

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 6 AUGUST 1885

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LEGISLATIVE COUNCIL.

Thursday, 6 August, 1885.

The Seat of the Honourable James Gibbon.—Marsupials Destruction Act Continuation Bill—second reading.
—Additional Members Bill—committee.—Local Government Act of 1878 Amendment Bill—second reading.—Charitable Institutions Management Bill—second reading.—Pacific Islanders Employers Compensation Bill—committee.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

THE SEAT OF THE HONOURABLE
JAMES GIBBON.

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

That the message of His Excellency the Governor, bearing date 5th August, 1885, respecting the question of the vacancy of the seat of the Hon. James Gibbon, be referred to a Select Committee, consisting of the following members, namely:—Mr. Murray-Prior, Mr. P. T. Gregory, Mr. Thynne, Mr. W. Horatio Wilson, and the Mover; such Committee to have power to call for persons and papers, and leave to sit during any adjournment of the House.

The Hon. F. T. GREGORY said: I have very few words to say to the motion which the Postmaster-General has just moved; and for a very good reason. It is a message emanating from the Governor, and it is not incumbent on us, until we have taken that message into consideration, to offer any comments upon it. It will be time enough for us to do so after the message has been returned to us from the select committee. I only rise now to say that although the matter has recently been before the House, and hon. members have expressed themselves very strongly upon it, I must deprecate any attempt at discussion on it at the present time.

Question put and passed.

MARSUPIALS DESTRUCTION ACT
CONTINUATION BILL—SECOND
READING.

The POSTMASTER-GENERAL said: The object of this Bill is principally to continue the operation of the Marsupials Destruction Act of 1881, and also to amend that Act in one or two minor points. Every hon. member is aware that the Marsupials Destruction Act of 1881 has done very good work indeed for the colony, and it requires no observations from me to commend the present measure to the Chamber. The few amendments to the Act of 1881 embodied in this Bill can probably be better discussed in committee than on the second reading, and as the subject is one with which we are all conversant, I shall not detain the House at present by saying anything more about it. I beg to move that the Bill be now read a second time.

The Hon. A. J. THYNNE said: I do not intend to detain the House long on the present occasion, but I would point out that there are some questions to be raised as to the policy of the 5th clause—that is, with regard to the inclusion of dingoes. I am rather afraid to open a discussion on this question of the dingo and its peculiar habits and qualities, but I have had some very strong representations made to me by men who are supposed to be conversant with the value or otherwise of the dingo as a protection against marsupials; and in committee I shall move, either that the clause be struck out, or that it shall be amended in such a way as shall not make it compulsory on the whole colony. There are certain portions of the country—open country—where no doubt the dingo can be destroyed with very little trouble by poison or otherwise. That is chiefly sheep country. But

there are other parts where men who occupy timbered country look upon the dingo rather as a valuable aid in preserving the balance of nature by keeping the marsupials under control. I have no doubt that that opinion will be traversed by many hon. members, and that is a reason why I say I am almost afraid to raise a discussion upon it. Still, while such opposite opinions are held so strongly, it would scarcely be fair or equitable to insist upon this clause becoming law, especially when so many people would feel aggrieved by its operation. I will say nothing further to-day, but when the Bill goes into committee I shall put the matter in a more definite shape than I am able to do at present.

The Hon. J. F. McDougall said: I do not think it necessary to make any lengthened remarks on the Bill, because, as the Postmaster-General has stated, the good effects of the Act of 1881 have been so manifest throughout the colony. But I should like to show hon. members what the effects of that Act have been in one district alone. I hold in my hand a return prepared by the secretary of the Jondaryan Marsupial Board, drawn up at the request of the chairman of that board; and it shows the number of marsupials that have been destroyed there since the Act came into operation. I shall read the figures because many hon. members may not be aware of the numbers that have been destroyed. Up to the 30th June last the number of kangaroos destroyed was 21,509, which, at 8d. per head, amounted to £716 9s. 4d. The number of wallabies destroyed was 147,831, and the amount paid for their destruction was £2,463 17s.; or together, £3,180 16s. 4d. Other expenses amounted to £323 1s., making a total expenditure of £3,503 17s. 6d. for a total number of 169,340 scalps. The revenue of the board for the same period was £3,820 6s. I draw the attention of the House to these facts because I believe the effect of the Act of 1881 has been perfectly marvellous. With regard to the remarks of the Hon. Mr. Thynne about the dingo, I can speak with some experience upon that question. I can speak with some experience on the matter, and can tell hon. gentlemen that in the whole of that experience—and it has been a long one—I have never seen a dingo in pursuit of a kangaroo or wallaby; but if I were to mention the number of times I have seen them destroying sheep, lambs, and cattle, they would be innumerable. I am glad to see that the dingo and the kangaroo-rat have been included in the measure. Another thing I would like to point out is that people can, if they choose to go to the expense, fence out the marsupials, but it is next to impossible to shut out the dingo, which will get into paddocks no matter how they are fenced. I will give the Bill my warmest support.

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

On the motion of the POSTMASTER-GENERAL, the committal of the Bill was made an Order of the Day for Wednesday next.

ADDITIONAL MEMBERS BILL— COMMITTEE.

On this Order of the Day being read the House went into Committee to further consider the Bill.

On clause 5—"First electoral rolls; lists to be made up from existing rolls under certain conditions"—

Question—That the words "and the supplementary list as hereinafter provided" be inserted after the word "compiled" in the 5th line of the 3rd subsection—put.

The Hon. F. T. GREGORY said he thought that possibly, as he had interrupted the Postmaster-General in the middle of his address upon that clause on the previous day, he might wish to proceed with it. He had no wish to forestall the hon. gentleman. If the hon. gentleman had no further explanation to make he would himself speak to the question.

The POSTMASTER-GENERAL said he had made the only observations he had to make upon the amendment. He could not accept it as it would cause a great deal of delay.

The Hon. F. T. GREGORY said that so much had already been said upon the clause, and the question had been so fully discussed before when almost the same members were present, that he did not intend to detain the Committee by carrying on the discussion; but he would mention that in putting the main amendment before the Committee—not the amendment at present before them, which was a consequential amendment—he intended to make a slight verbal alteration which would probably be approved by the Committee. The amendment began, "Any person who at the time of the passing of this Act," etc., and he intended to propose that the word "person" be omitted with a view of inserting the words "registered voter." The reason was, as pointed out to him by a legal friend, that if the words "registered voter" were used the person referred to must already be on the electoral rolls or lists, and it would prevent anyone taking advantage of the thing being done hastily and getting his name on the roll before there was any time for an objection to be taken. Unless hon. gentlemen saw some reason, then, for retaining the original word "person," he would like to see it altered to "registered voter." He would leave it to the Committee to decide. He thought he had done his duty to the electors in bringing that matter before the Committee, and should the Government carry the question against him he would leave it for them to settle accounts with those electors afterwards, whom they would disfranchise if they refused to accept his amendment.

The Hon. G. KING said he could see no objection at all to the amendment proposed by the Hon. Mr. Gregory. On the contrary, he thought it rather an improvement, because it would give those who, if the Bill as it now stood was passed, would be disfranchised, an opportunity of voting. He thought that a very desirable thing, and could therefore have no objection whatever to the proposed alteration.

The Hon. W. FORREST said he had no desire to prolong the discussion, but he would like to say that he was yesterday rather taken by surprise, because he was led to believe that the amendment had been substantially agreed to by the Postmaster-General. For that reason he had not looked very carefully into it, but he had looked into it more carefully since, and the more he looked into it the more he was astonished that there should be any opposition to it on the part of the Government. It merely proposed that any person who was now a voter should not be disfranchised. It made that quite clear. With regard to the objection made that it would cause delay, he would point out that the amendment would not cause one hour's delay. The Bill would take effect in exactly the same way as if it went through without an amendment at all, so that there was nothing whatever in that contention. He would not go over the ground he had taken up yesterday, when he showed that some electors would certainly be disfranchised were not some alteration made, and the amendment now proposed would have the desirable effect of preventing any person entitled to vote from being disfranchised.

The POSTMASTER-GENERAL said that some electors must be disfranchised, and even if the amendment was carried some of the electors would be disfranchised. The hon. gentleman must know that in the proposed new electorate of Musgrave it would be impossible for some electors to hear the proposal for a new member anterior to the date of the election. Suppose a few electors in Townsville—if the amendment was carried and approved of elsewhere—were able to get on the roll, they would have a balance of voting power which their brethren in another part of the electorate would not be able to obtain. That would be the effect of it; and he contended that the whole of the electorate should be treated alike. Now, however, when the machinery worked so well as to give every man an opportunity of getting his name on the roll four times during the year, there could be no justification for the amendment. The electoral machinery in this colony was as perfect as it could be found in any part of the world, and he repeated that no injustice could be done, because every elector in the new electorates would be better represented if the Bill before them became law than he was before. There would be no disfranchisement.

The HON. W. FORREST said he thought the hon. the Postmaster-General did not understand the Bill when he said that no elector would be disfranchised by it. To illustrate what he meant—if the present member for Mitchell elected to sit for Mitchell there would be an election for the Barcoo. Assuming that a resident in the Barcoo district was registered under a property qualification in the district of Mitchell he would have no vote for the Barcoo, although he was resident there. It was just possible that an elector residing at the southern end of the present district might have property at the northern end, which entitled him to be registered under a property qualification; and when there was an election for the southern end, in which he was residing, he would be disqualified altogether because his property was not in that part of the district. It would be very unfair to disfranchise a man in that way, and they ought certainly to remove difficulties of that kind as far as they could. There would then be no more delay than under the Bill as it stood at present. With regard to the electorate of Musgrave, he happened to know that electorate from one end to the other; and the hon. the Postmaster-General was entirely wrong in saying that the electors could not get themselves put on the roll. If the Bill passed, within a fortnight every man anxious to get put on the roll could be put on if he liked to take the trouble. If he did not take the trouble he did not deserve to be registered.

The HON. A. C. GREGORY said he would just refer to the actual condition of the electoral law at the present time. The Electoral Rolls Act was the Act under which they were practically working, because the additional Act they passed last session only applied to the working out of minor details, and did not affect the question now before the Committee. By section 7 of that Act, any person might give notice to the clerk of petty sessions to have his name registered as an elector at the next quarterly registration court. The clerk of petty sessions should submit all such notices of claim, which should be examined by the court and either passed or rejected. Then, by section 9, after the quarterly revision court had passed the claim, the clerk of petty sessions should from time to time compile therefrom the quarterly electoral lists. All that had been coming in during the three months previous were to be compiled into those lists. But those men were not yet electors, because after the lists

were printed they were to be open to inspection till the next quarterly revision court—another three months—and after revision they became the quarterly electoral rolls. That was the first time the persons whose names were on those lists had the right to vote. The quarterly electoral lists prepared in each October were to be made into a supplementary list—which came to the same thing as nearly as possible—and the quarterly revision was held in November. Then all the revised lists at the end of the year were consolidated into the regular roll. The consequence of that was, that if the Bill now before the Committee were to become law, say on the 31st of the present month, the revision court could not be held till the 14th September, when the quarterly electoral list would contain the names lodged with the clerk of petty sessions between the 1st April and the 30th June—nothing later—so that, as the Bill now stood, no claim lodged after the end of June could be entertained. After the Bill was first spoken of in the House, anyone who attempted to get his name registered found he had no chance of getting on the roll if he applied after the Bill came before Parliament.

Question—That the words proposed to be inserted be so inserted—put, and the Committee divided :—

CONTENTS, 9.

The Hons. G. King, A. C. Gregory, F. T. Gregory, W. D. Box, W. Forrest, J. F. McDougall, F. H. Hart, A. J. Thynne, and P. Macpherson.

NON-CONTENTS, 6.

The Postmaster-General, the Hons. W. H. Wilson, W. Pettigrew, A. Raff, J. Swan, and J. Cowlishaw.

Question resolved in the affirmative.

The HON. F. T. GREGORY, in moving that the following paragraph be inserted after subsection 3—

“Any registered voter who, at the time of the passing of this Act, is possessed of qualifications as a voter in both divisions of either of the divided electorates may, at any time prior to the holding of the first revision court for such electoral district, lodge a claim to be placed on the electoral list of the new electoral district for which he is not already registered as an elector, and such application shall be received by the clerk of petty sessions for the district and entered in the supplementary list aforesaid”—

said the only alteration in the amendment from the one hon. gentlemen had in their hands was the substitution in the 1st line of the words “registered voter” for the word “person.”

Question—That the words proposed to be inserted be so inserted—put, and the Committee divided :—

CONTENTS, 10.

The Hons. G. King, A. C. Gregory, W. Forrest, A. J. Thynne, W. D. Box, P. Macpherson, F. H. Hart, F. T. Gregory, J. F. McDougall, and W. Graham.

NON-CONTENTS, 6.

The Postmaster-General, the Hons. J. Swan, A. Raff, W. H. Wilson, W. Pettigrew, and J. Cowlishaw.

Question resolved in the affirmative.

The HON. F. T. GREGORY said that in order to complete the amendment just passed a consequential amendment was necessary in subsection (f). Accordingly he moved that the words “and supplementary” be inserted after the word “quarterly.”

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

Question—That the clause as amended stand part of the Bill—put, and the Committee divided :—

CONTENTS, 10.

The Hons. G. King, A. C. Gregory, W. Forrest, A. J. Thynne, W. D. Box, P. Macpherson, F. H. Hart, F. T. Gregory, J. F. McDougall, and W. Graham.

NON-CONTENTS, 6.

The Postmaster-General, the Hons. J. Swan, A. Raff, W. H. Wilson, W. Pettigrew, and J. Cowlishaw.

Question resolved in the affirmative.

The remaining clauses, the schedule, and the enacting part of the Bill, were passed as printed.

The House resumed, and the CHAIRMAN reported the Bill with amendments. The report was adopted, and the third reading of the Bill made an Order of the Day for Wednesday next.

LOCAL GOVERNMENT ACT OF 1878 AMENDMENT BILL — SECOND READING.

THE POSTMASTER-GENERAL said: Hon. gentlemen,—This Bill to amend the Local Government Act of 1878 will, I believe, prove a very useful measure to the country. Its principal object is to enable the local authorities, who have already borrowed large sums of money for the construction of waterworks, to exclude those amounts from being regarded in future borrowings as part of the gross debt of the municipality, or divisional board, or whatever the local authority may be styled. It will enable them to borrow larger sums for the general purposes of local authorities other than waterworks; and it also provides, and a very useful provision it is, that there shall be a limit to the borrowing powers of those local institutions. That provision is contained in clause 3, which states—

“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.”

That provision will practically enable the Government of the day, and indeed local authorities themselves, to limit the borrowing powers. Then again, there is a very good amendment to the Act in question in clause 6, relating to valuations of improvements. Personally, I view this amendment with a great deal of satisfaction, because it has been a grievance throughout the colony that has been discussed by the various councils, and has been discussed in the other House of Parliament from time to time, and it is an evil that should be remedied. The effect of that clause will be that unimproved land will not be rated, as heretofore, upon the 8 per cent. basis. The practice in making valuations by the local authorities has been to take the value of the land as if the land were bare, calculate it upon the 8 per cent. basis, and then add the value of improvements—a process of valuation for the purpose of rating that was never contemplated by Parliament when the principal Act was passed. That process has been carried out invariably, I think, by all the local authorities in the colony, doubtless with the object of augmenting their revenue; but it has been a serious check to enterprise in the various towns of the colony, and it has been proved to be a burden—a very unnecessary and unjustifiable burden—upon property holders. That part of the Bill relating to the joint maintenance of roads and bridges has been brought up by the Government with the view of remedying a deficiency in the present law. It has been found, when a division abutting on a municipality is transformed into a municipality, that the existing law will not relate in some matters to the two municipalities abutting on each other. A case has been given which illustrates the difficulty—namely, the Rockhampton bridge. The bridge joins the northern part of the Gogango Divisional Board and the Rockhampton Municipality. Subsequent to the passing of the Act in question, a portion of the Gogango Division became what is now termed the North Rockhampton Municipality, and a difficulty has been found in getting that new municipality and the old one of

Rockhampton to keep that bridge in repair. The Government have also taken the opportunity of inserting a few other amendments that will prove useful in the working of local governments. It is intended, I may inform hon. gentlemen, as soon as practicable—I trust next year—to bring in a measure which will embody all the useful parts of the present laws affecting local governments, with as many improvements as can be devised, some of which have already been brought under the notice of the Government by local authorities and are now under consideration. I believe that in the early part of next session the Government will bring in a measure dealing with the whole question. In the meantime it is desirable to amend the Local Government Act of 1878 as far as the Bill now presented to you proposes. I have much pleasure in moving the second reading of the Bill.

THE HON. A. C. GREGORY said: Hon. gentlemen,—While agreeing that it is desirable that some legislation should take place in regard to the present local government management under the various municipalities, I think there are some parts of this Bill to which it is desirable I should draw attention, so that when it goes into committee hon. members may take the opportunity of seeing how far it is expedient or otherwise to amend the measure. As I am not speaking generally to the Bill, but only to the points which I think require attention, I will first call attention to clause 4, the latter part of which says the Government may allow the local authorities to borrow money for the purpose of constructing waterworks. The money is to be borrowed in accordance with the Local Works Loans Act of 1880, but the Government may further postpone the time at which the payment of annual instalments in respect of the sum proposed to be borrowed shall commence. Under the existing Act they had the power to postpone for five years, and I think five years is ample; and even if a further time is desirable it ought to have been specified. I should decidedly object to these loans being made to local authorities without any specified time for the commencement of the repayment of the principal. The next matter I see is that after they have these waterworks in their hands under the loan, if they can manage to make an apparent net profit, as we find under the 3rd subsection of section 5, they may carry those profits to the municipal funds. Now, I think it is highly undesirable that such a thing should be permitted, because they would be working the waterworks, not for the benefit of the people as waterworks, but by managing to make the balance appear in a certain sort of way—as we know always can be done where there are works and maintenance carried out—they can make it appear that there is a profit and carry that profit, not to paying off the principal sum but to the local municipal funds—spending it on a variety of objects totally distinct from that for which the loan was obtained. I admit that if the local authority had finally paid off the principal debt incurred on account of the waterworks they then had in their hands, and did not know what to do with the surplus in the way of improving the water supply—and they would be very obtuse men if they did not know that—there might be some ground for transferring it to the municipal fund, but not in a case where the principal of the loan is still unpaid. I therefore think that subsection 3 of section 5—the end of it, “or may be carried to the municipal fund”—is one that most decidedly ought not to be permitted. I should rather see—in fact, I shall possibly move an amendment to that effect—that it should be applied in part to the liquidation of the loan for the construction of

such works. This would be carrying out the provisions contained in clauses 228 and 229 of the Local Government Act of 1878, and would be perfectly consistent with them. In clause 6 we find the matter set forth in such a way that it is not clear what it means without reference to the principal Act. At the same time I think it is an improvement, though not so much of an improvement, perhaps, as it might be. This clause 6 refers to the fact that when, under the Local Government Act of 1878, a piece of partly improved property has to be valued—although the place may be a plot of land with a house let for £100 a year—the land may be worth £10,000 and they would value it at £800 a year and the rates would be in proportion. That is as the Act now stands. That has been felt by a great many parties to be a grievance, and I think the clause remedying that defect is a good one and will meet cases constantly arising. At the same time, it would be as well, if possible, to extend it to the Divisional Boards Act, where we find cases of nearly the same class, only the rate is fixed at 5 per cent. instead of 8 per cent. Then, I think, there have been omissions. For instance, when we look over the Local Government Act as it stands we find that it does not allow a municipality to levy any rates for lighting or watering the streets. The Divisional Boards Act does that. It is a fact that we have been living in Brisbane for many years paying rates for street watering and lighting, without any authority whatsoever unless we take some illegal by-laws passed and approved by the Governor in Council as authority. That is a point which it is very desirable indeed should be settled at the earliest possible date. The question should be set at rest, and it is well worthy the attention of the Postmaster-General whether he should not insert a short provision legalising street watering and lighting rates. Both things, we all agree, are necessary, and the proof that we consider them necessary is that we have submitted to the illegal imposition of rates for such purposes for so long. There is a good deal said here with regard to boundary roads and bridges over watercourses, and those matters ought to be looked into carefully. We have seen what has recently happened with regard to the decision of the Supreme Court respecting the Brisbane bridge—a decision given against those in charge of the bridge, the municipality of Brisbane. It is a curious thing that when we turn to the Acts in force at the time the Brisbane bridge was erected we find an enactment that runs thus:—

“And be it further enacted that whenever it shall appear expedient to the Governor of the said colony to erect any bridge over or across any river or water or arm or branch of the sea either navigable or not it shall not be lawful for any person or persons to sustain or to commence any suit or any proceedings at law grounded upon any damages loss or expenses occasioned or alleged to be occasioned by reason of the erection of any such bridge as aforesaid.”

There we find an enactment of that kind, and yet we find these things have been so lost sight of that a decision has been given that those who have built the Brisbane bridge are liable for damages. Now, these matters seem to point out how very important it is that there should be a very careful examination made into these Bills which come before us to amend the local government system—a system which no doubt may prove, as it has proved, a most excellent system, and which has relieved the central government from many matters of difficulty, carrying out many things utterly impossible for them to do, and placing them in the hands of those best qualified to carry them out—the local authorities. On the whole, I think the Bill is an instalment of good, and I mention these things on the second

reading as the best time to shadow forth the defects, as it will give time before we go into committee to consider the best way of remedying what are defects.

The HON. W. D. BOX said: I am very glad to see this Bill before the House, because there is a great deal of good in it; but the last speaker has pointed out objections that occurred to me should have the consideration of the House most carefully. It seems to me unwise that the alterations should be so wide as proposed by clause 4—namely, that the Governor in Council can postpone the payment of borrowed money for an indefinite time. I trust the House in committee will examine the clause carefully, and if possible amend it so that Parliament shall not surrender a power that they have at present, by fixing the limit of the payment of the endowment. The other objection I have to the Bill is contained in the 3rd subsection of clause 5. I cannot agree with the Bill at all in permitting municipal councils and divisional boards to carry the income derived from waterworks to ordinary works' account before the principal sum has been paid. As pointed out by Mr. Gregory, the 228th clause of the Local Government Act distinctly states, speaking of borrowed moneys, that any surplus shall be paid into the consolidated revenue in liquidation of the loan, and I think the Bill ought to left at that point. No money obtained as income ought to be allowed to be spent at the *ipse dixit* of a council or divisional board upon roads and bridges, but ought to be applied in reducing the burdens of the ratepayers. According to the Local Government Act property has to be rated at 8 per cent. of the value of the fee-simple, and to my mind the way to improve that would be not to leave it to be heard and determined by the court of petty sessions. I do not see that it is reasonable at all that a man should be allowed to apply to a court of petty sessions and alter his rates. The burden is not so very great after all, but if it is a burden it should be released by Parliament and the Act altered so as to reduce the rate at which property may be valued. Men who hold property are generally men of influence, and it would be much better if Parliament retained in its hands this right instead of allowing it to pass into the hands of the court of petty sessions. I am glad to see some legislative enactment which will assist in maintaining joint roads and bridges. That will be a most valuable provision. With the exceptions I have named I shall give the Bill my support.

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

CHARITABLE INSTITUTIONS MANAGEMENT BILL—SECOND READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—This Bill, which is intended to make better provision for the management of public charitable institutions, will, I think, commend itself to your favourable consideration. Amongst the various institutions of the colony the principal is that of Dunwich, which for a long time has not been so efficiently conducted and controlled as it is desirable it should be. There are unfortunately a great number of inmates there, and the number is increasing; but notwithstanding that, the Government have made some attempts to establish efficient control and good government, and have, I think, succeeded to a certain extent. The Bill before the House embodies the views of the Government on the subject; and, I think, if passed will give the necessary authority and

power to deal effectively with those institutions. Hon. gentlemen will observe that, apart from the laws relating to discipline and the domestic matters of those institutions, it is proposed that the inmates who have money of their own—and some of them are pretty well off—shall be compelled to contribute to their own support. It will also be observed that in the case of inmates of such institutions who have relatives—who are described in the Bill—those relatives will be called upon to make a contribution towards the support of the inmates. The other matters dealt with in the Bill, beyond what I have mentioned, are unimportant, being merely matters of detail, which can be best dealt with in committee. I move that the Bill be now read a second time.

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

PACIFIC ISLANDERS EMPLOYERS COMPENSATION 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.

Clauses 1 to 5 passed as printed.

On clause 6, as follows :—

“In assessing damages the following rules shall be observed :—

1. A claimant shall not be entitled to any damages that have not been actually sustained, or that are of a merely speculative nature; nor for any loss of prospective profits.
2. Regard shall be had to the length of time during which the islanders were actually employed by the claimant.
3. No greater damages shall be allowed than the actual net difference between the expenditure which has been actually incurred, or would have been incurred, by the claimant in respect of the introduction, maintenance, clothing, medical attendance, wages, and return of the islanders of whose services he has been deprived if such islanders had remained in his service for the full period of three years, and the cost of engaging other labourers to perform the same work which would have been performed by such islanders if they had remained in the claimant's service, together with any loss which has been actually sustained by the claimant by reason of his inability to procure other labour.
4. A claimant shall not be entitled to any damages unless he proves that he has used all reasonable means to supply the place of the islanders of whose services he has been deprived.
5. Regard shall be had to the probability of the islanders refusing or becoming incapable of work, or dying before the expiration of the full period of three years.”

The Hon. A. J. THYNNE said there seemed to be some contradiction between subsection 1 and subsection 3, and in order to remove it he would move as an amendment that the words “except as hereinafter provided” be inserted after the word “not” in subsection 1.

Amendment put and passed.

The Hon. W. D. BOX said he should like to hear some explanation about subsection 5. His own feeling was that it had better be left out of the Bill. To estimate the number of islanders who might die or become incapable of work within the three years would be impossible.

Clause, as amended, put and passed.

Clauses 7 to 15 inclusive, and preamble, passed as printed.

On the motion of the POSTMASTER-GENERAL, the CHAIRMAN left the chair and reported the Bill to the House with an amendment.

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

ADJOURNMENT.

The POSTMASTER-GENERAL moved that the House do now adjourn till Wednesday next.

The Hon. F. T. GREGORY said: I beg to move as an amendment that the House do now adjourn till next Wednesday week. I make this motion on account of the usual annual show of the Royal Agricultural Society. It has been an almost invariable, if not an absolute, rule of the House to adjourn for the purpose of enabling hon. members to attend on that occasion, so that I am not proposing any innovation, and I trust my amendment will meet with the approval of the House.

The POSTMASTER-GENERAL said: I sincerely trust the hon. member will not press his amendment. There is a good deal of work to be got through, and it is desirable we should keep abreast of it. Notwithstanding that the House has, in former years, made it almost a rule to adjourn for this occasion, I think it should not be allowed to be considered a precedent which we should invariably follow that this House should adjourn for the Toowoomba Show. I hope hon. members will support me in negating the amendment. Those who desire to proceed with business should be permitted to do so. No doubt one or two members would like to be present at the show. I should like myself to have a day or two's rest, but I think it is better that we should proceed with the business before us.

Question—That the words “to next Wednesday week” be added—put.

The Hon. W. FORREST: I wish to point out—

The PRESIDENT: The hon. gentleman is completely out of order.

The Hon. W. FORREST: I stood up, sir, when you were putting the question.

The PRESIDENT: I did not see the hon. gentleman. At any rate, he cannot speak now.

The House divided :—

CONTENTS, 5.

The Hons. F. T. Gregory, J. P. McDougall, A. C. Gregory, W. Graham, and A. J. Thynne.

NON-CONTENTS, 6.

The Postmaster-General, the Hons. W. H. Wilson, W. Pettigrew, W. D. Box, W. Forrest, and A. Raff.

The PRESIDENT: There not being a quorum present, the House stands adjourned until Wednesday next.

The House adjourned at 6 o'clock.