be that he would repudiate all alliances, connections, or relationships, and say, "I am myself alone; I had no father and no mother and no relations; I am playing a lone hand, and I don't think it right that the State should interfere with me." The thing was too childish, too absurd to bear the light of day or to bear argument. He knew of a case of a man who had a large number of cousins, and a friend who visited him in Brisbane afterwards wrote of him as a man who had a large ramification of relationships. That might be the unfortunate position of some individuals in that House, and under the Bill they would have to support their fathers and mothers, grandfathers and grandmothers, brothers and sisters—no, brothers and sisters were abolished. He did not say that he was glad he was relieved of the responsibility created by the Premier's amendment, though as a matter of fact he was; but as most hon. members in the House had not either grandfathers or grandmothers living, they might vote for the amendment, as it would not affect them. The whole thing was so preposterous and absurd that he was astonished at the Premier making such a proposition. Let their grandfathers take care of themselves. Again, as had been pointed out to him by his hon. friend, the member for Bowen — and that hon. member was one of the leading lights, he thought, of the Church of England—he believed one of its tenets was that a man could not marry his own grandmother. If a man could not marry his own grandmother, why should he be called upon to support her? Why should she be dragged into the Bill; and if a man need not support his grandmother, why should his grandfather be "lugged" into the Bill? The thing was really too absurd, and he could only believe that the hon. member, seeing that the Bill was so thoroughly bad, had tried to have it thrown out by introducing the amendment he now proposed.

Mr. MACFARLANE said he was satisfied with the clause with the words "brother and sister" struck out, and he hoped the Premier would not go further and add the words "grandfather and grandmother." He was one of those who believed that everyone should support his own. That was a moral and Divine law. While believing that everyone should support his own, he thought it was going too far that a man should be asked to support his grandfather and grandmother.

Mr. MIDGLEY said he did not know what to think about the amendment, but he just rose to say that his last vote was a mistake entirely. It was owing to his coming in when the debate was nearly concluded. He did not catch the purport of the amendment. Anyone would gather from what he had said on the subject before that he had no intention of relieving relatives from all responsibility in those matters.

Amendment put and negatived; and clause, as amended, put and passed.

Clauses 12 and 13—"Relatives to contribute according to ability," and "Duration of order"—passed as printed.

On clause 14—"Order may be varied"—

Mr. CHUBB asked whether the Premier had considered the question of allowing an appeal against an order of the justices, as he noticed there was no provision for that in the Bill?

The PREMIER said he did not see that there was any necessity for such a provision in a matter like that, which was only a matter of discretion.

Clause put and passed.

Clauses 15 and 16—"Penalty on officers or servants ill-treating inmates," and "Superintendents of institutions, etc., to show to inspector and medical officer the whole of the house, and answer questions"—passed as printed.

On clause 17, as follows:—

"Every letter written by an inmate in any institution, and addressed to the inspector or visiting justice, shall be forthwith forwarded unopened.

"And every letter written by any such inmate, and addressed to any person other than the inspector or visiting justice, shall be forwarded to the person to whom it is addressed, unless the superintendent, upon reading the same, prohibits the forwarding of such letter, by endorsement to that effect under his hand on the letter; and in such case he shall lay the letter so endorsed before the inspector or visiting justice on his next visit.

"Any superintendent who fails to comply with any of the requirements of this section shall be liable to a penalty not exceeding £10 in respect of every such offence."

The PREMIER said he thought it would be better that the Bill should not contain any provision indicating that the superintendent was entitled to read any letter. He therefore proposed that the first part of the clause should read thus: "Every letter written by an inmate in any institution shall be forthwith forwarded unopened"; and to omit the 2nd paragraph. He moved that the words "and addressed to the inspector or visiting justice," in the 1st paragraph, be omitted.

Amendment put and passed.

The PREMIER moved that the following words be added at the end of the 3rd line—namely, "to the person to whom it is addressed."

The HON. SIR T. MCILWRAITH said the clause as it was now amended was very ridiculous. Instead of simply prohibiting the letters of inmates being opened as was intended, the clause now provided that the Government should pay the postage on any letters the inmates chose to write—that those letters should be forwarded to their destination. It simply meant provision for free postage.

The PREMIER said the point was this, that sometimes letters might not be forwarded. It was important that complaints should not be suppressed in that way; and to insist upon inmates paying the postage when they might not have the money would be very hard. The effect of the clause was that all letters should be forwarded unopened.

Amendment put and passed.

On the motion of the PREMIER, the 2nd paragraph and the words "any of" in the 1st line of the 3rd paragraph were omitted.

Clause, as amended, put and passed.

Clauses 18 to 21, and preamble, passed as printed.

On the motion of the PREMIER, the CHAIRMAN left the chair, and reported the Bill to the House with amendments.

The report was adopted, and the third reading of the Bill made an Order of the Day for tomorrow.

RABBIT BILL.

The SPEAKER informed the House that he had received a message from the Legislative Council, forwarding a Bill to prohibit the keeping of rabbits in the colony of Queensland, and to authorise their destruction; and requesting the concurrence of the Legislative Assembly therein.

On the motion of the MINISTER FOR LANDS, the Bill was read a first time, and the second reading made an Order of the Day for Tuesday next.

LOCAL GOVERNMENT ACT AMENDMENT BILL—COMMITTEE.

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

Clause 1 passed as printed.

On clause 2, as follows:—

"When any sum has been borrowed by the council of a municipality for the construction and maintenance of waterworks from which a revenue is actually derived by the municipality, then for the purpose of estimating the amount of money that may be borrowed by the council, the following rules shall have effect:—

1. If the net annual revenue derived from the waterworks, after paying all working expenses thereof, is sufficient to pay the annual instalments payable by the council under the Local Works Loans Act of 1880 in respect of the whole sum borrowed for construction and maintenance of the waterworks or in respect of any part thereof, the whole sum or such part thereof, as the case may be, shall not be taken into consideration in reduction of the amount that may be borrowed by the council;
2. The surplus net annual revenue derived from the waterworks, after paying such annual instalments and all working expenses of the waterworks, shall be deemed to be revenue of the municipality; but
3. Except as aforesaid, the revenue derived from the waterworks shall not be taken into consideration in estimating the annual revenue of the municipality."

Mr. BEATTIE said he did not rise to offer any opposition to the clause, because the granting of such powers to municipalities had his entire concurrence. He could have wished that the Premier, in introducing the measure, had taken into consideration the desirability of giving more power to municipalities to enter into works that would be of a reproductive character. Take the matter of supplying a municipality with gas. In the Gas Companies Act recently passed for other municipalities in the colony, a provision was inserted enabling those municipalities to purchase the plant of any of the gasworks after a certain period. In the Brisbane Gas Company's Act there was nothing of the sort; and if the Brisbane Municipality thought at any time that they could make arrangements to take over the works they would be unable to do so. Placing the gasworks under the control of the municipality would be an advantage to the ratepayers generally, as being a reproductive work, and he should like to have seen extended powers given to municipalities which had not the advantages, so far as gasworks were concerned, that were enjoyed by other municipalities in the colony. The House in its wisdom saw the desirability of introducing a clause similar to what was inserted in the last Gas Bill that was passed, but it was then pointed out that the only town where a gas company was in existence was Brisbane, and there was no such clause in the Brisbane Gas Company's Act. Looking at it from a broad point of view as a reproductive work, he thought it would pay such municipalities as the city of Brisbane to have the gas supply under their control. It was well known that in most provincial towns in England the gas companies were managed by the municipalities, and they were so managed that they had been able to reduce the price of gas to the ratepayers in some places to something like 1s. 9d. per thousand, and a great many did not go over 2s. 3d. per thousand. If the same thing could be done here, he was certain that every ratepayer would be satisfied with the municipal authorities entering upon such a speculation, because they had in themselves every opportunity of carrying on the works judiciously and cheaply. Looking at it from another point of view, giving companies powers within municipalities involved

an amount of labour and extra expenditure in the opening of streets, laying pipes, and so forth, by two or three district boards, which in itself was a very great tax upon the ratepayers who had to contribute to keeping the streets of the municipality in repair, and he believed that if the work were carried out under one authority, it could be done much more cheaply than it was at the present time under two or three different authorities. He was very glad that the Government were giving power to municipalities to go into reproductive works of the character mentioned in the Bill, but he would be much better pleased if they extended those powers to the supplying of gas and other reproductive works. Of course it would be necessary for the municipalities to show by plain figures that the works would be reproductive, before they would be allowed to go into a loan for carrying them out. There was another matter not directly connected with the clause, which he referred to on the second reading of the Bill, and to which he wished to direct attention. He would ask the hon. the Premier whether he had considered the desirability of adopting some plan by which they could introduce into the Bill a provision that would alter the present system of rating under the Local Government Act, which was of a most unsatisfactory character. The 1st clause of that Act provided that the rate should be computed at the fair annual rental of the property after deducting from it the ordinary expenses. For instance, if a property was assessed at £200 a year as the fair rental, there would be deducted from that amount sufficient to pay insurance rates and so forth which would bring it down to about £160, and the property would be rated at that sum instead of £200. But then a proviso was introduced which was brought about in this manner: The attention of the Government was called to the fact that there was a large quantity of unoccupied and unimproved land in the different towns of the colony, which was rated at a mere nominal sum, the owners allowing it to lie unoccupied while the improvements and buildings of their neighbours enhanced its value, and they did not contribute anything like a fair amount towards the improvements of the city or town, whichever it might be. In order to meet cases of that kind a proviso was inserted to the effect that no property within a municipality under the Local Government Act should be computed at a less annual value than 8 per cent. on the capital value. He pointed out at the ime that proviso was introduced, that if it were carried the result would be that every municipality in the colony would not go upon the fair annual rental but upon the 8 per cent. capital value, and it had turned out exactly as he had predicted—the following assessment that was levied being made upon occupied and unoccupied land, at 8 per cent. upon the capital value. No doubt at the present time land was fetching immense prices, not only in Brisbane, but in all towns upon the eastern seaboard of the colony, but to fix the rate at 8 per cent. upon the capital value of improved land was more than property could bear, because there was very little of that property that was bringing in more than 4 or 4½ per cent., and if it were saddled with an assessment of 8 per cent. on the capital value—not only at 1s. in the pound, but rising up to 2s. 9d., it was more than property could afford to pay. It must be remembered that it was not the property-holder who had to pay that, but the unfortunate tenant, because the proprietor invariably inserted a clause that the tenant should pay all taxes in connection with the property. If the hon. the Colonial Secretary would see his way to remedy that he would confer a great boon upon the ratepayers of the colony. The hon. gentleman and other hon. members had always argued that it was not fair to tax improvements, but under the present system that was what was done. If land was valued at £5,000, and the holder erected buildings that cost £6,000 or £7,000, that was added to the £5,000, and he had to pay at the rate of 8 per cent. upon the lot. That was taxing improvements. What he looked upon as a fair system of rating was provided by the Divisional Boards Act, which was this: That the property should be valued at the fair annual rental, and if the rental did not bring in 5 per cent. on the capital value, the board of the division had power to charge 5 per cent. on the capital value. If it did not bring as much as a fair rental then it went on to say that unimproved properties might be charged at 10 per cent. on the capital value. He knew property that was assessed at £300; the assessment under the unimproved clause upon that was 24s. The owner of the property in the following year fenced it in and built a small cottage on it which cost £150, bringing the capital value of the property up to £460 or £470. The assessment on the property on the following year under the 5 per cent. clause was 22s. 6d. That was just what the Act intended it should be—18d. less than under the system for unimproved property. That showed the difference in the rating under the two systems. If the rating under the Local Government Act was so amended as to bring it in conformity with the rating under the Divisional Boards Act, it would give general satisfaction. He hoped the Colonial Secretary would take the matter into consideration, and, if possible, introduce those amendments which he sincerely believed required immediate attention and would give general satisfaction.

Mr. FERGUSON said the hon. member for Fortitude Valley was right to a certain extent in his arguments with regard to rating in municipalities, but he was not altogether correct. Suppose there was a valuable allotment with a small cottage erected on it, and let for 10s. or 12s. a week, it would not be fair for the corporation to take the rental in that case as a basis for the tax. In that case, a valuable town allotment would be rated at a small amount, while a vacant allotment alongside of it would be rated at perhaps four times the amount, because the rate on the vacant allotment would be fixed according to the capital value of the land. Supposing a property was fully improved the corporation should go by the rental received from it, but if it was not fully improved the corporation had power to step in and take the capital value. That was the reason for the proviso with which the hon. member found fault; no doubt corporations sometimes exceeded the spirit of the Act by taking the capital value upon fully improved property.

The PREMIER said the question of rating was about the most difficult question in connection with local government, and he was not altogether satisfied with either system that prevailed at present, and he had more than once directed his attention to the subject. But it was a question that required very full consideration indeed. He was quite aware that there were many cases, particularly in the city of Brisbane, where property had lately increased very much in value, and where 8 per cent. on the capital value of improved property was an excessive rate. On the other hand, 8 per cent. on the capital value of property which was improved, but not properly improved, was by no means an excessive rate, but rather too small. Take, for instance, valuable

property with a small miserable shanty—that might be defined as improved property, but if the rate was fixed upon the rental it would be much too small. He had already said that the time had nearly arrived when the whole question of local government should be fully considered, but to attempt to deal with the matter this session would be a mistake. The Government had not had time to give the matter the consideration it deserved, nor did they intend to ask the House during the present session to deal with it. That was the reason it was not dealt with in that Bill, which was intended to deal only with pressing difficulties that had arisen in the meantime, until they could take the whole matter into consideration. With respect to the question of gas, to which the hon. member referred, that was not very pressing. He thought it would be fifteen years before any municipality could, under any existing Act, take over any gasworks. That was a matter that would also be dealt with when they dealt with the whole question of local government.

Mr. FOOTE said he was sorry he was not present when the interpretation clause was being passed, because there was a question he wanted to ask upon that clause. What he wanted to know was—whether all the roads and streets within a municipality or division were under the control of the corporation or the divisional board? He would state a case. Take the case of a street that went through a park. The trustees of the park, although it was within the municipality, said the street did not belong to them, and refused to keep it in repair. The corporation said the same thing, and refused to repair the street. The consequence was that accidents took place and were likely to take place; and what he wished to know was whether the municipality was compelled to take charge of the street, and whether, in the event of an accident occurring, the corporation was the proper authority to sue on account of that accident.

The PREMIER said the question the hon. member asked was—whether in the case of a street entirely within a municipality passing through a park, the corporation were bound to take care of it? Certainly they were. They were bound to take charge of all streets and roads within the municipality, and if they did not do so they rendered themselves liable for the consequences.

The HON. SIR T. MCILWRAITH said that the hon. member for Fortitude Valley had directed the attention of the Committee to a great weakness in the Local Government Act of 1878—that was, that municipalities had virtually departed from the system of rating that was actually laid down in the 177th clause of that Act. They had gone entirely on the proviso to the clause. That was a great evil, and was not sufficiently contemplated by that House. The proviso was made simply to catch a particular kind of property near Brisbane and elsewhere and a class of persons who did not improve their properties at all. He remembered very well that when the matter was before the House there was a general disposition to go beyond 8 per cent. He, among others, was prepared to go as far as 10 per cent. They could quite understand that the application of the proviso would operate injuriously in many cases. Take, for instance, the magnificent buildings that were being put up in Brisbane at the present time. Were they going to inflict a penalty on those men who were encouraging trade and the fine arts in the colony? Yet that was what was being done by means of the proviso in the 177th clause of the Local Government Act. A man, by increasing the commodiousness of his premises, did not throw additional expenditure on the municipality; yet the corporation, taking advantage of the proviso referred to, taxed that man for beautifying the city, by making him pay more rates. Such a thing was never contemplated when the Act was passed. It was a very serious matter, and he thought the hon. member for Fortitude Valley was perfectly right in bringing it forward. He only wished it could be dealt with in the present Bill. Of course, as the Premier said reasonably enough, it was a big question, and there were difficulties in connection with it that could not be overlooked; but it was desirable that the matter should receive attention, as at the present time they were actually taxing the best efforts of some of their most enterprising citizens. What encouragement was there for a man to improve his property if the proviso was to be applied in assessing it for rating purposes? Of course, a man might, as had been pointed out, have a very valuable piece of land upon which he had made only a small improvement, and then claim that it should be rated according to the rental. In a case of that sort municipalities would be perfectly justified in falling back on the proviso and assessing the property at 8 per cent. on the the capital value. But to apply that principle generally was against the spirit of the statute and had a tendency to make men put inferior buildings on their properties.

The PREMIER said he would be very glad indeed if he could see his way to deal with the subject in the present Bill. But what definition could they arrive at? Suppose they said the proviso was not to apply to any but fully improved property, then they would have a term that was indefinite. What should be considered fully improved, Should it be erecting a one, two, three, or four-storey building? There was where the difficulty came in. From the time he had been able to give to the subject he did not see how to solve that question. He did not see his way to define the term "fully improved." It was an entirely indefinite term. Of course it might be left to the justices forming the appeal court to say whether they considered a property fully improved or not, but no accurate definition could be given as far as he could see.

Mr. BEATTIE said the matter was very simple, and was dealt with in the clause of the Divisional Boards Act which provided that if a property did not return an annual rent equal to 5 per cent. on the capital value the proviso might be applied. That provision enabled local authorities to get a fair return from properties like those described by the hon. member for Rockhampton. If a very valuable corner allotment, or a piece of land in Queen street, were valued at £5,000 and the proprietor erected thereon a paltry building of the value of say £200, the local authority would not assess the property on the rental received but according to the principle contained in the proviso. If, however, the municipalities applied that proviso in all cases it would prevent men putting up those magnificent buildings which were now going up in Brisbane. He was very glad to hear that the matter would receive the attention of the Government, and he hoped they would see their way to introduce a Bill to amend the Local Government Act next session.

Clause put and passed.

On clause 3, as follows:—

"The total amount that may be borrowed by the council of a municipality for purposes other than the construction and maintenance of waterworks shall not exceed a sum of such amount that the annual endowment payable to the council is sufficient to pay the instalments payable by the council under the Local Works Loans Act of 1880 in respect thereof."

Mr. FERGUSON said he hoped the Colonial Secretary would explain that clause. He would

like to know why such a clause as that was introduced into the Bill. It was a provision which would reduce considerably the borrowing powers of some municipalities in the colony. The provision with reference to waterworks was correct, but not more than one-third of the municipalities in the colony had waterworks. If the clause were passed as it now stood, it would reduce the borrowing powers of some municipalities by at least one-third. For instance, if a municipality had a revenue of £20,000 a year, it would, according to the principal Act, be able to borrow to the extent of four times that amount, but under the clause in the present Bill, if the Government endowment payable to that municipality only amounted to £3,600, its borrowing powers would be reduced to £60,000. The effect of that would be that many local authorities would be prevented from carrying out such works as drainage and other works which the interest and the health of the town render necessary. He thought the Premier did not intend to reduce the borrowing powers of any municipality, but that it was his intention to increase them, and he would therefore like to hear some explanation of the clause.

The COLONIAL TREASURER said that was one of the most necessary clauses in the Bill. The Bill, as applied to all existing municipalities, would in no case decrease their borrowing powers. The purport of the Bill was to remove from the amount of indebtedness of municipalities so much of waterworks' loans as were reproductive, and to allow them to borrow for other purposes to the full extent of their borrowing powers. The matter had been fully worked out in connection with all existing municipalities, and in few cases would the borrowing powers be reduced. In many cases the borrowing powers would be very largely increased indeed. But it was necessary for the protection of the Treasury that there should be some check on the municipalities, and unless the amount of endowment was sufficient to cover the annual payments he was afraid a great number of the municipalities would never meet the instalments as they accrued. While the spirit of the Bill was to withdraw from the amount of indebtedness the amount borrowed for waterworks as soon as they became reproductive, if the municipalities chose to increase very slightly their water-rates, their borrowing powers would be largely increased. Even without their acting in that direction, the Bill would afford a very large amount of relief, sufficient at any rate to carry them along until the whole measure had been reconsidered at an early date, as had been promised by the Premier. The clause was absolutely necessary for the protection of the Treasury.

Mr. FERGUSON said that at the present time no municipality could borrow money unless the amount of their income was sufficient to pay off the principal and interest; and if any municipality was not prepared to meet the instalments as they fell due the Government was empowered by the present Act to step in and collect the rates themselves. The Government, therefore, had the whole of the property of the municipality as security for the loan, so that there was no strength in the argument about the protection of the Treasury. Taking, as an example of what he had said, the municipality of Rockhampton, where the waterworks had no connection with their borrowing powers, the borrowing power of that municipality under the present Act was about £100,000, but their endowment was only £3,600, so that the Bill would reduce their borrowing powers to about £60,000. They had actually borrowed over £60,000, and they must borrow more to complete their drainage scheme, which otherwise would be absolutely useless. That was an instance where the Bill would actually reduce the borrowing powers of a municipality.

Mr. ANNEAR said that Rockhampton might be in that position, but Maryborough and other municipalities were not so. Maryborough was a very scattered town, and one-half of the present inhabitants could not use the water supply. It cost them about £50,000, and it fell very heavy on those who used it. The Bill would confer a great boon on the people of Maryborough, because their borrowing power was only about £10,000 more, and he thought they would require about £25,000 more. He thought they could show the Treasurer that if they got that they would be able to pay the interest on it. There were many other towns that would benefit in the same way. The money spent on waterworks would be well spent; and he thought that when they saw large sums of money spent annually to provide water for outside districts it was very just to make every concession to municipalities, where the people paid for it. He was glad to hear the Premier say that he would at some future time take into consideration the matter raised by the hon. member for Fortitude Valley with regard to the general rating of property.

Mr. ARCHER said that what the hon. member said about Maryborough was no answer to the hon. member for Rockhampton. At present the borrowing powers depended upon the income of a municipality. The Bill before them would make them depend upon the amount received as endowment. That would certainly reduce the borrowing powers of Rockhampton from £100,000 to about £60,000, and that would prevent the town from carrying out its drainage scheme. It would prevent them from getting the money they had already applied for, and which under the present law they were entitled to receive.

Mr. FERGUSON said he quite agreed with the whole of the Bill, except the clause under consideration. If it were omitted it would not reduce the borrowing powers of Maryborough or any other town. It simply interfered with those municipalities which already had larger borrowing powers than the Bill allowed them. It would prevent one or two municipalities from borrowing to the extent they were now entitled to.

Mr. FOOTE said he looked upon the clause as a very safe and very necessary one. The Committee must remember that all the towns of the colony did not flourish like such towns as Brisbane or Rockhampton, and if they were allowed to borrow to an unlimited extent they would be placed in a very awkward position. For instance, in times of depression, when towns were almost deserted, what would become of the rates, and how were the Government to get their money? The hon. member said the Government had power to collect the rates, but where were they to take them from? He had known the time in Ipswich when they could not get people to live in the houses to take care of them, and when houses were actually carted away from the town to be erected on farms. The clause might affect Rockhampton slightly, but it was a most salutary one as far as the colony generally was concerned.

Mr. ARCHER said the effect of the clause would be to deprive a rapidly growing town like Rockhampton of the power of carrying out works necessary for the health of the people. If that town was unable to carry out its drainage scheme the hon. member for Bundanba might again see a deserted town, for the people would not be able to live in it. Rockhampton had always been punctual in paying interest on money borrowed from the Government, and would

continue to be so. He was opposed to the clause because it took away from that municipality the borrowing powers which it possessed under the existing Act.

Mr. FOOTE said the case of Rockhampton was the only exception, for the clause would benefit every other town in the colony, and was at the same time a safeguard to the Treasury.

Mr. FERGUSON said he did not see why Rockhampton should suffer, when, by omitting the clause, not only would it retain its present borrowing powers, but the other municipalities would not be placed in a worse position; they would still be able to borrow to the extent of five times their revenue. They would not suffer in the least by the omission of the clause.

The COLONIAL TREASURER said the borrowing powers of Rockhampton under the existing Act amounted to £106,000 and its present debt was £62,000, leaving a margin of £44,000 which it could yet operate upon. Under the present Bill that margin would be about £4,000 less, or £40,000. If Rockhampton chose to impose water-rates to the additional extent of £769 per annum, its borrowing powers would be at once enlarged by £13,000. He did not think the hon. gentleman had anything to complain of. The intention of the Bill was to give immediate relief to needy municipalities, amongst which Rockhampton could certainly not be classed. It had been a model municipality in the management of its local works, and it had no occasion to appeal to the leniency of the Committee to enlarge its borrowing powers. When the Bill for the consolidation of municipal laws was introduced, which he hoped would be the case next year, the principle of borrowing for other works than waterworks, and the claim of Rockhampton for an enlargement of its borrowing powers for drainage and other public works, might fairly be considered by the House. In the meantime, considering that the object of the Bill was to afford immediate relief to some municipalities that required it, he hoped the hon. member would not press his contention.

Mr. BEATTIE said the hon. member for Rockhampton seemed to be labouring under some slight mistake. The clause under discussion applied to waterworks only. But under the Local Works Loans Act municipalities had power to borrow money for sewerage purposes, upon which the Government guaranteed to give them an endowment. Therefore, Rockhampton would not be prevented by that clause from borrowing money to carry out its drainage works. All they had to do was to strike a sewerage rate, and borrow the money at once if they wished.

Mr. FERGUSON said if what the hon. member had just said—that municipalities would have power to borrow for sewerage purposes—was correct he was satisfied, but he did not think the clause gave that power.

Mr. ARCHER said he would ask the hon. the Colonial Treasurer if he meant to say that the clause under discussion was drafted for the purpose of giving relief to certain municipalities?

The PREMIER: No; the Bill is drafted for that purpose.

Mr. ARCHER said the hon. the Treasurer said the clause was drafted for that purpose, and he was glad to hear that it was not so. He very much preferred the old Act, which he thought might very well stand as it was without being at all detrimental to the municipalities of the country. He understood the hon. the Treasurer to say that the Rockhampton Municipality had borrowed money for drainage purposes, but he (Mr. Archer) was not aware that the money had been paid. He did not think the scheme had reached that state of ripeness which would justify the Treasurer in paying the money over.

The COLONIAL TREASURER said that an application for a loan for drainage purposes had been made by the corporation of Rockhampton and the plans and specifications were being reported on by the engineer. As soon as the suggestions made by him were adopted by the council a large proportion of the money would be available. There was no delay on the part of the Treasury. He was only insisting upon compliance with the requirements of the Local Government Act. As he had stated, Rockhampton had a large margin—£40,000—and, as he had shown, by a very small increase in their water-rates the balance of their waterworks loan would be cancelled under the Bill and their borrowing powers would then be increased by £13,000.

Mr. FERGUSON said he hoped the Premier would see his way to omit the clause, because, as it stood, it simply applied to the borrowing powers of municipalities, independent of waterworks altogether. He would like to hear what the hon. gentleman had to say upon the subject. He had not given a single opinion upon it.

The PREMIER said that at the present time practically the only security the Government had for the payment of the instalments in respect to loans was the endowment payable by the Government to municipalities. That endowment was equal to the total amount of general rates received by the municipality. The amount payable by the municipality was generally not more than 6 per cent. on the debt, and the amount they might borrow was limited to five times their income. If their income was £1,000 they could borrow £5,000, and they had to return out of that, 6 per cent.—which was £300, or about one-third of their income. Nearly one-half of their income was derived from endowment. They had a precarious kind of income from other sources, but the only reliable source of income to pay the interest and instalments upon loans was their rates and the endowment upon them. Just imagine a municipality involving itself so heavily in debt as to mortgage the whole of its income from rates! It was certainly not desirable that they should burden themselves beyond that extent. Even if they did get revenue from other sources it was generally for services rendered, which cost a good deal of money. It was not all profit, but the income from endowment was clear profit. He thought it was very undesirable that municipalities should get into debt beyond their means. He did not want to see a bankrupt municipality. The limit proposed was a very fair one, and not at all contrary to the best interests of municipalities themselves.

Mr. FERGUSON said that, as he had already stated, the endowment on the Rockhampton Municipality was £3,600. The general revenue was about £20,000—that was about five or six times the amount of endowment—and every part of the revenue was quite as safe as the general rates. The whole of the revenue of the municipality was just as certain as the general rates, so far as the Government were concerned. At the present time there were special rates levied in the municipality, which were paid regularly to the Government on the money borrowed, and that was security independent of the endowment. The whole of the ratable property in the municipality amounted to nearly £700,000 or £800,000. The law allowed them to step in and levy for the payment of the interest and instalment of the principal of a loan.

The COLONIAL TREASURER said the hon. gentleman was entirely arguing from a Rockhampton standpoint, but they had to deal with municipalities throughout the colony. It was undesirable that they should be at

liberty to borrow from the Treasury, and that the Treasury should not be able to collect the annual instalments. That was what would occur, and in fact what had occurred at the present time, and it was what the Government wished to guard against. The Rockhampton Municipality had paid their semi-annual instalments with punctuality, but they had to consider all the municipalities in the colony and the position of the Treasury with regard to them. It was therefore, he thought, a very wholesome provision, and, as had been already stated, the whole question would come under consideration when the municipal laws were being considered next session.

Question put and passed.

On clause 4—"Discretionary extension of borrowing powers"—

The PREMIER said he was going to ask permission to violate the strict rules of debate by reading a clause he had drafted just now with regard to the question of rating, in order that hon. members might have some little time to consider it before he moved it. With respect to the rating of fully improved property at present, the 177th section of the Local Government Act, to which the hon. member for Fortitude Valley called attention, made 8 per cent. of the full capital value the minimum annual value. That was excessive in the case of fully improved properties, but was not excessive in the case of unimproved property. What they wanted to get at was that it should not apply to fully improved properties. The actual annual value was described in the Act as—

"The rent at which the same might reasonably be expected to let from year to year free of usual tenants' rates and taxes, and deducting therefrom the probable annual average cost of insurance and other expenses (if any) necessary to maintain such property in a state to command such rent."

That was the proper definition of the net annual value, and it ought to apply to fully improved properties. He would read the clause as he had drafted it, and which he proposed to insert as a new clause to follow clause 5 of the Bill :—

The first proviso of the 177th section of the Local Government Act of 1878 shall not apply to any ratable property which, in the opinion of the court of petty sessions appointed to hear appeals from valuations, is fully improved, that is to say, upon which such improvements have been made as in the opinion of the court may reasonably be expected, having regard to the situation of the property and the nature of the improvements on neighbouring properties.

Mr. MOREHEAD: Hear, hear!

The PREMIER said he thought that was as good a definition of "fully improved property" as they could get. He would hand the clause to any hon. member who wished to read it.

Clauses 4 and 5 put and passed.

The PREMIER proposed the new clause to follow clause 5 as passed.

New clause put and passed.

On clause 6—"Maintenance of boundary roads and bridges over boundary watercourses"—

Mr. FERGUSON said he wished to know how the different municipalities or local authorities were to pay for the maintenance of the boundary roads and bridges over boundary watercourses; was each authority to pay an equal amount, or was the payment to be made *pro ratâ* according to the revenue? It did not say in the Bill whether the payment should be made according to the revenue or whether it was to be an equal sum from each.

The PREMIER said thatwas left as a matter of agreement between the two local authorities interested, the same as was provided in the Divisional Boards Act of 1882 from which the clause was taken. If the two local authorities did not agree the Minister decided the question. He believed that so far, under the Divisional Boards Act there had been no necessity to refer a case to the Minister; they had always settled it amongst themselves. When there was no power to make people do a thing they did not do it, but when they knew that they could be made to do it they very soon did it themselves. He could not well see how they could define in a Bill what portion of expense each authority should bear. It was impossible to do it. It might be that the municipality with the largest population or revenue derived scarcely any benefit and that the others got all the benefit.

Clause put and passed.

On clause 7, as follows :—

"1. The local authorities having the joint care and management of a bridge under the provisions of the last preceding section may, if such bridge is in the line of a road which is a main thoroughfare leading to the limits of another local authority, or other local authorities, request such other local authority or authorities to enter into an agreement with them for contributing towards the cost of the maintenance of such bridge. And if any local authority so requested refuses or neglects to enter into a reasonable agreement in accordance with such request within a reasonable time, the local authorities making the request may apply to the Minister to exercise the powers hereby conferred.

"2. The Minister shall thereupon proceed in the same manner as prescribed by the last preceding section in the case of boundary roads, and make the like order, which shall have the like effect as in that case, and may be rescinded, altered, or enforced in like manner.

"3. No proceedings shall be taken under this section to compel a contribution towards the maintenance of a bridge which does not lie between the limits of a local authority the council or board of which is so requested and a town or centre of population."

Mr. BEATTIE said he wanted some information about that clause. Clause 6 simply referred to one particular locality in the colony for which he believed some legislation was required, but the clause now before the Committee referred to a great many places, and as far as he was individually concerned, to one place in particular. What he wished to know was how the provision would work. He did not see how it was to be applied unless it was made applicable to divisions outside and near to a centre of population from which they were separated by another division. He would take Breakfast Creek Bridge as an illustration. The Toombul and Nundah Divisions were two divisions using that bridge. The boards of those divisions had called upon the Booroodabin Board to contribute half the cost of repairing that bridge, which the Booroodabin Board respectfully declined to do unless those persons using the bridge paid their fair share. And he contended that if they were to be compelled under that clause to contribute towards the repairs and maintenance of the bridge they had a perfect right to say to those who used the road contiguous to that approach, "Pay us a fair share of the cost of keeping that road in repair." The case was one of great hardship. The division of Booroodabin was between the centre of population and two outside divisions, and the board had to keep the road used by the people of both those divisions in repair and were at the same time expected to contribute a share of the cost of maintaining Breakfast Creek Bridge. He hoped the Premier would explain that clause.

The PREMIER said that the clause did not affect the divisions referred to by the hon. member, as they came under a similar clause in the Divisional Boards Act. It was merely a re-enactment of the provision in that statute to make it applicable to municipalities. As far as the clause itself went, it was only necessary to make it apply to bridges between two municipalities, but the words were

made wide enough to apply to other cases. The case the hon. member referred to was, as he (the Premier) said, dealt with by the Divisional Boards Act. The hon. gentleman suggested that the division of Booroodabin should not contribute a share of the cost of maintaining Breakfast Creek Bridge unless the two outside divisions contributed to the repair of the road going from the bridge through the Booroodabin Division. He could not agree with the hon. member. If they extended that principle it would lead to this, that the Government must maintain all the roads. Where were they to draw the line? If that principle were to be applied it must be reciprocal, and the people of Booroodabin using their neighbours' roads must contribute towards making them, and their neighbours again must contribute towards the roads they used in other divisions; so that if the principle were carried out to its full extent it would come to the same thing as the Government making all the roads.

Mr. MOREHEAD said he always saw that a difficulty would arise in connection with that matter, and had pointed it out in the first instance. He held that the contention of the hon. member for Fortitude Valley with respect to the effect of that Bill was absolutely correct. The Booroodabin Board, as hon. members were aware, had really to keep in repair the highway to Brisbane for a large portion of the suburban population of the metropolis, and he certainly thought they ought not to be called upon to contribute a part of the cost of keeping the Breakfast Creek Bridge in repair, or the Bowen Bridge either. There were two main roads passing through that division to the city, one over Breakfast Creek Bridge and the other over Bowen Bridge. The bulk of the traffic did not belong to the division which was taxed to keep the roads in repair; it was simply a source of annoyance and cost to that division. Of course the divisions had the power to impose a toll on vehicles, but he hoped no division would be driven to take that step. Still, if he belonged to such a division, and they could not get a remedy in any other way, he should not shrink from imposing a toll. The hon. member for Fortitude Valley had shown clearly that sufficient consideration was not shown to those wings of suburban settlement—the divisions that had to keep in repair the roads leading into the town, from which they derived no direct benefit. Some consideration—very great consideration—should be shown to those divisional boards by the municipalities for whose use the roads were kept in order.

Clause, as read, put and passed.

Clauses 8 and 9 were passed as printed.

On the motion of the PREMIER, the CHAIRMAN left the chair and reported the Bill to the House with amendments.

The report was adopted, and the third reading made an Order of the Day for the following day.

MARSUPIALS DESTRUCTION ACT CONTINUATION BILL—COMMITTEE.

On the motion of the PREMIER, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill in detail.

On clause 1, as follows:—

"The Marsupials Destruction Act of 1881 shall remain in force until the thirty-first day of December, one thousand eight hundred and eighty-six, and thereafter until the end of the then next session of Parliament."

The PREMIER said that when the second reading of the Bill was before the House he stated that the Government did not think the time had arrived to make a general amendment of the Act. Attention was called by several hon. members to two matters, however, which deserved immediate attention. The first of those was, to give the boards power to increase the maximum mentioned in the Act for scalps. That, he believed, would be an improvement, and might safely be entrusted to the boards. The other was with respect to the difficulty that had arisen, in some of the remoter districts, on account of the scalp money being payable in Brisbane instead of where it was earned. That also was a matter which might fairly be dealt with now, without a general amending Bill, which the Government were not prepared to undertake. To carry those suggestions into effect, he had prepared new clauses which would be duly submitted to the consideration of hon. members. With respect to local payments, what was proposed was that the assessment should be collected by the clerk of petty sessions, as at present, forwarded to the Chief Inspector of Stock, and by him paid into the Treasury, where it would be satisfactorily audited before any endowment was paid in respect of it. Then it would be transferred to the credit of the district, and the boards could draw cheques upon it themselves. That would meet the difficulty raised about local administration. Those were the only two amendments the Government intended to propose, and, in order that they might be introduced, he would move that the clause as read stand part of the Bill, and then propose to amend it by inserting after "shall" the words "be amended as hereinafter provided, and shall."

Mr. FOOTE said he could not help noticing that the amendments were much larger than the Bill itself. As the question was one of great importance, he wished to know whether the Bill would apply to the district he represented.

The PREMIER said it would not apply to it, as there was no marsupial board there.

Mr. FOOTE said that in that case there was no necessity for him to interfere further, and he should not offer any opposition to the Bill.

Mr. BAILEY said he should also like to know whether the Bill would apply to his district. The Act had been in force there for several years; they had had to pay the marsupial tax, although no marsupial, as far as he could find out, had ever been killed; but they had had to pay a secretary all the time, and that really seemed to be the result of the Act in more districts than his own. But he would like to draw the attention of the Government to almost as great a plague which required to be stayed as that of marsupials, and that was the flying-foxes. Year after year different kinds of fruit were attacked by them, and in a very few years they would not have fruit of any kind that they could protect from the ravages of that plague unless something was done to stay their increase. They were increasing by millions year after year, and no steps had been taken by the Government to assuage the pest. He thought that in bringing in a Bill like that before them some provision should be made for the protection of the fruit-growers of the colony. They knew that in farming districts every man liked to have his little fruit orchard near his house, but at the present time, in many portions of the colony, the fruit grown was absolutely wholly taken away by flying-foxes, so that they had now hardly any fruit left to eat. If steps had been taken a few years ago for the destruction of this increasing evil he believed the people of the colony would suffer very much less than they did at present, and if steps for that purpose were not taken soon, fruit-growing in the colony would become an impossibility. He found that even grapes were now

being attacked, and in fact every kind of fruit was being destroyed by this pest. He could not submit any proposal as to how they should be destroyed. It could not be done by scalps at any rate; but certainly some scheme should be adopted by the Government by which the colonists might be relieved from such a serious evil.

Mr. KATES said that no doubt flying-foxes were a great nuisance, but they only affected one class of people. There was, however, another marsupial, in addition to those named in the Bill, which was very destructive to farmers and pastoralists. He remembered that last year when the operation of the Bill was continued for twelve months, the hon. gentleman at the head of the Government promised distinctly that that very destructive little animal, the kangaroo-rat, should be included in it. Hon. members might laugh, but it was no laughing matter to farmers when they found their seeds—maize, wheat, barley, and oats—scratched up and destroyed by that animal two or three days after they had been sown. He quite agreed with some parts of Mr. Gordon's report, in which he said that all grass-eating marsupials should be included in the Act. The kangaroo-rat was a grass-eating marsupial, and was equally destructive to the farmer and grazier. In looking over the amendments of the hon. the Premier, he was astonished to find that he had omitted that particular pest, and he was also surprised that the Minister for Works, who was the representative of an agricultural district, had not thought of including it in the Bill. All hon. members interested in agricultural or pastoral pursuits would agree with him that it was highly desirable to introduce that marsupial into the Bill, because not only did it destroy the seeds of farmers, but by scratching out the most nourishing and sweetest grasses by the roots it destroyed whole acres of land. He would therefore recommend the Premier to insert, after the word "paddamelon," "kangaroo-rat." He would like to know from the hon. gentleman whether he was inclined to introduce those words into his amendment?

The PREMIER said it must be borne in mind that the fund out of which these amounts were paid came entirely upon stockowners.

Mr. KATES: And farmers.

The PREMIER: Farmers might be stockowners. When he said "stockowners" he did not mean people who owned millions of sheep. According to the Act, the owner of 20 head of horses and cattle or 100 sheep was a stockowner. As to the desirability of including the kangaroo-rat in the Bill, he had never had his attention drawn to it before as a serious pest. If it was necessary to include it, a clause would have to be inserted for that purpose, and he supposed the rate for destruction would be about the same as for paddamelons.

Mr. NORTON said he thought they were likely to get into some difficulty if they commenced adding to the animals specified in the Bill. The hon. member might as well advocate the destruction of cockatoos, which did quite as much harm as the kangaroo-rat. They might even go further, and include insects which destroyed fruit. Last year and the year before—in fact, all through the dry years—nearly all the fruit in portions of the colony was destroyed by moths, or flies; and if they were going to include kangaroo-rats, bandicoots, and flying-foxes, he did not see where it was going to end.

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

Mr. KATES asked the Premier whether he was prepared to accept his suggestion, and nclude the kangaroo-rat in the Bill.

Mr. ARCHER: Is there a board to administer the Act in the Darling Downs district?

Mr. KATES said there were several—Clifton, Glengallan, Jondaryan, and Inglewood Boards. He wished to move a new clause, to follow clause 1, which was as follows:—

The term "marsupial" in the said Act shall include the kangaroo-rat.

Question put.

Mr. ALAND said he did not know whether it was the influence of the Minister for Works which had induced the Premier to accept the new clause proposed by the first hon. gentleman's colleague in the representation of Darling Downs. He had no objection to the kangaroo-rat being included, but he wished to call the Premier's attention to the remarks of the hon. member for Wide Bay about the flying-fox. He knew that was a matter with which the graziers had nothing at all to do, but it affected the fruit-growers of the colony very much, and the interests of the fruit-growers were as much to them as the interests of the pastoralists to them. He would ask whether, supposing the farmers consented to tax themselves in some way to get rid of that pest, the Premier would subsidise that taxation and see if an end could not be put to the injury the flying-foxes were doing to fruit-growers all over the colony?

Mr. MOREHEAD said he was glad to find the agriculturist was now coming forward to assist the pastoralist. Not a word was said about that until the pastoralist took the matter up in the interest of the whole colony. He was certain the pastoralists were quite willing to assist the agriculturists by having flying-foxes included in the Bill; they would even go down to the moth. The Bill dealt with a very important matter as regarded the pastoral tenant of the Crown. It had been renewed for a year or two and various suggestions and amendments were made by the Premier, and some of importance by the hon. member for Warrego. No amendments had been suggested by the hon. member for Wide Bay or by the hon. member for Toowoomba. The Bill before them was a very important measure, of vital importance to the welfare of the colony. With the amendments suggested, and with the amendment proposed by the hon. member for Darling Downs, which would probably be an improvement, the Bill commended itself to their immediate attention, and, he hoped, would receive their serious consideration. The amendments proposed were very good, and would tend materially to check the injury being sustained by the pastoral interest and also by the agriculturist in the direction pointed out by himself and others.

The MINISTER FOR WORKS said the Bill was of much more importance to the State than to the grazier, as the whole object of it was to preserve the pasturage of the country. The marsupials were overrunning the country, and the Government were compelled to step in to preserve the native grasses. He saw no harm in adding to the number of marsupials the kangaroo-rat, though he did not think they were very destructive. He thought it would do no harm whatever to include them in the Bill. But flying-foxes were an entirely different thing. They did not destroy the native grasses, though they might destroy private property. The Government in paying a portion of the cost of destroying marsupials were protecting the country, as they were thus protecting the native grasses. If fruit-growers wanted their fruit protected they could do it themselves.

Mr. BAILEY said he was quite aware that they could not include flying-foxes into that Bill. They were certainly not marsupials, and it was

not intended that they should scalp them and pay for their scalps. At the same time he would direct the attention of the Government to the fact that flying-foxes were increasing, not by thousands, but by millions, and unless some means were adopted to destroy them it would soon be impossible to grow any fruit. He found that up north fruit gardens were ravaged by those pests, and in his own district the evil was increasing year by year. He hoped some scheme would be introduced by the Government next session for the destruction of flying-foxes.

The HON. SIR T. MCILWRAITH: Can you suggest any scheme?

Mr. BAILEY said the only way it could be done was to employ men to go to their haunts and blow them up with dynamite or gunpowder. He hoped the matter would receive the serious attention of the Government.

The PREMIER said flying-foxes could not of course be dealt with in that Bill, because it was a measure providing for the administration of funds provided by an assessment on a class of people who were not the persons affected by the ravages of flying-foxes. They could not appropriate an assessment raised from one class of persons for the benefit of another class. As to assessing farmers he saw many difficulties in the way of that, but if farmers would club together to raise money for the purpose of destroying flying-foxes he believed that Parliament would not be adverse to supplementing their contributions. But it would be a difficult matter for that Committee to decide upon a basis of assessment; as while one farmer might have two acres of fruit trees that were of very little value, another might have two acres of fruit trees which formed a very valuable property. It was a different matter altogether with regard to stock. Twenty head of cattle in one place ate pretty much the same quantity of grass as an equal number of stock elsewhere, and there was therefore a certain amount of fairness in that basis of assessment. If, as he had said, farmers would voluntarily organise a scheme for the destruction of flying-foxes he thought Parliament would willingly give them a corresponding amount of assistance to that given to pastoralists. With respect to kangaroo-rats he did not profess to know much about them, but for his part he had no objection to their inclusion in the Bill.

Mr. ARCHER said the only remedy he knew for flying-foxes was the destruction of the scrubs that harboured them. As soon as the scrubs were destroyed and put under cultivation they would have no more complaints about the ravages of flying-foxes.

Mr. DONALDSON said kangaroo-rats had not been included in the original measure, and the consequence was that they were increasing very numerously. As he thought it was very desirable that they should be included in the Bill, he would certainly support the new clause proposed by the hon. member for Darling Downs.

Clause put and passed.

The PREMIER said he had a new clause to propose in respect of rates of bonus, which would require to be slightly amended now that kangaroo-rats were included in the Bill. It would, however, be convenient to move the new clause first as printed. He therefore, moved the insertion of the following new clause:—

The rates of bonus payable in respect of scalps of marsupials killed within any district shall be fixed by the board at their first meeting after the time appointed for the annual election of members, and in case no rates are fixed by the board, shall be the rates specified in Schedule B of the said Act.

The rates so fixed shall continue to be the rates for the district for the twelve months next ensuing.

Provided that the rates so fixed shall not exceed two shillings for the scalp of a kangaroo or wallaroo, or one shilling for the scalp of a wallaby or paddamelon; nor shall such rates be reduced below the rates specified in the said schedule without the consent of the Minister.

Clause put.

The PREMIER moved that the following words be added at the end of the 1st paragraph—"and for the scalp of every kangaroo-rat twopence."

Amendment put and passed.

On the motion of the PREMIER, the clause was further amended by the insertion after the word "paddamelon," in the 3rd paragraph, of the words "or sixpence for the scalp of a kangaroo-rat," and after the word "schedule," in the same paragraph, of the words "or twopence for the scalp of a kangaroo-rat."

Clause, as amended, put and passed.

The PREMIER said he believed there was a great deal in the complaints which had been made about the delays caused in sending the certificates down to Brisbane to be cashed; and it was proposed to deal with that in the new clause of which he had given notice. Since that had been printed his notice had been called to the necessity for making specific provision for the auditing of the accounts, and he proposed to add to the clause a paragraph to that effect. Of course, it was public money, and must be audited. He would therefore move the clause, as follows:—

"Any moneys standing to the credit of the account of any district may from time to time be transferred and paid by the Colonial Treasurer to the credit of the board of the district in some bank to be appointed by the board, and when so transferred and paid shall be held and applied by the board for the purposes of the said Act.

"When any such transfer has been made, the payments required by the nineteenth section of the said Act to be made by the Colonial Treasurer shall be made by the secretary of the board of the district under the direction of the board. But no payments shall be made in excess of the amount actually standing to the credit of the board."

"When any such transfer has been made the accounts of the board shall be audited from time to time by the Auditor-General or an officer of his department, and the members and secretary of the board shall be deemed to be public accountants within the meaning of the Audit Act of 1874."

Mr. NORTON said the clause would give a great deal of satisfaction, but there was another thing that would also be an advantage, and that was that the rates should be paid direct to the board instead of through the clerks of petty sessions as at present.

The PREMIER said the question had been carefully considered by the Government since the second reading. The present system secured that no endowment was paid until the money was actually received, and there was no danger of too large an endowment being paid. Then the money was to be transferred to the boards to be drawn upon. Very frequently the clerk of petty sessions was secretary to the board. If the secretary were to receive and retain the money a large amount of security would be required from him, and the accounts would have to be audited very frequently. It was far better to leave the matter as it stood, and only to provide for the expenditure of the money after it had been collected.

Mr. JESSOP said he agreed with the Premier, especially as the clerk of petty sessions was often secretary to the board. The existing system was much the better of the two.

Mr. FOXTON said he had had a communication from the board which administered the Act in the district he represented, and they wanted an

amendment similar to what had been suggested by the hon. member for Port Curtis. He had mentioned the matter to the Premier, who gave good and valid reasons why it had not been introduced. Consequently, he did not feel justified in supporting the suggestion of the hon. member, which he would have done but for the reasons that had been given.

Mr. NORTON : I am satisfied.

Question put and passed.

Mr. DONALDSON moved that the following new clause follow the last new clause of the Bill :—

The Minister, at the request of the board of any district, may authorise the application of the funds standing to the credit of the account of the district in payment of a bonus for the destruction of dingoes at a rate not exceeding five shillings for each scalp.

When any such authority is given it shall remain in force until withdrawn by the Minister on the like request.

While any such authority is in force, the provisions of the said Act relating to the scalps of marsupials, and to anything done or to be done with or in respect to scalps of marsupials, shall extend and apply to scalps of dingoes and to anything done or to be done with or in respect to scalps of dingoes as fully and effectually as if the terms "dingoes" and "scalps of dingoes" were used in the said Act wherever the terms "marsupials" and "scalps of marsupials" are used therein respectively, and the term "scalps" shall so far as necessary be deemed to include scalps of dingoes.

His object in moving the clause was to supply a defect that had long been felt in the interior districts of the colony. He was well aware that there was a difference of opinion, both inside and outside the Chamber, as to the advisability or necessity of having a clause in the Act providing for the destruction of dingoes. In his opinion, the destruction of dingoes was just as necessary as the destruction of marsupials, more especially in districts now used for the purpose of grazing sheep. All were aware that it was not possible for sheep and dingoes to exist in the same country; if sheep were to be kept the dingoes must be destroyed. In the outer districts there were very few marsupials; they did not provide suitable refuge for them, and there was very little danger of their getting there. With ordinary precautions the marsupials could always be kept out. Not so the dingo, because all persons were not interested in their destruction. People owning cattle were under the impression that dingoes did not destroy any of their calves, and took no action in keeping them down, whilst the unfortunate owners of sheep surrounded by a number of cattle runs would have to destroy dingoes entirely at their own expense. That was an unfortunate position for such a man to be placed in. Sheep were now being put upon runs that were a few years ago only occupied by cattle. Some marsupial districts were in possession of funds that they were unable to expend because they had no marsupials to destroy, and the money might well be devoted to the destruction of dingoes. Hon. members would observe that by the 1st paragraph of the clause the principle of local option was introduced. Unless the majority of a board made the request the district would not come under the operation of the Act. In cattle districts they would not seek to come under it, whilst in sheep districts no doubt advantage would be taken of it. As to the rate of 5s. per scalp, he would personally like to see it higher, but the clause was in the hands of the Committee, and he was willing to accept an amendment to increase the amount. He would now refer to the question of the boundaries of districts. With regard to the boundaries of the districts, it was quite competent for the Government at any time to adjust them in such a way that cattle and sheep would not exist in the same district. He would take the coastal districts. They knew that nearly the whole of those districts were devoted to cattle; as they went outside cattle decreased and sheep commenced, and it was quite possible to draw the boundaries in such a way as to give satisfaction in that respect; and consequently in no district would there be any great conflict of opinion as to the necessity of destroying the dingo or not. He was certain with regard to the interior—say 400 or 500 miles out, or even further—that there were not two opinions on the subject. In fact, the whole community was unanimous as to the necessity of something being done to keep the dingoes down, because unless that was done it was not possible for sheep to be kept profitably upon the country. They were very destructive. If they killed only the sheep they consumed the losses would not be so severe; but in many instances, in mere sport, they killed as many as 100 sheep in one night. It was therefore very desirable that some united action should be taken for killing anything that destroyed property, and he trusted that hon. members would support him in having the clause inserted in the Bill. With regard to the objection that might be made that portions of the country not directly interested should not be asked to contribute towards the destruction of animals that did not destroy the grasses of it, the argument was equally forcible the other way, because if marsupials destroyed the grasses the dingo destroyed the grass-eating animal, and in either case it was desirable that the animal that prevented the keeping of stock upon the country should be destroyed. He was very desirous to see the clause passed, and he hoped that it would receive the support of hon. members.

The MINISTER FOR LANDS said the argument of the hon. gentleman in support of this new clause was mainly, if not wholly, applicable to his own district and other districts of a similar character.

Mr. DONALDSON : It is only intended for those districts.

The MINISTER FOR LANDS said there was a seeming fairness in the clause, inasmuch as it was left to the board, or to the Minister at the request of the board, to determine whether or not the funds of the district should be applied to the destruction of dingoes; but there were a great many marsupial districts in the colony at the present time that comprised two classes of country, one sheep country and the other cattle country; and to apply such a provision to a district where there was no identity of interest at all would be a gross and cruel injustice to the people holding cattle country in marsupial districts. The hon. gentleman who introduced the clause was certainly not acquainted with some of the intermediate districts of Queensland. If he had been, he would have known that such a provision would receive the most strenuous and determined opposition from the men who were acquainted with those districts. In some of those districts there was to be found the richest possible sheep country, a great deal of which was freehold, and most of it enclosed with marsupial fences, while other portions of the district were simply poor cattle country—scrubby and broken; and yet the men in those districts who held cattle country were assessed by the marsupial boards for the destruction of marsupials, even within fenced freehold land. That was a monstrous cruelty to those men, and the only way in which it would be possible to introduce a clause of the kind proposed, so as to make it press not unfairly upon those men, would be to have a complete readjustment of the whole marsupial districts of the colony; that would be an absolute necessity.

Mr. DONALDSON: Empower the Government to do it.

The MINISTER FOR LANDS said it would require a great deal of time before it could be done effectually. A great deal of information would have to be collected, because they could not always rely upon the first information they got, inasmuch as a certain class would be interested in keeping a large number of ratepayers, so that the tax would not fall heavily upon themselves. The fact of the matter was, they wanted to make the cattle men pay for the destruction of marsupials as well as the sheep men, and the cattle men were determined to resist it to the utmost. He thought the best way of dealing with the matter was to allow the dingoes to have free scope in poor cattle country, because if they were cleared off that country they would be almost certain to have to abandon it again to marsupials entirely. Of the value of a clause of the kind proposed he had not the slightest doubt. It was an admirable clause as suited to sheep country pure and simple. It was an absolute necessity—he would not say necessity, but at any rate it enabled the holders to occupy the country more easily than they otherwise would be able to do. There were some men in the sheep country who were also interested in cattle country, and they would not take the same trouble to destroy those animals as those who only owned sheep country might fairly and reasonably be expected to do. Such a clause would operate very fairly where there was complete identity of interest. It was very frequently said, when this matter was discussed, that cattle men, in their own interest, should seek to destroy or partially destroy dingoes, because the losses they suffered by the destruction of calves were considerable. Well, he had been a close observer of the number of dogs on cattle stations, and he was perfectly satisfied that the losses from them were so trifling as to be not worthy of consideration. During dry seasons, of course, cattle-owners lost a great many calves; but in the majority of instances the losses were confined to the offspring of heifers, which were generally distinct from the rest of the herd, and in that way the destruction did perhaps more good than harm. It was chiefly in dry seasons that the greatest amount of mischief was done by dingoes; and until there was a complete readjustment of the marsupial districts of the colony he should oppose the clause to the very utmost, in the interests of those men who he thought deserved it.

The COLONIAL TREASURER said he thought the amendment was outside the scope of the Bill, and outside the message which accompanied the Bill—the message from His Excellency recommending to the House the continuation of the Marsupials Destruction Act of 1881 and recommending that certain provision should be made out of the consolidated revenue for the purpose. He submitted that it was a question for consideration whether the hon. gentleman's amendment was not entirely outside the message introducing the Bill.

Mr. MOREHEAD said that if there was anything in the Colonial Treasurer's objection it would have been taken before by the Premier. The Minister for Lands appeared to be—and he was not surprised at it—an authority upon the native dog. The hon. gentleman looked at it from his own point of view. He did not agree with the hon. gentleman's remarks with respect to cattle-owners. He held that if the new clause was inserted in the Bill it would probably benefit the cattle-owners more than anybody else. He was certain that cattle-breeders in this colony suffered a great deal more from native dogs than the hon. gentleman said they did. The hon. gentleman had admitted that the loss accruing to cattle-owners from the dingo might be avoided to a great extent by better management, and the deduction to be drawn from the hon. gentleman's remarks was that it served the cattle-owner right if he lost calves from heifers that ought not to have calves. Why should there be any objection to the introduction of the clause? It would do an immensity of good to every stock raiser in the colony. He was sure they had their sympathy, and he believed they would have the support, of the Premier to the proposal made by the hon. member for Warrego; and he hoped the Colonial Treasurer would not persist in his objection to it. The clause would be of unmitigated good to the colony, and could do no possible harm, as everyone connected with the pastoral interest must know. Since the Government had proposed to continue the operation of the Marsupials Act, hardly a day had passed on which he did not get letters asking him to do all he could to have the dingo included in the Bill. Surely where it was a matter which did not affect the pockets of anyone but those who were specially benefited by taxation for that purpose, it ought not to be objected to. The hon. member who proposed the amendment knew a great deal about the matter. He spoke in the interests of the constituency and of the whole colony; and when they also heard other hon. members speaking on the same lines and upholding the new clause, surely they should have some stronger reason than the reason given by the Minister for Lands, to prevent the clause being adopted. It was a matter of supreme importance that the clause should be adopted, and he trusted they would not have any more obstruction on the part of a certain section of the Government to the adoption of the clause.

Mr. JESSOP said that, as the chairman of a marsupial board which did a great deal of work under the Act, he could reiterate the remarks of the hon. member who had just sat down. He intended to support the amendment, and he might say that not only since the Bill was brought before the House, but for two or three years previously he had received letters from all parts of the colony, asking him to do what he could to have the dingo included in a Bill. The clause was indeed a very good one, and the only fault he had to find with it was that the price stated was too low. He could assure hon. members that if £1 per head was paid for dingoes and 10s. for marsupials, it would eventually save the colony millions of money.

Mr. KATES said if there was one hon. gentleman in the Committee who should most strongly support the amendment it was the Minister for Lands. The hon. gentleman had introduced a new Bill last year, whereby he intended to create a lot of middle-class squatters who would make their living cheaply by sheep-farming in the western lands, and chiefly in the dog-country, and he should certainly go to the assistance of those men, by adopting the amendment proposed. The selectors who were driven back into the ridges by the pernicious system of free selection all over the country, and who commenced with two or three thousand sheep, were the greatest sufferers from the dingo. They had to shepherd their sheep very close, and to have them in the fold at about 5 o'clock in the evening during the summer, at a time when they would most comfortably feed; and at lambing-time they had to shepherd them so close, on account of the dingo, that they often lost half their lambs. He had heard of many selectors, in his own district, to say that, if it had not been for the dingo, they

would be able to get on very well indeed, and some of the selectors had to sell their sheep on account of the dingoes. He thought that the clause moved by the hon. member for Warrego was a very reasonable one, especially as had been pointed out it was a local option affair, and would chiefly be applicable in those districts where sheep predominated. If the Minister for Lands only knew the trouble and misery that had been caused by the native dog to selectors holding 3,000 or 4,000 sheep, he would have been one of the first to support the amendment. He should certainly, from his own experience and from what he had heard, support the proposition of the hon. member for Warrego.

The COLONIAL TREASURER said he hoped he should be acquitted of any desire to obstruct the business through having raised the objection. He had simply wished that they should not transgress their rules of procedure or the Constitution. The Governor's message covered a recommendation providing for the destruction of marsupials, and they had no right whatever to go outside that definition. He took it they would be diverting the destination of the recommended appropriation if they adopted the amendment of the hon. member for Warrego. He trusted that hon. member would acquit him of any personal feeling or any desire to prevent his amendment being carried.

The HON. SIR T. MCILWRAITH said the Treasurer was quite right in saying that the recommendation was simply for a Bill to continue the operation of the Marsupials Destruction Act of 1881; and the hon. gentleman took the objection that dogs, not being marsupials, could not be included in the Bill without an express message from the Governor. When they turned to the Act they found there a definition of what marsupials were—kangaroos, wallaroos, paddamelons, and wallabies. Now, kangaroo-rats, according to the Act, were not marsupials, and the Committee were dealing with the Act and not with natural history; therefore the hon. gentleman should have taken his objection earlier when the kangaroo-rat was proposed to be included in the Bill.

The MINISTER FOR LANDS said he was surprised at the argument of the hon. member for Darling Downs, because it took up the line of running which was commenced by the hon. member for Balonne—arguing wholly in the interests of the large sheep-holders. Those men who had cattle in such country, if they could be secured against the dingo, should certainly have had sheep there instead. The hon. member said the selectors were equally interested in the destruction of the dingo. He (the Minister for Lands) admitted that they were, and he had no objection to the application of the clause if the readjustment of the districts preceded its operation; but he objected most strenuously to the operation of the clause preceding the adjustment of the marsupial boundary. The readjustment of the district was a difficult and tedious job, and a work in which both the marsupial boards and the men who paid the rates would have to be consulted. It was the large sheep-holders who controlled the whole thing. They had got the small cattle-holders by the wool, and were exacting a rate from them for the destruction of marsupials on their own property. Even if that happened in only two or three districts it was a monstrous injustice to bring such a clause as the one proposed into operation. If it was necessary to have a clause of that kind, let it wait until the districts had been readjusted, and then no injustice would be done. A year would not make so great a difference as far as the interests of the sheep-holders were concerned.

Mr. JESSOP said he was surprised to hear the Minister for Lands, who should have a thorough knowledge of the matter, say what he had said. He (Mr. Jessop) maintained that it was the small sheep-owners who were chiefly interested, and he could name twenty or thirty men in his own district—men holding from 320 to 1,000 acres of land—who were paying as high a rent as 30s. an acre, and who could neither afford to keep shepherds to look after their sheep or to put up secure fencing. The proposed new clause would be of great benefit to that class of people.

Mr. NORTON said he did not know whether there was really a point of order before the Committee; because if there was he would point out that it had always been the practice of the House to settle it before going on with the discussion. He wished to take part in the general discussion, but he did not wish to go on before the point of order was settled.

The PREMIER said he had been listening to the discussion, and it appeared to him to be a very nice point indeed raised by his hon. colleague the Treasurer, whether the case was within the Constitution Act or not. He was inclined to think, on the whole, that it was; but if it was, there was no doubt that the clause dealing with the kangaroo-rat was equally affected. Under the circumstances, it would be safer before they went any further that an additional recommendation should be made. That could be done quite easily.

The HON. SIR T. MCILWRAITH: Including the native dog?

The PREMIER: For the purpose of enabling the clause to be discussed, he thought it was desirable under the circumstances that that should be done.

Mr. NORTON: How will that affect the clause that has been passed?

The PREMIER said that the recommendation might possibly cover that too. The clause had not gone out of Committee, and the recommendation must be made before the report was made to the House. He therefore moved that the Chairman leave the chair, report progress, and ask leave to sit again.

Mr. MOREHEAD said he wished to know what course the Premier intended to pursue. He did not intend to abandon the Bill?

The PREMIER: No.

Mr. MOREHEAD said that if the hon. gentleman would tell them what course he intended to pursue it would simplify matters very much.

The PREMIER: I propose to go on with it to-morrow.

Mr. MOREHEAD: With a fresh message?

The PREMIER: Yes.

Mr. NORTON said he would point out, before the question was put, that there was a point of order to be settled.

The COLONIAL TREASURER: It could be settled the same way as the point of order was settled last night.

Question put and passed.

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

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, said that as there was no private business at all for to-morrow, except a formal

motion, he proposed to go on with the discussion in committee of the Marsupials Bill, and after that the discussion in committee of the Crown Lands Bill, in which a new clause had been proposed by the hon. member, Mr. Black, which would be circulated in the morning.

The House adjourned at twenty-three minutes past 10 o'clock.