

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 30 JULY 1885

Electronic reproduction of original hardcopy

LEGISLATIVE COUNCIL.*Thursday, 30 July, 1885.*

Suspension of Standing Orders.—Appropriation Bill No. 1, 1885-6.—Additional Members Bill—second reading. Charitable Institutions Management Bill.—Local Government Act Amendment Bill.—Police Officers Relief Bill—committee.—Pacific Islanders Employers Compensation Bill—second reading.

The PRESIDENT took the chair at 4 o'clock.

SUSPENSION OF STANDING ORDERS.

The POSTMASTER-GENERAL (Hon. T. Macdonald-Paterson) moved—

That so much of the Standing Orders be suspended as will admit of the passing of an Appropriation Bill through all its remaining stages in one day.

Question put and passed.

APPROPRIATION BILL No. 1, 1885-6.

The POSTMASTER-GENERAL moved that the Bill be now read a second time.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the President left the chair, and the House went into Committee to consider the Bill in detail.

The several clauses and the preamble were passed, and the Bill was reported to the House without amendment.

The POSTMASTER-GENERAL moved that the Bill be read a third time.

The HON. T. L. MURRAY-PRIOR said: Hon. gentlemen,—I merely rise to bring under the notice of the Postmaster-General the fact that, though this Council very rarely interferes in such matters, we have a perfect right under the Constitution Act to amend money Bills.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the Bill was passed and ordered to be returned to the Legislative Assembly with message in the usual form.

**ADDITIONAL MEMBERS BILL—
SECOND READING.**

The POSTMASTER-GENERAL said: Hon. gentlemen,—In rising to move the second reading of this Bill, which is a Bill to provide for the additional representation of certain portions of the colony in the Legislative Assembly, my observations will be brief. I feel justified in condensing my remarks into as small a space as possible, because I think every hon. member in this Chamber is intimately conversant with the circumstances of the colony in regard to the subject dealt with by the Bill. It is a cardinal point of the policy of the present Government, and I think a very judicious part of its policy, to endeavour to remedy the inadequacy of representation in the Legislative Assembly which obtains in several districts of our territory. This Bill, therefore, is the embodiment of their views on the subject. It may be stated that it is a somewhat meagre Bill, but it is to be held in view that it is only a tentative measure, because next year the usual census will be taken; and a year or so subsequent, the Government of the day, whoever they may be, must necessarily deal with the question of redistribution, and that involves a complete reorganisation and readjustment of the representation of the colony. The last Parliamentary redistribution of seats in the Assembly was based on the census of 1876. It was as nearly equitable as could be devised at the time, with the exception of what both sides in politics have regarded as an injustice to the Valley, which should at that time have had an additional

member. This Bill provides for that, as well as for the increased representation of Townsville and the territory adjacent thereto, included in what is designated by the Bill as the electorate of Musgrave. It is proper that I should state that the Government, in arriving at the conclusions embodied in this Bill, do not acknowledge the doctrine that has hitherto been advocated in some quarters—that male adult population should be the basis of Parliamentary representation. On the other hand they have not framed this measure on the basis of the total population in any particular district. As I stated before, it is a Bill to remove the more glaring cases of under-representation of which we are cognisant and which exist in those several districts. The electorate of Fortitude Valley will not be divided, and, I suppose, no one will cavil at the proposal to give that electorate the representation to which it was entitled some years ago. If it was entitled to an additional member in 1878, we must admit that in view of the extension of the city, the thickness of population there, the numbers of factories that have sprung up, together with other improvements that have gone on there—if in 1878 they were entitled to an additional member, it cannot be for a moment doubted that Fortitude Valley is entitled to that additional member at the present time. With regard to Townsville, we all know that in 1878 it was a town of some importance, but it was doubted whether it would increase so rapidly at that time, in consequence of the possibility that Bowen would become the port for the trade which goes at the present time to Townsville. Now, however, the flow of trade is almost entirely confined to the port of Townsville, and that town—or city, as it is sometimes called—has, I think, grown in proportion beyond that of any other town in the colony. Therefore, in that case it was the duty of the Government to recognise at once its commercial and political importance, and that electorate was provided for in the Bill. The territory around Townsville, especially to the north, has also developed in an enormous degree, and it is considered that two members should be returned for the electorates of Townsville and Musgrave, giving one to each. With regard to the Mitchell, I am aware that some hon. gentlemen opposite know more of that vast, rich, pastoral land than other hon. members do. It is a grand pastoral country, which in good seasons provides abundant pasture for great herds of cattle and innumerable flocks of sheep. As evidence of the richness of the territory, and the pluck and enterprise of those who carry on pastoral pursuits there, we know that several not unimportant towns have sprung up, and apart from the influence they possess, and the presence of a fair number of inhabitants, possessing schools and other institutions—taking all these facts into consideration, it is only fair that the Government should recognise the claims of that electorate to additional representation. Further, we should also consider the extent of the territory and the inconvenience to members seeking a seat in the Assembly who have to travel over so enormous a geographical area. I am very glad to say that the electorate of Mitchell is well worthy of two members, and I believe that if we have a series of good seasons the time is not far distant when that same electorate will be again subdivided and return more members to Parliament. It would be of no advantage for me to refer to the proposed boundaries of the electorates of Townsville and Musgrave; suffice it to say that Townsville is carved out of the original electorate and the remainder will form the electoral district of Musgrave. The Mitchell will be divided by a due west line, the principal part of which will be the central line of railway running westerly.

I think that is a very happy boundary, and I may say, from my personal knowledge, that it is a boundary quite satisfactory to all the parties interested in the electorate. It is also a satisfactory circumstance to know that on each side of the boundary there is about an equal number of the towns to which I alluded. On the south side we have Tambo, Blackall, and Isisford, with a superficial area of country a little less or more than the area on the northern side of the railway line. On the northern side there are the townships of Aramac and Muttahburra; so that the railway line is undoubtedly the best possible boundary that could be devised for the division of this electorate; and, moreover, the inhabitants of those towns, as well as the squatters, are perfectly satisfied with that boundary. In regard to the electorates to be divided, hon. members will notice by the Bill that the sitting member will have a right that did not obtain on a former occasion when a similar Bill was passed. He will have the right to a choice of seats, and it will be his duty to notify his decision as to which seat he will take, to the Speaker, within seven days after the passing of the Bill. The return of the number of electors in the various districts, which has been distributed, will give hon. members some idea of the relative importance of the various electorates enumerated, but I am bound to say that in most of them, and especially the most northerly electorates, the numbers of electors are by no means equal to the numbers on the rolls some few years ago. That, however, has not weighed with the Government in any way. They have brought up this Bill with a view to remedy what they conceive to be the subsisting evils of under-representation in regard to those districts of the colony. In view of the fact that the Premier of the colony has intimated that the question of redistribution is understood to be one to be taken in hand as soon as possible after the next census, I think hon. members will agree that it is not right, nor would it be convenient or proper, to attempt to bring in a measure that would deal comprehensively with the whole of the representation of the colony; in fact, a Redistribution Bill on a sound basis is at present utterly impossible. The Government have not the materials before them with which to devise such a scheme and bring it to a successful issue. The provisions which are contained in the Bill for a revision of the electoral rolls, in the case of the new electorates, are ample; and to adjust the rolls in the Mitchell, Townsville, and Musgrave electorates will be only the work of, at most, a couple of days by the revising bench. I beg to move the second reading of the Bill.

The HON. F. T. GREGORY said: In taking into consideration the provisions of this Bill, I may at once say that I have no intention whatever of offering any opposition to its passage through the Council; the only object I have in rising is to draw attention to one or two points connected with the proposed distribution of the electorates of the colony. At the present time there is, as pointed out by the Postmaster-General, a considerable discrepancy in the number of electors in the various electoral districts, arising from the changes in the population that have taken place since the last general census. As far as it has been possible to have it done, this has been corrected from the various statistical returns at the command of the Government, but it does not clearly show, nor can it be ascertained with any certainty until after the next general census, what is the numerical strength of each of the electoral districts, and consequently it behoves us to be very careful in adding members to the House based on the number of electors who are on the electoral rolls. If we did that we should find

that we were really giving members to districts that were not entitled to them. So far, however, as can be ascertained in the present case, we shall not run any serious risk in adding the members proposed. I would, however, draw attention to a question which has been submitted to this House on a number of occasions, which I think has scarcely been followed up with the amount of attention which the subject demands—and that is, that the population of large cities and large centres of occupation do not represent on equal terms the same number in the outside districts. In other words, that a town containing a population of 10,000,—assuming that the basis of representation is 2,500 to each member—it would not be fair to give that town four members against a country constituency containing 2,500 electors. I am now speaking of the population basis and not the electoral roll basis, and the reason is that in towns there is always a large aggregation of those who really cannot be said to have any representation in the country—the wives and children of those people whose occupation takes them into the outside districts. I hope that this will not be lost sight of, and although it would hardly hold good as an objection on the present occasion we certainly ought to bear it in mind whenever the subject of redistribution is brought before us. There is also another question which I trust will be kept in view in considering any extension of the number of electorates in this colony. It has been found in other countries, and more especially in the mother-country, that the increased number of representatives of the people, so far from tending to advance their interests and have them looked after with greater care, has resulted in the opposite direction. At the present time there is a strong feeling in the mother-country that, if it were possible to do so without interfering or actually doing away with a certain number of electorates, it would be well to reduce the number of members who sit in the House of Commons. It is considered that at the present time, could they reduce that House by more than half, or 400 members, the working of the House would be carried on in a much more satisfactory way and would be of general benefit to the country. I think it is our duty to keep this question constantly in view, and for that reason I mention it now. There is no doubt that in a country so large as Queensland, to get anything like fair representation, we must have, proportionately to the population, a very large number of representatives. At the same time we should be very careful not to enlarge the number of members unduly. The only other point which I think remains for me to draw attention to, and which I shall deal with in committee, is with regard to the rights of existing electorates. To make what I wish to put before you clear, I will state a supposititious case. A man, at the present moment in the electorate of Townsville, is qualified to vote at both Townsville and Musgrave, but he is only registered, of course, under one of his qualifications. He has a qualification as a resident in Townsville, but he also has a property qualification in the district of Musgrave. If I read the Bill correctly, when the election first takes place he will not be in a position to vote for a member for one or other of the districts. Suppose the member who is already sitting elects to represent Townsville, then there is to be a member for Musgrave. He is on the register of Townsville with a residence qualification, but he could not or has not registered his name as a freeholder in Musgrave. The provision made in this Bill is only to compile certain rolls from the names that are already on the electoral rolls and upon the quarterly electoral lists. I think hon. gentlemen are all sufficiently

aware of the distinction between the electoral rolls and the electoral lists, and it is only necessary for me to say that the one is compiled from the other after proof of qualification to vote. Well, between the time this Bill passes and the election of a member for Musgrave, I see no provision to enable an elector to put in his electoral qualification as a freeholder to enable him to vote for the election of a member for Musgrave. I think I have made myself sufficiently clear, and hope that the Postmaster-General will see my object. When we come to consider the matter in committee, if he sees that my point is really a valid one, I trust he will be prepared to add a proviso which would enable us to rectify the deficiency. It strikes me forcibly that the amendment would come in in clause 5 subsection (f), where I think could be inserted a proviso clearly establishing the right of any person situated as I have now described to vote for the return of a member for Musgrave although he may not at the present moment be registered on the roll. When the Bill comes on for consideration in committee it is possible other questions may arise, but I think I have pointed out all that is necessary at the present moment.

The Hon. A. H. WILSON said: I do not object to additional members being given to the districts mentioned in the Bill, but I think there are other places just as much entitled to additional representation. For instance, take Gympie. It has only one member, representing 1,659 people; whereas Ipswich has two members, representing 1,476 electors; the former having 183 more electors than the latter. The same is found to be the case when Rockhampton is compared with Gympie. Rockhampton has two members for 1,480 electors, or 179 less than Gympie. I should like the Postmaster-General to take these facts into his consideration, as I really think Gympie is entitled to an additional member.

Question put and passed, and the committee of the Bill made an Order of the Day for Wednesday next.

CHARITABLE INSTITUTIONS MANAGEMENT BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to make better provision for the management of public charitable institutions.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, ordered to be printed, and the second reading made an Order of the Day for Wednesday next.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to amend the Local Government Act of 1878.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, ordered to be printed, and the second reading made an Order of the Day for Wednesday next.

POLICE OFFICERS RELIEF BILL—COMMITTEE.

On the motion of the POSTMASTER-GENERAL, the President left the chair, and the House went into Committee to consider this Bill.

Preamble postponed.

On clause 1—

The POSTMASTER-GENERAL said that the Hon. Mr. Murray-Prior, in his speech on the second reading of the Bill, asked for certain

information in reference to the number of persons who might from time to time be affected by it, together with their status in the public service, dates of appointment, and so forth. He held that information now in his hand. No later than two days ago application had been received from one man to be brought under the Act when it passed, and he had no doubt other applications would follow. As there would hardly be any finality to those applications, he did not think it was desirable that the return should be printed, inasmuch as it was at present incomplete; but he would lay it on the table of the House for the information of hon. members.

The Hon. F. T. GREGORY said he had very little to say in regard to the matter, but he would point out that cases of real hardship would be likely to arise. The measure, though a tardy act of justice, had nevertheless now been brought forward, and would enable those who had been deprived of their rights to have them restored. But there would be a certain amount of disadvantage under which some would labour, although the point was one that would hardly bear examination on a commercial basis. There were men who would have willingly at the time continued to contribute to the Superannuation Fund, but upon whom the payment of a lump sum now would bear rather hardly after having ceased to pay for four or five years. Indeed, it had been brought prominently to his notice by one of the parties, whose names were mentioned in the list laid on the table by the Postmaster-General, that he was not now in a position, owing to the many times he had been removed from one place to another, and the consequent expense attending, to pay up the whole sum he would have paid if he had remained in the Police Force. Of course, that man would pay up the full amount due for the sake of ensuring a benefit to himself and family, but an injustice would be done in that case, although it might be said that the man had had the use and interest of his money all the time. Practically, however, they knew that that would not have been the case.

The POSTMASTER-GENERAL said, in reply to what fell from the Hon. Mr. Gregory, that he thought it would be found that there was no provision in the Bill to limit the time within which a member of the Police Force should pay the amount to which the hon. gentleman had referred. The 1st clause said—

“The Governor in Council may direct that such person shall have and be subject and entitled to the same rights, obligations, and privileges, as if he had been a member of the Civil Service under the provisions of the Civil Service Act of 1863 and the Civil Service Act of 1863 Extension Act.”

So that he thought the hardships referred to as like to ensue would not take place.

The Hon. Sir A. H. PALMER said it was well that hon. members should know that, according to the list which had been laid on the table by the Postmaster-General, they were only, after all, going to legislate for eight individuals. He had thought the Bill would affect a large number of persons. He acknowledged that justice should be done to eight persons as well as to eighty, but hon. members should understand that this was a very small question.

The POSTMASTER-GENERAL said it was just as well also to state that the Government anticipated a number of applications from persons wishing to come under the provisions of the Bill when it became law.

Clause put and passed.

On clause 3, as follows :—

“There shall be deducted from the salary of every such person and paid to the Consolidated Revenue Fund a sum equal to two per centum per annum.”

1885—D

The Hon. A. C. GREGORY said that, though the subject to which he was about to refer did not appear directly in clause 3, still, if the clause were passed, there would be no remedy for what he considered a defect in the Bill. The clause provided for a deduction of 2 per cent. from the salary of every person coming under the provisions of the Bill, and so far that was reasonable; but in clause 4 provision was made that in any case in which a member of the Police Force had been appointed to another office, he should, “within three months after the passing of this Act, pay to the Colonial Treasurer, to be paid into the Consolidated Revenue Fund, a sum equal to the amount which would have been deducted from his salary for the whole time that has elapsed since his said appointment, if he had been a member of the Civil Service.” Now, that sum would probably be more than some officers would be able to pay within three months; and, if possible, it would be better either to enlarge the amount to be paid annually under clause 3 to, say, 10 per cent., or to provide for the payment of the amount to be paid under clause 4 by instalments.

The Hon. Sir A. H. PALMER said it struck him that the gentlemen for whom they were legislating were getting more than fair play in comparison with those who had been contributing to the fund all along. They were to be allowed to make the 2 per cent. payments in one lot, whereas they ought to be made to pay interest for every year they were in arrears. If hon. members looked at the list they would see that one-half of those on the list had their contributions to the Police Superannuation Fund absolutely returned, and, in order to be fair to the other officers of the Civil Service, they ought to be charged interest until all the arrears were paid.

The Hon. A. C. GREGORY said the principle to which he referred was adopted in the amending Civil Service Act, in which there was no provision for the payment of interest on arrears. Some officers were unable to pay the whole amount in such a short time, and it was on that account that he drew attention to the matter, and suggested that it should be paid in instalments.

Clause put and passed.

On clause 4, as follows :—

“In any case in which any such member of the Police Force has been so appointed to another office before the passing of this Act, he shall within three months after the passing of this Act pay to the Colonial Treasurer, to be paid into the Consolidated Revenue Fund, a sum equal to the amount which would have been deducted from his salary for the whole time that has elapsed since his said appointment if he had been a member of the Civil Service under the provisions of the Civil Service Act of 1863 and the Civil Service Act of 1863 Extension Act, and had received as such member a salary equal to the salary that he has received from time to time as an officer of the Public Service since such appointment.”

The Hon. F. T. GREGORY said that, following up the observations he made just now in regard to hardship in certain cases, notwithstanding the light thrown upon the matter by the Hon. Sir Arthur Palmer, he was still of opinion that in the case of men of limited means and large families, the payment of the whole amount within three months would press more hardly than annual payments. With the view of meeting the difficulty in some degree, he proposed that the clause be amended by the substitution of the word “six” for the word “three” in the 3rd line of the clause. That would give six months within which to pay, and he was sure that small concession would be appreciated by more than one of the persons concerned.

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

The remaining clauses and the preamble were agreed to, and the CHAIRMAN reported the Bill with an amendment.

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

PACIFIC ISLANDERS EMPLOYERS
COMPENSATION BILL—SECOND
READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—This is a Bill to make provision for the assessment and payment of compensation to certain employers of Pacific Island labourers who have been returned to their native islands by order of the Governor in Council. As I understand that there is a general wish amongst hon. members that we should not enter into a debate on the second reading of this Bill, but reserve our discussion till the various clauses come under our consideration in committee, I merely move formally that this Bill be now read a second time.

The HON. A. J. THYNNE said: Hon. gentlemen,—I merely rise to intimate to the Postmaster-General that when in committee I shall suggest some alterations in clause 6, not for the purpose of altering the principle of assessment, but merely in order to elucidate the clause.

Question put and passed, and committal of the Bill made an Order of the Day for Wednesday next.

The House adjourned at fifteen minutes past 5 o'clock.
