Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 1 OCTOBER 1885

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LEGISLATIVE ASSEMBLY.

Thursday, 1 *October*, 1885.

Question.—Formal Motions.—Motion for Adjournment.—Formal Motion.—Friendly Societies Act of 1876 Amendment Bill—second reading.—Probate Act of 1867 Amendment Bill—second reading.—Licensing Bill—resumption of committee.

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

QUESTION.

Mr. FERGUSON asked the Minister for Works—

1. Whether it is his intention to fulfil the promise made to the House last session—namely, to submit the plans of the new Refreshment Rooms to the House before finally calling for tenders?

2. Will such plans be submitted for the approval of the House this session?

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

1. Yes.

2. Plans will be submitted to the House during this session if practicable.

FORMAL MOTIONS.

The following formal motions were agreed to :—

By Mr. BEATTIE—

That there be laid on the table of the House the log-book and all papers and reports in connection with the wreck of the schooner "Mavis."

By Mr. FOOTE—

That leave be given to introduce a Bill to enable the trustees for the time being of the will of Ann Eliza Noble, deceased, to sell and dispose of certain trust property comprised therein.

Mr. FOOTE presented the Bill, and moved that it be read a first time.

Question put and passed.

By Mr. PALMER—

That there be laid upon the table of the House, a Return showing the available space of flooring in square feet in each State school in the colony; also the average daily attendance of scholars at such State school.

By the HON. SIR T. MCILWRAITH—

That there be laid upon the table of the House, all correspondence, telegraphic and otherwise, in possession of the Government referring to the changes made in the original design of the yacht "Lucinda."

MOTION FOR ADJOURNMENT.

Mr. PALMER said: Mr. Speaker,—I feel it a duty which I owe to the constituency I represent to call attention to a question and reply which I received from the Minister for Mines during last session, and in order to do so I will close with the usual motion. The question I refer to appears in the "Votes and Proceedings" for the 30th September last year, at page 111 of the first volume. From that it will be seen that the Minister for Mines informed me, in reply to a question, that Mr. Jack, the Government Geologist, would be instructed to make a geological survey of the Cloncurry and Etheridge Gold Fields as soon as he had finished the survey of the Ravenswood Gold Field, upon which work he was then employed. I see by the report of the Department of Mines that that survey was finished before the close of the year, and since then I also notice that Mr. Jack had completed a survey of Mount Morgan before the end of the year, and had also made a report upon Mount Leyshon, near Charters Towers. But from that day to this the promise made to me by the Minister for Mines has not been fulfilled. I am quite certain the fault does not lie with Mr. Jack, because I am quite sure that a gentleman so enthusiastic as he is in the science would be only too glad to visit such an extensive field as the Etheridge. I am also certain that a report upon it would be of very great interest, not only to the people of this colony, but also to a number of people in Victoria, who have sent a great deal of capital up to that field lately. I have waited patiently for twelve months and left the matter in the hands of the Minister for Mines; but I have come to the conclusion that promises made by Ministers are like what travellers call Dead Sea apples—fair to view, but you cannot trust them. I can see no reason why this promise to me should not have been fulfilled, and I notice now that it is still further off from being realised, from an answer made by the Minister for Mines yesterday to the hon. member for Port Curtis, and in which he said it would be three or four months before Mr. Jack would be able to visit the Port Curtis district. So that I think the hon. gentleman has altogether forgotten the solemn promise which he made to me in this House. If he had stated that Mr. Jack was not able to carry out the work, or that he could not see his way to do it, there would have been an end of the matter for the time; but when he said Mr. Jack would be positively instructed to carry out that promise I think I am not going out of the way in reminding the Minister for Mines that that promise has not been carried out. The Etheridge Field is the oldest in the colony, and likely before long to be the most extensive; and considering the perseverance of the inhabitants there in the face of the trying circumstances by which they are surrounded, in the length of carriage necessary because of the distance from a port, this small boon might be granted to them, not only in their own interest, but in the interest of the colony and of everyone connected with mining pursuits. The district I represent is the furthest away from the seat of Government, and in this instance distance does not lend enchantment to the view, but rather makes the prospect quite gloomy. The Minister has had a very long time—twelve months—in which to carry out his promise. I never go before Ministers with an unreasonable request, and I am certain the hon. gentleman should have carried out this promise to me. I await the hon. gentleman's reply, and his reasons for not carrying out his promise, which are unintelligible to me. I beg to move the adjournment of the House.

The MINISTER FOR MINES (Hon. W. Miles) said: Mr. Speaker, — I have not the slightest doubt that the statement made by the hon. member for Burke is perfectly correct. I can only assure the hon. member that I was very desirous, at the time, that Mr. Jack should make a survey of this particular goldfield; but the hon. member must bear in mind that many things crop up from time to time, and Mr. Jack's services were required more urgently elsewhere. I have no desire whatever to deceive the hon. member, but there were demands for Mr. Jack's services all over the colony. It was recently determined by this House to place a sum of money on the Estimates for deep sinking, and the conclusion the Government came to was that Mr. Jack should be one of those who should select the shafts for that purpose. The hon. member also referred to the promise made to the hon. member for Port Curtis. My intention was that Mr. Jack should have gone to Port Curtis for the purpose of selecting a shaft for deep sinking. In the meantime another matter crops up, and of quite as much importance as the survey of the Etheridge Gold Field. Every hon. member knows perfectly well that in the interior people are perishing for want of water, and the Government came to the determination to bore for it. We have got the material here, and an engineer, and borer, which is to be taken out west, and the Government thought it desirable that Mr. Jack should go out with it for the purpose of selecting the most likely spots for tapping water. I repeat that I have no desire to deceive the hon. member—none whatever—and if the hon. member will be satisfied with Mr. Jack's assistant, Mr. Rands, he can have him to-morrow. If that will meet the hon. member's wishes Mr. Rands can be instructed to go to the Etheridge to-morrow, as the Government have no objection to instruct Mr. Rands to do that work.

Mr. GOVETT said: Mr. Speaker,—I think Mr. Jack could not be better employed than he is at the present time. He has been sent out to seek for water, and that is of greater importance in the present state of the country than to tell us where to find gold.

The HON. J. M. MACROSSAN said: Mr Speaker,—The hon. gentleman who has just sat down does not appear to understand the question. The hon. member for Burke, so far as I can see, does not complain of Mr. Jack being sent out to find water, but his complaint is that a promise made to him twelve months ago has not yet been carried out. That promise was made to the hon. member and to this House. But what becomes of the interval of time between the 3rd of December last year and to-day? I think the hon. member has good reason for complaint. The Etheridge Gold Field is, of course, very far distant, but that is no reason why the promise made by the Minister should not have been carried out. At the present time the field is not producing a large amount of gold, but there is no goldfield in Queensland to equal the Etheridge if it had the same advantages for development that are possessed by Charters Towers and other places. It is simply the distance that is keeping it back. There are many men in the southern colonies who have invested considerable sums of money in that field, and they are very much interested in having a geological survey of it; and if that survey was of an encouraging character I have not the slightest doubt that ten times the capital now expended there would be invested in the field.

It would be the means of thoroughly opening up the Etheridge. I will say nothing about the Cloncurry, because I think there is no comparison between the two fields as far as gold is concerned. It appears that immediately after this promise was made by the Minister for Works Mr. Jack was sent to Mount Morgan. That is no doubt a rich field, and sending Mr. Jack there will confer a benefit on the present shareholders.

Mr. MOREHEAD: And jumpers!

The HON. J. M. MACROSSAN: But Mount Morgan is nothing compared with the Etheridge. If the hon. gentleman will look at the size of the Etheridge he will see that it is twenty times as large as Mount Morgan. I do not say that the Etheridge is twenty times as rich, but, as far as employment of labour is concerned, it has sufficient space to employ twenty times the number of men that could be employed at Mount Morgan. The Minister for Works seems, in my estimation, to have lost the control of his department. The hon. gentleman pleads his good intentions. I believe his intentions are very good, but why does he not carry them out? The excuse he has offered may be a very good one for not having carried out a promise, but why did he make that promise? In making it he has led on the hon. member for Burke and the people of the Etheridge by false hopes. I would not, if I were in the place of the hon. member for Burke, accept the services of Mr. Rands in lieu of those of Mr. Jack. There is no comparison between those two gentlemen; and although Mr. Rands may be a good geologist the people of Queensland would not have the same confidence in a report made by him as they would in a report made by Mr. Jack.

Mr. STEVENSON said: Mr. Speaker,—The hon. member for Burke is not the only one who has cause for complaint on account of a promise made by the Minister for Works not being carried out. I have reason to make a similar complaint. Some time ago the Minister for Works promised me that Mr. Jack should visit Mount Britton and report upon it as soon as the engagements he then had were completed. I understood then that by this time Mr. Jack would have inspected Mount Britton and reported upon it, but he has not yet done so as far as I am aware, and I would like to know whether this engagement to go to the Etheridge was entered into at the time the hon. gentleman gave me that promise. If any fresh engagements have intervened I have as much cause for complaint as the hon. member for Burke. I think the Minister for Works ought to keep his word when he promises that Mr. Jack's services shall be given for any particular work. Since the hon. gentleman stated that Mr. Jack would visit Mount Britton changes have, I believe, occurred on that field, and I think the geologist should have gone there before those changes took place. Was the engagement that Mr. Jack should go to Cloncurry entered into before the Minister for Works promised that he should visit Mount Britton? I have no doubt, as the hon. member for Mitchell says, that Mr. Jack has gone to do good work out west at the present time, but the question we are considering is whether the Minister should keep promises made to the constituencies. I think he should fulfil his promises.

Mr. MOREHEAD said: Mr. Speaker,—I really do not see from the remarks that have fallen from the Minister for Works why Mr. Jack should have been sent away to the western portions of the interior to search for water. Of course, we know that there was a Jack who has become historical, who, accompanied by his sister, went up a hill to fetch a pail of water. Possibly, that may be the reason for the hon. gentleman sending Mr. Jack out west. But surely the district which I represent is suffering as much from drought as any other part of the colony, as the Minister for Works knows very well, and why are steps not taken to provide water in that direction when sending Mr. Jack out west? It strikes me that anyone who knows anything about the interior of the colony will see that it is an absurd thing to send Mr. Jack out there to search for water when there is a drought prevailing. It will be utterly impossible for him to travel there; the thing is too absurd. The Minister for Works, as has been pointed out by the hon. member for Townsville, shelters himself in this matter under his good intentions. The hon. gentleman always intends to do so-and-so, but he never does it; he does something else. His good intentions and promises are in another direction. I think the hon. member for Burke has good reason to complain of the way in which he has been treated by the Minister. The hon. gentleman gave as a reason for not carrying out his promise that something else cropped up—something which has existed for the past three years. During that period no steps have been taken for the conservation of water, except by constructing a few small tanks; no attempt has been made to tap the underground sources of water supply. I do not myself think that Mr. Jack is more competent to give an opinion on that subject than many other persons, but this I do say: that no man is more competent to give a report on goldfields and with such authority as Mr. Jack. And I contend that the services of one of the most valuable men in the colony are being wasted by sending him on an errand which could very well be performed by many other men, while that portion of the colony which would be benefited by his services is neglected, and the promise of the Minister is broken. The Minister for Works' record is simply a record of broken promises. I do not know of any promise given by him to the House that has been fulfilled. If there have been any fulfilled they have been "like angels' visits, few and far between." His intentions are good — he means well—but that is beside the question. Meaning well will not run the Works Department of this colony. I certainly uphold the hon. members for Burke and Normanby. They have been badly treated, and the colony has been greatly injured, as has been pointed out by the hon. member for Townsville; because there can be no doubt that the Etheridge is one of the greatest goldfields in Australia, and that a report from such a man as Mr. Jack would probably lead to a large influx of southern capital which at the present time would be an inestimable boon to the colony. But instead of Mr. Jack going there he is sent further afield to do work that could be very well done by persons who have not the special knowledge with regard to goldfields that Mr. Jack possesses.

The PREMIER (Hon. S. W. Griffith) said: Mr. Speaker,—From the complaints of hon. members one would suppose that this colony is only a small place and all the Minister for Works has to do is to tell Mr. Jack to go to such a place this week, to another place next week, and somewhere else the week after, and that in the course of two or three months he will thus have visited the whole of the colony. But the colony is large and it takes many months to go to and examine one place. Twelve months ago the Minister for Works considered it a proper thing to send Mr. Jack to the Etheridge, because then there was no more pressing work before him. Fortunately for Mr. Jack's reputation we have a great many

applications for his services, but he is the only man we have, and everybody wants his assistance at once.

The HON. J. M. MACROSSAN: Promises should be kept in the order in which they are made.

The PREMIER: The hon. gentleman says promises should be kept in the order in which they are made. Now, sir, is it possible that a promise of that kind should be fulfilled literally when a matter of paramount importance to the colony requires to be attended to first? Hon. members complain that the Etheridge is a very great goldfield, and that if that were fully understood it would attract a great deal of capital. I believe that—I believe it is one of the greatest goldfields in Australia, and it is desirable that it should be fully reported on as soon as possible. But it will take several months to do it. In the meantime, all the other goldfields in the colony say that their development would be very much encouraged if they were explored by deep sinking. The Government is called upon by the House to take immediate steps for assisting miners in deep sinking; but how is that to be done? Are we to make all the other goldfields wait till after Mr. Jack has seen the Etheridge? As the Minister for Works said, Mr. Jack has visited some of the nearer goldfields for the purpose of advising as to the expenditure of money in deep sinking, where he could report several in two or three months rather than spend all his time in one district. Then, as to sending Mr. Jack to find the best place to bore for water, an hon. member said plenty of other people could have done that as well. Now, an experiment of that kind will cost several thousand pounds. The urgency of making the experiment is admitted. We have had information from many sources, and now we wish to see whether water is obtainable in various places; and I am sure no experiment of that kind would be considered satisfactory unless it were directed by the best geological authority we can get in the colony. That seemed to be a matter of such urgent importance that it took precedence of everything else. There is no question of more importance in the colony at the present time than the discovery of water, and I am surprised that the hon. member for Burke, who represents a pastoral district as well as a mining district, should complain because one particular goldfield is asked to wait a few months while Mr. Jack is doing work which, if successful, will benefit the whole community, including his constituents, miners as well as others. Something was said about the goldfield at Mount Britton; I think that can wait. It has been fully reported on by Mr. Hodgkinson, who has had very considerable experience in mining, and certainly his report would not justify taking Mr. Jack away from more important work.

Mr. STEVENSON: Is the promise to be broken?

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—All that has been said by the Premier and the Minister for Works is a very good reason why the promises should not have been made, but not why they should have been broken. The last excuse made by the Premier is that it is necessary that Mr. Jack's opinion should be obtained first on the water question; but it is twelve months since this promise was made, and in the meantime a good many other matters of not so much importance as the Etheridge Gold Field have engaged Mr. Jack's attention. Had his time been occupied all along with the water question I do not think anyone would have complained; but the fact is not so. We have the right to complain that Mr. Jack was not engaged on this question of water supply for the West long before. That is the complaint we should have made, in addition to that regarding the non-fulfilment of the promise about the Etheridge.

Mr. DONALDSON said: Mr. Speaker,—I regret that I was not here during the early part of the debate; but I understand the complaint is that Mr. Jack has not been engaged in accordance with some promise made by the Minister for Works. However, I am not prepared to discuss that now. I quite agree with a remark that fell from the Premier, that there is one very important subject in this colony requiring attention, and that is boring for water. The crisis we have passed through in the interior shows the necessity of trying to provide a supply of water against future droughts. I only regret that the question has not been fully ventilated, and the experiment tried long ago. I believe one of the greatest discoveries that could be made in this colony would be that of artesian water. I have reason to believe it is to be found in the interior, and if the experiment is successful I am sure private enterprise will do the rest. There is no doubt some skilled person is required, and I do not suppose we have anyone so competent as Mr. Jack to give an opinion on the question. With regard to his going to the West—to my constituency—I had nothing whatever to do with that. I take this opportunity of saying that, because I was informed a few nights ago that it was believed Mr. Jack was taken away from other work through my agency. I have no idea where it is intended to put down these bores. I would not do anything to prevent the development of the goldfields, still I think the question of boring for water is fully as important, and I trust the efforts now being made will be successful. I certainly congratulate the Government on having sent Mr. Jack to that district; and if his opinion should be that the colony would be justified in boring for deep water, I am perfectly satisfied the future development of the district will be done by private enterprise.

Mr. ANNEAR said: Mr. Speaker,—I wish to take advantage of this motion to bring under the notice of the Colonial Treasurer a question which greatly affects the port of Maryborough and some of the travelling public. About twelve months ago, in consequence of information I got from parties in Brisbane, I wrote to my constituents that the river would be lighted up in a month from that date. I notice that plenty of preparations have been made, but the river has not yet been lighted up. I have been asked by my constituents to look into the matter, and I should like to know if there is any possibility of that much desired want being carried out.

The COLONIAL TREASURER said: Mr. Speaker,—I was under the impression that the lighting was complete before this. I know that Captain Heath went to Maryborough a short time ago to see about all the arrangements. I shall give the matter my attention, and inform the hon. member at a very early date exactly how it stands. With regard to the other matter which has occupied the attention of the House, I trust the inference to be drawn by the public from the discussion this evening is that the action of the Government in sending Mr. Jack to the Western district is not to be deprecated. I may say that I have been very anxious myself to get the Hydraulic Engineer to undertake this work of selecting a suitable site for boring in the Western districts of the colony. I consider the problem whether artesian water can be found in Queensland is one of the very highest importance in its bearing on the development of the interior of this country. Hon. members on both sides will agree with me in that view. The hon. member for Mulgrave

has asked why Mr. Jack was not sent out earlier. So far as I can learn, Mr. Jack's time has been fully occupied in the department under the administration of my hon. colleague the Minister for Works, and in fact I believe he has had to forego a lot of appointments in order to go out at the present time to investigate into this question as to the proper site for boring. Then, it must be remembered, it was not of the slightest use sending out Mr. Jack on that expedition unless we had the appliances ready to follow up his report and actually test the site he selected. Hon. members will be aware that it is only a few months ago that arrangements were made with Mr. Arnold, a deep-well borer of experience in America and the Sandwich Islands, to come over to Queensland and practically test the question of finding artesian water here. During the interval since his arrival the department has been engaged in erecting a machine such as is suitable for these deep-sinking operations, and that machine, having been tested to some extent, is now ready for transmission to such a site as Mr. Jack may select in conjunction with Mr. Henderson, the Hydraulic Engineer. It is a matter of regret, doubtless, that Mr. Jack has not been able to report upon all those mineral fields which I have no doubt my hon. colleague, the Minister for Works, intended he should report upon; but the gravest demand of the colony at the present time—and it has been so for the last three years—is really to test the question whether a supply of artesian water is to be found or not. Along with everyone else, I trust the question will be solved satisfactorily. If it is, I am sure that even those goldfields which doubtless would like to be reported upon at the present time will gladly suffer the inconvenience his absence may cause in view of the greater importance of the work in which he is now engaged.

Mr. NORTON said: Mr. Speaker,—It is somewhat unfortunate that when a question of this kind is raised, the discussion upon it should be interrupted by the intrusion of quite a different question altogether. The hon. member for Warrego, who was not here when the question was raised by the hon. member for Burke, and who only heard the tail-end of it, immediately got up and made a speech about the advantage of boring for water to supply the interior of the colony. We all know that that would be a most desirable thing to do, but it is not a question which should be allowed to take the place of the one raised by the hon. member for Burke. It simply puts that question out of consideration. We all agree as to the necessity of finding a supply of water in the interior, but that is no reason why Mr. Jack, who was engaged by the colony for another purpose altogether, and one of at least equal importance, should be sent out to do it. If a geologist is necessary to select a site for water-boring operations someone else should have been sent. I do not see why the goldfields should be neglected in order that this water-boring may go on. But so much has been made of the necessity of sending out a geologist for that purpose that I would point out that a good deal of water-boring has been done already, and done successfully, without the aid of a geologist, and good artesian springs have been discovered. It has not been thought necessary to send out a geologist until now. But now that we have engaged a man who is considered to be very well up in this particular matter, one would suppose that he would have some idea as to what would be the proper place to put down a bore. Mr. Jack was engaged primarily to survey and report upon the goldfields of the colony. He is the Government Geologist of the colony, and the first and most important work of a Government geologist is in connection with the minerals of the colony, and more particularly its goldfields. For that reason I think it is desirable that his work should be confined as much as possible to inquiring into our mineral industry and wealth. The Etheridge is no doubt one of the richest goldfields in the colony, but it has not been developed, partly because it is situated far from the coast, and partly because its mineral wealth is not yet widely known. It is highly important that Mr. Jack should make a proper inquiry into that goldfield. With regard to the promise made by the Minister for Works to me, all I have to say is that I spoke to the hon. gentleman some time ago about the necessity of assisting in deep sinking in other fields than those which had been previously mentioned, and he at once agreed with my remarks, and said he would send Mr. Jack to report on other fields besides those. Before I went to Port Curtis, at the beginning of June, the Minister for Works told me that Mr. Jack was going from Stanthorpe to Gympie, then to Port Curtis, and afterwards, I think, to Rockhampton. I mentioned that to some of my constituents at Port Curtis. When persons interested in mines are expecting a visit of that kind they put off other arrangements which they might make until it is done; and that was the case in more than one instance. My request in regard to Mr. Jack was copied into some newspapers which are interested in the goldfields of that locality. I give the Minister for Works credit for having fully intended to carry out the promise he made to me—I know nothing about his promise to the hon. member for Burke—but he must have been over-persuaded by his colleagues to let Mr. Jack go off to other work, which I do not think he ought to be employed upon. The Premier pointed out that this is a work of great importance and one which would cost the colony several thousands of pounds. But what have the mines not done for the colony! We cannot afford to overlook one great industry in order to benefit another. Important as the supply of water to the interior is, I say that the development of our goldfields is equally as important. Our goldfields have done more for the colony than anything else, and will do more in the future even than they have done in the past. Our gold and other minerals will do for this colony what they have done for Victoria; but the fields want to be developed, and the geologist specially engaged for that work ought not to be sent into the Far West to bore for water. Holding this view, I think it is most important that a gentleman of Mr. Jack's reputation and known ability should be occupied as exclusively as possible upon the kind of work for which he was brought here. If a geologist is wanted for any other purpose, rather than take him away from the mineral work, let another man be procured from one of the other colonies.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: Mr. Speaker,—The hon. member for Port Curtis states that he was surprised that Mr. Jack should be made use of for any other purpose than the one for which he was brought out here. I think the Government are perfectly justified in any pressing emergency such as the present one—that of discovering water in such a season as we have had—in employing Mr. Jack, and the statement that another man might be found to deal with questions of this kind is, after all, a matter of opinion. There is no doubt that the greater a man's geological knowledge, the more reliable will be his opinion in searching for water, particularly such water as may be found in the western country—artesian water. A great deal has been made of the promise that was said to have been made by the Minister for Works to the hon. member for Burke, and some other hon. members, that

Mr. Jack should survey certain goldfields in which they were interested or their constituents were. We know very well that promises of that kind are really contingent upon no other circumstances of a more important character arising in the meantime. I maintain that this is a circumstance of a more important character. These goldfields can wait. They have waited for a long time already, I grant; but this is a matter of a great deal more importance, and I do not think any hon. member will deny it. The goldfields can very well wait under such conditions as these. A large sum of money was granted for boring for water, and it was absolutely necessary, if that amount was to be judiciously expended, that it should be expended under the direction of a competent man, in selecting the sites where the boring was to be carried on. The goldfields may certainly be very anxious to have the benefit of Mr. Jack's investigations; but that is not a matter of such pressing importance as the question of boring for water in the western portions of the colony. It is very advisable that a man of Mr. Jack's ability should have control over the large sum of money that was voted last year for boring for water.

Mr. PALMER, in reply, said: Mr. Speaker,—I think it comes with a very bad grace from the hon. the Premier to charge me with want of interest in the affairs of the colony, and the pastoral interest especially. If the hon. gentleman will recollect, I represent a pastoral as well as a mining district.

The PREMIER: I reminded you of the fact.

Mr. PALMER: I am very well aware of that, and if the hon. gentleman will remember, I have to speak in the interests of the mining community as well as of the pastoral pursuits. I consider that is my duty. The hon. gentleman might also recollect that when the water supply vote was before the Committee last year I called attention to the apathy that the Government had shown in carrying on water supply works. I kept the Committee half-an-hour quite, and showed the Colonial Treasurer that the department had been negligent in the matter; and, I believe, with good effect, as I have received letters since from one or two places, saying that the department has been considerably wakened up since the Estimates went through last year. So that I have not been wanting in any interest so far as the water supply goes. I am quite as well aware of the important part it plays in pastoral pursuits as the Premier, or the Minister for Lands, or the Colonial Treasurer. But I do not see why a promise made twelve months ago should stay so long without any excuse or reason for its not being fulfilled. I should like to follow Mr. Jack's work from the time he finished the survey of the Ravenswood goldfields; because the promise was that when that work was finished he should go to the Etheridge. Twelve months have passed since then, and he has not been upon the water supply question the whole time—not until during the last week—and there has been ample time for him to go and make the promised survey. It is only another instance of a Ministerial promise being broken. The Hydraulic Engineer, Mr. Henderson, was promised to go to Normanton and report upon the state of the water supply there. The township was in very great distress; they were carrying water in punts three or four miles for the use of the inhabitants for several weeks. That promise was made last year, but Mr. Henderson has never been there.

The COLONIAL TREASURER: He was taken ill on his way up and returned to Brisbane.

Mr. PALMER: I am continually reminded by my constituents of the broken promise, and I get the blame, so that I think I am justified in visiting it upon the Ministry. Then a promise was made two years ago that the telegraph line to Burke was to be carried out; but it has not been, and two years is quite long enough to get the iron posts. The promise about the geological survey is not the only instance in which a Ministerial promise has been fairly made and poorly carried out. I repeat what I said, that a thorough geological survey of such a field as the Etheridge—the most extensive in the colony, and perhaps the most extensive in Australia—is of the very greatest importance, especially when we know that the interest on our loans will have to be met, and is increasing every year. The settlement of such a field as that is a thing that the Government should not require to be wakened up upon; they should be alive to the necessity of it themselves, and bring capital into the colony. They are taxing the machinery that is being sent up there, and to make the field productive and thoroughly ventilate it they should cause this survey to be made, and have the field thoroughly reported upon. I am certain that such a course would be attended with most beneficial results to the whole of the colony. It is very unfortunate that the district I represent is so far away. The centre of gravity seems to be in Brisbane, and everything seems to be drawn with twenty-member power away from the North. It is the North against the South. I believe, so far as this question is concerned, I am farther away from my object than ever. The Minister has not reiterated his promise. If he had admitted that he was wrong, and was willing to carry out his promise, I would have been satisfied. With regard to his offer of Mr. Rands' services for a geological survey, I am not certain what his qualifications are. Mr. Jack was the gentleman who was promised, and I will not be satisfied until he goes there. With the permission of the House I will withdraw my motion.

Motion withdrawn accordingly.

FORMAL MOTION.

The SPEAKER said: The hon. member for South Brisbane being now in his place, I call upon him to move the formal motion standing in his name.

Mr. JORDAN moved—

That there be laid upon the table of the House, a Return of all inventions registered during the period from the 1st January, 1883, to the 30th June, 1885; such return to include the following particulars, namely:—

Nature of invention.
Abridgment of specification.
Name of patentee.
Name of agent, if any, acting on behalf of patentee.
Date of registration.
Index of subjects.

Question put and passed.

FRIENDLY SOCIETIES ACT OF 1876 AMENDMENT BILL -- SECOND READING.

The PREMIER said: Mr. Speaker,—This Bill proposes to transfer the work of the Registrar of Friendly Societies from the Registrar of the Supreme Court to the Registrar-General—that is all. By the Friendly Societies Act, passed in 1876, the Registrar of the Supreme Court was made Registrar under that Act. Various complaints have been made since then that the statistical work has not been done by that officer, and as the result of the experience of those years the conclusion the Government has arrived at is that he has really no facilities for doing that work. The Registrar-General's Department is the statistical branch of the Government Service, and the work can be done there conveniently by officers accustomed to it,

It is very important work, and I believe that it has not been done for some years; in fact, it has never been done properly since the Act has been passed. It is to remedy that that the Bill is introduced. I move that it be now read a second time.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I think we ought to have got a great deal more information why this change is made. It is now eight years since the Friendly Societies Act was passed. By that Act certain duties devolved upon the Registrar of the Supreme Court, but he has consistently and persistently put himself in the way so as to obstruct any business being done. I believe myself that the whole fault lies entirely with the Registrar of the Supreme Court, and I am satisfied that he is in every bit as good a position to do the work as the Registrar-General. We know perfectly well that the work required to be done will involve a great deal more change than the Premier has stated. He told us that it would simply be transferring the work of the Registrar of the Supreme Court to the Registrar-General, but it is doing a great deal more than that. It is forming a fresh department in the Registrar-General's Office, of which the hon. member has said nothing at all. It is putting on the Registrar-General work that has been persistently refused to be done by the Registrar of the Supreme Court. My attention has been directed to the matter often. This is no new discovery that the Premier has made. We have seen it all along, and I have urged legal gentlemen connected with me to see that the work was done, but their persistence was nothing compared with the persistence of the Registrar of the Supreme Court in not doing the work. I say that we ought to have very good reasons why this change is made, and I shall find out the reasons why the work is not done by the Registrar of the Supreme Court. We should also have some information as to how the Government are going to meet the extra cost of this arrangement, because evidently it will cost a large amount of money. The Premier appears to have left that entirely out of consideration, and instead of this being the simple little Bill he told us it was—which was to remedy a difficulty that had arisen during the last few weeks or something of that kind, and ought to pass without discussion—it is a very important one. Before it is passed I shall insist on knowing why the Registrar of the Supreme Court has not done the work. I have often tried to find out that from my colleagues, and now perhaps we shall be able to find out from the Government.

The PREMIER: I have not been able to find out any more than you were.

Mr. JORDAN said: Mr. Speaker,—About two or three years ago the late Attorney-General recommended that the work of the Registrar under the Friendly Societies Act should be done by the Registrar-General, and Sir Thomas McIlwraith, who was then Premier and Colonial Secretary, called the attention of the Registrar-General to the subject, and requested him to state whether he thought it would be within his province to undertake the work. The Registrar-General very carefully read over the Act and saw, in the first place, that it required that the work should be done by the Registrar of the Supreme Court. And, further, it was his opinion that the person who was responsible for carrying out the Act should have a legal training. He sent a very carefully prepared report to the Colonial Secretary of the day, Sir T. McIlwraith, who was of opinion, after reading the report, that the work could not consistently or conveniently be undertaken by the Registrar-General, and he sent an answer accordingly. This question, sir, of the non-performance of the duties required by the Act was brought before the House last session, and the session before, when the proposed increase to the salary of the Registrar of the Supreme Court was before the Committee. I think there was a general understanding at that time that the work should be done by the Registrar of the Supreme Court. In fact, some hon. members voted for the increase of that officer's salary on the condition that he should fulfil the duties in connection with the Friendly Societies Act. I think that was a distinct understanding. I am still of opinion that the Registrar-General cannot properly perform the duties in connection with that Act. I have given the matter my personal attention and have gone carefully into the whole subject. I think the Registrar-General, although no longer Registrar of Titles, has already increased duties put upon him, which, together with the increase of work entailed upon him consequent on the increase of population, place him in such a position that he cannot be fairly required to perform duties in connection with the Friendly Societies Act. The new duties which in this Bill he is asked to undertake will require a great deal of time and very careful attention, but my chief objection to the proposal is that the gentleman charged with the performance of duties in connection with the Friendly Societies Act should certainly have a legal training, What possible objection can there be to continuing the work in the hands of the Registrar of the Supreme Court? I understand that he is not overtaxed with work, although he has a very large salary; and during the eight years in which the Act has been in operation the work in question has fallen upon him. It is quite time—as the hon. member for Mulgrave has said—that we should clearly understand why the Supreme Court Registrar is not to perform the work any longer. For my own part I am not disposed to vote for this Bill. I do not feel that the Registrar-General is competent to perform the duties properly, for he has not had a legal training. I give my opinion with some deference, because the proposal comes from the Premier, but I think the Premier has not carefully read over the Act, and I think that if he did so he would come to the same conclusion as I have.

Mr. SMYTH said: Mr. Speaker, —The friendly societies of this colony have been dissatisfied for a long time with the way in which their business has been conducted. They get no information as to the working of the Act from the Registrar's office. For some time back there has been a rumour in New South Wales and Victoria that the friendly societies in those colonies are in an insolvent condition. Consequently a commission has been appointed to inquire into the matter. That being so, is it not necessary that the Government of this colony should be well posted up in the position of the friendly societies in Queensland? The members of these societies are hard-working men—men of small means—who provide for themselves and their families against sickness and death. On behalf of such colonists the Government have a right to interfere. In Great Britain the friendly societies save about £3,000,000 annually for people who would otherwise be foisted on the poor rates or charitable institutions. In some respects our Act is, I think, very oppressive. When a friendly society starts a new lodge they have very often to do so with only eight or ten members, and before getting registered they have to send a copy of their rules to the Attorney-General, and are charged a fee of five guineas. If at any time

afterwards they wish to amend their rules, no matter how small the amendment may be, they have to pay another fee of three guineas. Now, considering that these people save the Government a great deal of money, I think these fees might be abolished. A young lodge of eight or nine men has also a lot of paraphernalia to procure ; and indeed I do not see why the Government should not assist them. When the Premier goes into the Friendly Societies Act at all he should do so thoroughly, because from the beginning it has not given satisfaction.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said : Mr. Speaker,—Since I have held the office I now hold I have given my attention to this matter of the friendly societies and the working of their Act. I have had several conversations with the Registrar, and have gone thoroughly into the whole question. I have taken the trouble to make inquiries in the neighbouring colonies to ascertain how things work there, and I find that the amount of work to be done is, as regards the time at his disposal, and appliances he possesses, completely beyond the capacity of the Registrar of the Supreme Court. I have come to the conclusion that unless this Act is to remain in the future as in the past—a dead-letter—some fresh start must be made. If the Government had been content with things as they have been going on we might have made some sort of general observation as the Estimates went through, and so let the thing slide for another year. But the Government are not desirous that the present state of things should continue. I have gone thoroughly into the matter—into the time which the Registrar of the Supreme Court has at his disposal, and the amount of work he has to do—and have perfectly satisfied myself on the point; and the inquiry has not only satisfied me, but the judges of the Supreme Court also, that it is utterly impossible for him to do what is required to make this Act efficient. And if the Act is to be worked properly, and if the friendly societies are to get the benefit of the supervision necessary, some change must be made. I do not think any blame can be attached to the present Registrar more than the previous Registrars. The present Registrar has not been so very long in his present office—he has not filled the position half the time the Act has been in force; therefore no more blame can be attached to him than to any who preceded him in office. Their hands have been too full to enable them to do the work required. Not only so, but a great number of calculations have to be made, and actuarial investigations to be pursued, and returns for which persons require special training have to be made out. I see no possibility whatever of the work being done if the Act remains as it is. Of course it is not by a resolution of the Government of the day that this matter can be transferred from the Supreme Court Registrar to the Registrar-General, and that was the objection raised by the hon. member for South Brisbane when he had the administration of the Registrar-General's Office. It was found then that a mere resolution of a Government could not effect the transference. An Act of Parliament is required to provide that the Registrar-General is to be Registrar of Friendly Societies. Anyone who takes the trouble to examine the documents I have obtained from the neighbouring colonies, and sees the kind of statistical returns which have to be made, will perceive at once that the ordinary machinery of the Supreme Court is inadequate for that class of work. The Registrar-General is, I think, the proper person to supervise work of this sort. He has a large number of officers under him acquainted with the making out of statistical returns, and if it is necessary to obtain further assistance in the shape of persons conversant with actuarial science, the Registrar-General's Department is the one that should do that and not the Supreme Court. It comes to this, that if the work is to be done at all it will have to be transferred from the Registrar of the Supreme Court, irrespective of the person who fills that office. I do not take it that hon. gentlemen who refer to the Registrar refer to the person who fills the office, but to the office itself. The Registrar of the Supreme Court has his hands as full as any officer having a responsible position under the Government, and it is quite impossible for him to give the attention which the work in connection with the Friendly Societies Act demands. He has none of the appliances requisite in order to enable him to have any control whatever over the working of the friendly societies. I should be very sorry to believe that the condition of the friendly societies in this colony is the same as the hon. member for Gympie suggests it was rumoured that similar societies in the other colonies were in. If there is to be any kind of effective safeguard, any kind of actuarial investigation, to prevent things drifting into that condition, there must be efficient machinery supplied, and that machinery does not now exist. Under these circumstances members of the House —who are, I believe, interested, as every person must be, in the prosperity of these friendly societies—ought to be anxious that anything that would conduce to the efficient working of these societies and the carrying out of the Act should be brought into existence without delay.

Mr. MOREHEAD said : Mr. Speaker,—I do not think the House has received much light from what has fallen from the Attorney-General in the remarks he has made upon this proposed change, because the hon. gentleman did not seem to be at all sure himself that this transfer should be made from the Registrar of the Supreme Court to the Registrar-General. He started on the premise that it should be made, because, I suppose, had he been at school with the Colonial Treasurer he would have discovered that it was necessary that the person appointed to act as registrar of these friendly societies should have a knowledge of "actuarial science." What "actuarial science" is I do not know, but I suppose it is a new science discovered by the Attorney-General since he attended that great banquet where even his eloquence was outshone by men who possessed a knowledge of "actuarial science" at the Mutual Provident Society's banquet the other day. I suppose the champagne the hon. gentleman had at that banquet has not yet evaporated from his brain, and he came away full of the "actuarial science" evolved by Messrs. Teece and Ives. You, sir, were there too, I notice, and you will probably be able to bear me out in the surmise I draw. I think, sir, that from some of the statements made by yourself last session, if there should be a change at all, the office should be transferred to the Official Trustee in Insolvency ; because I think you stated on more than one occasion that a lot of these societies, if their books were examined, would be found to be insolvent. I think that statement was made by you, sir, and therefore the possession of a knowledge of the laws of insolvency would probably be of more advantage to the Registrar of Friendly Societies than a knowledge of "actuarial science" which the Attorney-General thinks ought to be part of the knowledge possessed by the registrar of these societies. The greatest weight should be attached to what has fallen from the hon. member for South Brisbane, not to what has fallen from the Attorney-General, though possibly he might think that was what I was going to say. No member of the House knows, or could possibly know, more than the hon. member for South Brisbane,

not only of the duties devolving upon a registrar of friendly societies, but of the necessary requirements which that functionary should possess. The hon. member told us distinctly that having carefully considered the subject he is of opinion that it would require a legal training and knowledge for anyone to administer the office of Registrar of Friendly Societies. That was the question raised by the leader of the Opposition, when Colonial Secretary, and the hon. member for South Brisbane did not see his way to approve of the change at that time suggested by the Colonial Secretary. I do not think myself that any change has occurred since; and great weight, as I have said, should be attached to the hon. gentleman's statement. If it is necessary, as that hon. gentleman says, that the person administering the office which this Bill deals with should have a legal training and a legal knowledge, a great mistake will be made and a great evil accrue to these societies if the change is made in the direction indicated by this Bill. It is, of course, perfectly well known that the Registrar-General is not a lawyer, and does not profess to be one. To come to another question: the Attorney-General stated that the Registrar of the Supreme Court is overweighted with work; but I notice he did not impugn the accuracy of the statement made by the hon. member for South Brisbane that the performance of the duties of Registrar of Friendly Societies was made a lever, during the passage of last year's Estimates, to bring in an increase to Mr. Bell's salary. If that gentlemen is to be relieved of those duties, certain members of the House—and I hope the majority of them—will also be prepared to relieve him of the extra salary which he received on the ground that he performed those duties, which it now appears he did not perform, or performed in an absolutely perfunctory manner. The whole weight of argument is against this change. The Attorney-General, in stating that Mr. Bell was overweighted with work, did not gauge the work already done by the Registrar-General of this colony. I take it he has quite as much, if not more, to do than the Registrar of the Supreme Court; and I have heard no reason why this extra work should be put upon his hands. This is work which cannot be performed by a clerk; it is work which must be under the personal superintendence of the officer in charge of friendly societies' business. If the contention of the Attorney-General is correct—that the work could be done by a clerk under supervision—why does not the Premier come down to this House and ask for an extra clerk to assist the Registrar of the Supreme Court in doing this work? There might be some reason in that; but there is no reason on earth why an equally overweighted officer such as the Registrar-General should have this extra work given him simply because the Registrar of the Supreme Court is unable or unwilling to perform the duties for which he received an increase of pay from this House. I have heard no reason, in the first place, why Mr. Bell should be relieved of these duties; nor, in the second place, any reason why, if so, the duties should be imposed upon the Registrar-General.

Mr. FERGUSON said: Mr. Speaker,—This Bill to amend the Friendly Societies Act of 1876 includes only a single amendment of that Act—the transference of the working of the Act from the Registrar of the Supreme Court to the Registrar-General. I do not know whether the proposed amendment is a good one or not, but I think that when we propose to amend the Friendly Societies Act at all we should amend it properly. I know there are one or two other very necessary amendments in the Act, as it stands at present, which might be included in a Bill like this. Friendly societies are almost entirely composed of working men, and they are all benefit societies. At the present time some persons are members of two or three of the societies, and although a person is entitled to receive £1 a week from one society the Act provides that, even though he may be a member of three or four societies and has paid up all his subscriptions, he can only receive £1 a week. I do not see why the Act should prevent a man from receiving what he is entitled to receive from each society of which he is a member. In Victoria the Act allows men to receive moneys from two or three societies of which they may be members, if they are on the sick list. This is a matter which should be amended. I believe the law is at present evaded in this respect, and we might as well at once make it legal. It is a claim members of those societies are entitled to, and why should we have an Act which does not enforce it? There is also another point in which the present Act requires amending. If a member of a friendly society, or his wife, dies, by his complying with all the rules of the society he or she is entitled to receive a sum of £20 or £30. But if he is a member of two or three societies he is not allowed to draw more than that amount. Why should a man who has made provision in his young days for such an event be prevented from receiving what he is entitled to from each society of which he is a member? I think the matters I have referred to are worthy of the consideration of hon. members, and that the Bill might be amended in that direction. It is not too late, as the necessary amendments can be inserted in committee. These are two important matters, but I do not say that the Act does not require amending in other particulars. I know that the law is now violated in respect to them; and I ask why should we not make legal what is done at the present time in many instances where persons are members of more than one society, and allow them to receive the money to which they are justly entitled?

Mr. FOXTON said: Mr. Speaker,—An impression seems to be abroad among some hon. members that the Registrar of the Supreme Court is not fully occupied. I can give that a most emphatic contradiction. That gentleman is more than fully occupied. I doubt whether there is a member of the Civil Service whose time is so fully occupied with important matters as the Registrar of the Supreme Court. But notwithstanding that he is always willing to accommodate the public as far as possible, it has become notorious that many matters have to lie over for a very considerable period, much to the inconvenience of suitors in that court. I myself have had personal experience of this; clients of mine as well as of other persons have been delayed very seriously, through no fault of Mr. Bell, but simply from the fact that he is overworked. I cannot see that a man whose time is fully occupied could do more by being paid £200 a year extra, such as was voted on the Estimates last year. You cannot put more water into a bottle than it will hold, nor can you get more work from a man than he is able to do, no matter how much you pay him. The argument, therefore, that because his salary was increased last year Mr. Bell should do the work is an absurd one. I am not prepared to take the view of the hon. member for South Brisbane, when he says that the work of Registrar of Friendly Societies ought to be performed by a lawyer. I have heard that there is a great deal of work connected with it which is very much more in the line of work done by the officers in the Registrar-General's Department. Anyone who is at all familiar with the working

of the Friendly Societies Act, or rather what should be the working of that Act were its provisions carried out, must see that at a glance. It has been stated that the work is not such as ought to be entrusted to a clerk, and yet the hon. member who made that statement—I think it was the hon. member for Balonne—said he would not be at all surprised if a request was made for an additional clerk to perform this work.

Mr. MOREHEAD: That was a suggestion made by the Attorney-General.

Mr. FOXTON: That was how I understood the hon. member for Balonne, and that he also stated that he thought it would be a very reasonable request. I quite agree with whatever member it was who stated that this work ought not to be entrusted to a subordinate. It ought to be entrusted to an officer who is thoroughly competent to investigate the various matters which he will be required to look into in connection with the working of the Friendly Societies Act. I am not prepared to say that either the Registrar of the Supreme Court or the Registrar-General is not competent to perform the work. As far as I can understand both gentlemen have their time fully occupied; and it appears to me that the logical conclusion is that some new officer should be appointed who is capable of doing the work, and that he should be properly paid for it if he is to do it thoroughly.

Mr. BAILEY said: Mr. Speaker,—We have heard for a great many years that the officers of the Supreme Court and all gentlemen connected with the legal profession are always overworked and underpaid, and we are getting quite used to that story. But in relation to this affair there are more serious matters to be considered. We have heard from England of the alarming condition of things in that country with regard to friendly societies. We have heard that a very large proportion of benefit societies have for some years been drifting, not only towards insolvency, but some of them have actually become insolvent, and that men who have invested their savings in those societies have been ruined, and have ended their days in the workhouse. I would do anything in my power to prevent such a state of things coming about in this colony. If this Bill would prevent that, I should be glad to give it my support, but it seems to me that it is simply tossing over the thing. Year after year we have voted money to a man to do the work, but it has never been done. Now we are asked to transfer the work to another man, and we are not even told what the work is. I have very little doubt that if the accounts of the friendly societies here were properly investigated it would be found that the societies are drifting into the same alarming condition of things that has existed in England. Working men are not accountants, nor are the officers of these societies accountants of the kind required. There should be some official to examine their accounts, to strike averages, and afford all necessary information for their safe management; and for the sake of those interested in friendly societies I hope some measure will be passed to remedy the present state of things.

Mr. ALAND said: Mr. Speaker, — I am somewhat like several hon. members who have spoken on this subject. I do not know whether it is going to be a good change to pass the work of carrying out the provisions of the Friendly Societies Act from the Registrar of the Supreme Court to the Registrar-General. It does appear strange to me that a Bill which passed this House ten years since has not been put in operation from that time to the present; that none of its provisions have been attended to; that, in fact, the Bill might never have been passed at all for any practical service it has been to the colony or to benefit societies. I see there is provision in the Act for the payment of officers engaged in carrying out its provisions. I think that during the last ten years, when succeeding Governments found themselves unable with the staff in their employment to carry out the Bill, if they had come to the House they would have been willingly granted the amount necessary for carrying its provisions into effect. It is really a matter of serious importance that members of friendly societies should understand the position they occupy. I remember sir, the speech of yours that the hon. member for Balonne referred to. If my memory serves me right, you referred to some investigations that were going on in the old country, which showed that several of the societies were in the state described by the hon. member for Wide Bay—in a very unsound and insolvent position. You did not say, I think, that the friendly societies of Queensland were in an insolvent position. There is another thing which strikes me in connection with this matter, and it has struck me in connection with other matters which have come before the House; that is, that Ministers are really the servants of the heads of their departments, not the heads of departments servants of the Ministers. Of course I do not know what it is to be a Minister, but I think if I were one I should be master, and I should see that what I ordered was done, or know the reason why; and I should then be able to give a much more satisfactory reason for its not being done if I were asked about it in the House than Ministers generally give. Another thing I feel particularly sore about is that the Attorney-General, when asking an advance of salary for the Registrar of the Supreme Court, gave as a reason that the duties of this Act were to be placed on his shoulders; yet we find now that he is not able to do the work. Now, sir, why were we not told then? The Attorney-General must have known what the duties in connection with the Friendly Societies Act were, and he must have known, if he knows it now, that the Registrar of the Supreme Court could not discharge them. However, I maintain that someone ought to do the work, and if extra labour is required let the Government provide it. Now, I have very little doubt that the Colonial Secretary, in bringing in this Bill, as when he proposed the division of the departments of Registrar-General and Registrar of Titles, had in his mind's eye two or three officers for whom salaries are to be provided.

The PREMIER: No.

Mr. ALAND: The hon. gentleman said "No" when he brought down the Registrar of Titles business; it was "No" then, and it is "No" now, but I think we shall find it will prove to be "Yes." I do not altogether agree with the hon. member for Rockhampton that men should be allowed to be members of several friendly societies. A man should only belong to one, and then there is no premium for his playing what is called the "old soldier." I know several men who do that; as soon as work gets slack they get sick, and go on the funds of the society. I think it is just as well that they should not have funds from two or three societies. As for the disposition of the money when a man's wife or he himself dies, there are the insurance societies, which for a small premium provide a respectable sum at death.

Mr. BEATTIE said: Mr. Speaker,—I am very glad indeed that the Government have seen fit to introduce this Bill. On the passing of the present Act it was made compulsory on all friendly societies to make returns to the Registrar of the Supreme Court; but I can assure you there was no possibility of getting any of the

officers to move in the matter at all. I have been connected with friendly societies myself for the last thirty years, taking an active part in their management; and I have waited more than fifty times on the Registrar of the Supreme Court, asking for the necessary forms on which the societies might make their returns to the Government. That in itself would be a very great advantage, because then the Government, the public generally, and the members particularly, could see in what position the various societies really were. I kept continually at that office for about two years, and the general excuse I received from the chief clerk was that the forms were in course of preparation, but that there was a great difficulty in framing them. I never found any difficulty when it was under the Registrar-General. He issued a form, and the societies invariably sent in their returns as required by the Act. I did not hear the remark made by the hon. member for Rockhampton with reference to the desirability of members belonging to more than one society. That was a point very warmly and carefully discussed on the passing of the Act; I think if such a thing were allowed it would be very destructive for societies, and encourage a very great deal of imposition. I know, from my own experience of members belonging to two or three societies, that when they fall sick there is no chance of their ever getting well again; because they draw a larger salary than when they are working. During the discussion on the measure there were extracts read from the debate on the English Friendly Societies Act. Mr. Atkin Pratt, one of the greatest authorities on the subject, proved that a great amount of crime was committed in consequence of the ease with which people could join the various burial societies in existence in those days. A child could be registered for ½d. or 1d. a week, and it was proved conclusively to the House of Commons and the committee that sat to inquire into the matter, that the number of deaths amongst children during the time of the existence of those so-called burial societies was something enormous. Then a clause was passed under which, while a man might belong to as many friendly societies as he liked, the amount of benefit should only be equal to the amount given by one. Most of the societies in Queensland give their members when sick £1 a week. Some people urged that if a man belonged to three societies he paid into three societies, and ought to receive the benefit from them all; but the experience of men who had great experience in the working of friendly societies was that it was most injurious to the welfare of the societies generally, and more particularly to the societies to which the member belonged. When passing the Act we had a clause introduced providing that no man, even if he belonged to more than one benefit society, should receive more than the amount given by one society; that is to say, suppose a man belongs to three societies he is only to get 6s. 8d. a week from each, equal to the amount he would receive if he only belonged to one. I am very glad the Premier has introduced a Bill transferring the power to the Registrar-General, because I now look forward with some degree of hope to the societies sending in their returns. It is a duty they owe to themselves, to the country, and to the Government, to make those periodical returns so as to enable those who take an interest in them to check them, and to give them information as to the amount contributed, the amount expended in management, and the amount paid away for sickness and death. I shall be most happy to support the second reading of this Bill.

Question put and passed, and committal of the Bill made an Order of the Day for to-morrow.

PROBATE ACT OF 1867 AMENDMENT BILL—SECOND READING.

The ATTORNEY-GENERAL said: Mr. Speaker,—The object of this Bill is explained in the preamble. It is to correct a mistake that crept into the Probate Act of 1867. One of the Acts adopted by this colony from New South Wales was 15 Vic. No. 17, by the 3rd section of which certain fees were made payable upon probates and letters of administration. That provision was repealed by the Stamp Duties Act of 1866, which substituted other fees on probates and letters of administration than those which were contained in the schedule to the section I have referred to. The next year, however, when the Probate Act was passed here, by what was evidently an oversight on the part of the draftsman, the fact was overlooked that the Stamp Duties Act had made provision for this matter, and the provisions of the repealed section of 15 Vic. No. 17 were re-enacted. Although the Act passed in due form, yet the fact that this provision had been repealed by the Stamp Duties Act and for which others had been substituted escaped the attention of everybody, and as a matter of fact the fees that were provided by the Probate Act of 1867 were never collected. The mistake was only discovered accidentally, a few days ago. The matter was reported to the judges, and, as it was clearly never the intention of the Legislature that a double set of fees should be charged, by direction of the judges the fees since then have been collected and placed in a suspense account till the Legislature should dispose of them; and they amount at the present time to nearly £100. There can be no doubt that it was by an oversight that this got into the Act of 1867, and nobody seems to have known that it was there. In order that there may in future be no necessity, as the law stands, to charge a double set of fees on probates and letters of administration, and that moneys that have been collected should be returned to the persons from whom they have been collected, and that all persons shall be freed from legal liability in connection with this matter since the passing of the Act of 1867, the present Bill has been found necessary. I do not think it necessary to say more on the subject, but this is the only way in which an inadvertence of that kind can be corrected. I beg to move that the Bill be read a second time.

Mr. CHUBB said: Mr. Speaker,—I do not rise to oppose the Bill, but the preamble seems to me to be wrong. It recites that certain provisions of an Act passed in 1867 were repealed by an Act passed in 1866—which of course cannot possibly have been the case. The words are—

> "Whereas the provisions of the forty-first section of the Probate Act of 1867 and the schedule thereunder written were re-enacted in the said Act by inadvertence, the same provisions having been repealed by the Stamp Duties Act of 1866."

Beyond that I have nothing to say against the Bill.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—I am rather astonished to hear the information given by the Attorney-General that the lawyers only discovered the error in the Act, by accident, the other day. I remember well getting into a muddle about it some years ago. It was certainly known to everybody outside the lawyers. This is certainly a funny little Bill. The 2nd and last section provides that—

> "This Act shall be deemed to have been in force from and immediately after the passing of the said Act."

That was the Probate Act of 1867. Fancy making an Act retrospective over a period of eighteen years! No one can tell how many fees have been paid under those re-enacted

provisions in the Act of 1867. The Attorney-General says there are none, but he is not an authority on statistics, and I would take leave to doubt it. At all events, the fact he tells us that he has just discovered this error is perfectly absurd. It has been known to everybody——

The ATTORNEY-GENERAL: I did not say I discovered it. I said it had been discovered.

The HON. SIR T. MCILWRAITH: It has been only lately discovered by the lawyers, and brought under the notice of the judges. I remember it in a will case in 1876.

Mr. MOREHEAD said: Mr. Speaker,—I am rather astonished at the remarks which have fallen from the leader of the Opposition. I think we ought to be thankful even for small mercies at the hands of the Attorney-General. This is his first effort, and it is rather a puny one, in introducing a Bill into this House.

The ATTORNEY-GENERAL: No, it is not.

Mr. MOREHEAD: Well, at any rate, it is the most important one. I had thought, and hoped that he had made this discovery himself, that it was the result of diligent research, and that he had probably spent sleepless nights in devising some means of remedying the evil he had found out. But he shattered my theory at one blow. He says it was an accidental discovery—it was not the result of any research on the part of the principal legal adviser of the Crown; but the accident having been reported to him, he takes this opportunity of bringing in this small measure. He pleads for it on the ground that it is only a little one, and he asks for mercy at the hands of the House; a larger measure might have more fully developed the great erudition which we are all aware the Attorney-General possesses in such a large degree. I really cannot see what will be the effect of this 2nd clause. It says the Act shall be deemed to have been in force since the passing of the said Act. Which is the said Act? The Probate Act of 1867 or the Stamp Duties Act of 1866? I am perfectly certain the Premier cannot have had anything to do with the drafting of this Bill.

The PREMIER: I take the responsibility of it.

Mr. MOREHEAD: I am glad that the hon. gentleman does not assert that he drafted it; but I am very sorry that he has taken the responsibility of it. If it is to be so retrospective, are all the accounts that have been paid under it to be returned?

The PREMIER: These accounts have never been paid except during the last month or so, and they will have to be returned.

Mr. MOREHEAD: Those that have been paid during the last month will have to be returned! Well, it is the first time I have ever heard of a Government returning money, especially a legal Government. I am delighted to see the Attorney-General pose in the new and unexpected rôle of a legislator, and I am perfectly certain that some of the supporters of the Government will class this Bill, no doubt, as one of the most important measures passed during the existence of this Parliament, although they generally take on picnicking excursions some hon. members to make speeches and say they are the most progressive Government that ever lived, and have passed more measures than any other. They might pass a great many measures of this kind without filling up the Statute-book. However, I will congratulate the Attorney-General, in his third year here, upon having introduced such an interesting Bill. In the course of time he may give us a whole sheet, if he goes on like this. Let us hope that they will hand his name down to posterity as one of the greatest legislators of the colony. I cannot altogether agree with this; but still, as it is his maiden effort, it is not so bad. It is a little like the "pot-hooks" that a child makes when he is learning to write. It is a little mixed; but in a little while, under the careful tutelage of the Premier, no doubt he will be able to turn out a more finished article.

Question put and passed, and the committal of the Bill made an Order of the Day for to-morrow.

LICENSING BILL—RESUMPTION OF COMMITTEE.

Upon the Order of the Day being read the House went into Committee for the further consideration of this Bill.

Question—That clause 7, as amended, stand part of the Bill—put.

On motion of the PREMIER, the clause was further amended, so as to read as follows, and agreed to:—

"No person who is—

(*a*) A registered spirit merchant or the holder of a licensed victualler's or wine-seller's license, or of a billiard license or bagatelle license; or

(*b*) The owner, landlord, or mortgagee of any house within the district used or licensed for the sale of liquor, or for playing at billiards or bagatelle; or

(*c*) A brewer or distiller; or

(*d*) An officer or agent of any society interested in preventing the sale of liquor; or

(*e*) A director, manager, or officer of a joint-stock company carrying on the business of registered spirit merchants, or of brewers or distillers; or

(*f*) A director, manager, or officer of a corporation, joint-stock company, or building society, being mortgagees of any house within the district used or licensed for the sale of liquor, or for playing at billiards or bagatelle, or in respect of which an application is made for a license under this Act:

shall be appointed or act as a licensing justice.

"Any justice appointed as a licensing justice for a district, who, during his term of office, becomes such owner, landlord, mortgagee, or an officer or agent of a society interested in preventing the sale of liquor; or a director, manager, or officer of any such corporation, joint-stock company, or building society, as aforesaid, shall immediately cease to be a licensing justice.

"No chairman of a local authority, or justice nominated and appointed in his stead, shall, as a licensing justice, adjudicate in any case arising under this Act in respect of premises situated, or of an offence committed, outside of the boundaries of the municipality or division."

On clause 8—

"Any justice disqualified by the last preceding section, who, after becoming so disqualified, sits as a licensing justice, or knowingly or wilfully acts in any way as such justice, shall for every such offence be liable to a penalty not exceeding ten pounds and not less than five pounds"—

The PREMIER, in reply to the Hon. J. M. MACROSSAN, said he was willing to omit the words "knowingly or wilfully" before the word "acts," and to insert them before the word "sits." He would move an amendment accordingly.

Amendment agreed to.

Clause, as amended, passed.

Clause 9—"Appointment of licensing justices to be annual, etc."—passed with a verbal amendment.

Clause 10—"Proceeding before a licensing authority a judicial proceeding"—passed as printed.

On clause 11, as follows:—

"Every authority by this Act conferred on justices shall be exercised by a police magistrate or two or more licensing justices of the district in which the authority

is to be exercised, and every offence, act, omission, or neglect, for which by this Act any punishment by way of penalty or forfeiture may be inflicted, shall, if the same is not by this Act declared to be a misdemeanour, or directed or permitted by it to be heard or determined before some other court or authority, be prosecuted, and every such penalty or forfeiture shall be recovered, before a police magistrate or two or more licensing justices of the district in which the offence, act, omission, or neglect was committed, or the penalty or forfeiture incurred.

"And every police magistrate, or two or more licensing justices sitting for the purposes of this Act, shall have and exercise all the ordinary powers of justices in petty sessions."

The HON. SIR T. MCILWRAITH said the number of members constituting a licensing authority was unrestricted, and the latter part of that clause made two a quorum. Would it not be better to make it a proportion of the licensing justices appointed for the district? For instance, in a place like Brisbane there might be twenty or thirty justices appointed as licensing justices, and in such a case two would be a very small quorum. Would it not be better to make it a larger proportion than that?

The PREMIER said he thought not, on framing the Bill. Licensing justices had many other duties to perform besides granting licenses; they had an exclusive authority for dealing with many offences against the provisions of the Bill, and it might be difficult sometimes to get a larger quorum than was proposed for that purpose. It was only in large towns where such a case as the hon. member referred to might arise. The matter was very fully considered before the clause was drafted, and he thought the form in which it stood was the most convenient.

Clause put and passed.

Clauses 12 and 13—"Governor may proclaim special districts," and "Governor may appoint inspectors and sub-inspectors"—passed as printed.

On clause 14, as follows:—

"A quarterly meeting of the licensing authority for each licensing district shall be held at the place appointed for holding the principal court of petty sessions in the district, at ten o'clock in the forenoon on the first Wednesday in the months of January, April, July, and October in every year, for the consideration of applications for licenses and certificates, and the renewal, transfer, and removal of licenses, under this Act. But the Governor in Council may direct that, in any district which comprises one or more municipalities, special meetings of the licensing authority shall be held for such purposes, at the same hour, on the first Wednesday in the months of February, March, May, June, August, September, November, and December in every year, in addition to such quarterly meetings.

"Any such direction shall be notified in the *Gazette*.

"The police magistrate if he is present shall be the chairman at every such meeting; and in his absence, or in case there is no police magistrate, the justices present shall elect a chairman for the day from amongst themselves; and in case of an equality of votes on any question, the chairman shall have a second or casting vote."

Mr. MACFARLANE said the first part of the clause provided for quarterly meetings of the board, and then there was a provision for monthly meetings. It was his impression, after speaking to some members of the board—business men, whose time was pretty well taken up—that it would answer all the purposes if the board sat only once a quarter. It often happened that when a license was refused for a house one month the application would be renewed the following month. If the board sat only quarterly it would obviate a great deal of trouble both to the licensing board and to the general public of the district. In certain districts, South Brisbane for example, about a year ago it was quite common to see, month after month, licenses applied for for the same premises. That imposed a great deal of trouble on the board and also on the district, because they could not always be on the alert for the purpose of defeating those persons when they applied for licenses. He therefore proposed to amend the clause by omitting all the words from "But" to "*Gazette*."

The PREMIER said at the present time special monthly meetings were allowed to be held, and he never heard of that system being abused. He did not think a licensing authority was likely to grant an application for a license which had been refused the month before. He did not know that it was of much consequence whether the meetings were held monthly or quarterly. He found the provision in the law, and did not see any sufficient reason for altering it.

The HON. SIR T. MCILWRAITH asked how the argument the Premier had used with regard to the 11th clause would apply there? The hon. member said that the functions of the licensing authority were not confined to granting licenses, but extended to dealing with all offences under the Act. Quarterly meetings would be quite sufficient for simply granting licenses.

The PREMIER said the clause only related to meetings held "for the consideration of applications for licenses and certificates, and the renewal, transfer, and removal of licenses." The board might sit at any time to exercise their power as a court of criminal jurisdiction. He forgot to point out, when clause 11 was under consideration, the provisions in clause 16 relating to a quorum. He had intended to add to clause 11 the words "except as hereinafter provided."

The HON. SIR T. MCILWRAITH said he saw no objection to the amendment if the quarterly meetings were simply for the purpose of licensing. Had the Premier, from his experience, any reason to suppose that any difficulty would accrue from special meetings being held?

The PREMIER said he did not remember any case coming under his notice at all. The only cases in which it occurred to him that any difficulty might arise were cases of transfer or removal; and he presumed the monthly meetings would only be for the purpose of dealing with special cases like that. As far as new licenses were concerned, once a quarter would be quite enough.

Mr. MACFARLANE said that in the great city of Glasgow licenses were only granted once a year, and transfers twice a year. If they could do that in a city with three-quarters of a million inhabitants, the same might very well apply to a place like Queensland. He knew it would be a very great convenience to the board and the public if the amendment was carried.

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

Clauses 15 and 16—"Quorum," and "Adjournment when no quorum"—passed with consequential amendments.

On clause 17, as follows:—

"The clerk of petty sessions shall give to every licensing justice appointed for the district, if licensing justices have been so appointed, and to every justice usually acting for and residing in the district, if none have been so appointed, fourteen days' notice in writing of the time and place of each quarterly meeting of every licensing authority, and seven days' notice of the time and place of each monthly meeting, and three days' notice of every adjourned meeting consequent upon the absence of a quorum.

"A copy of such notice shall be exhibited by the clerk of petty sessions, on the door or other conspicuous place on the outside of the court-house or building, where meetings of the licensing authority are appointed to be held."

The PREMIER moved that the word "every" be omitted from the phrase "quarterly meeting of every licensing authority," with the view of inserting the word "the."

Amendment put and passed.

The PREMIER moved the omission of the words, "and seven days' notice of the time and place of each monthly meeting."

Amendment put and agreed to.

Mr. WAKEFIELD said the clause provided for giving notice to licensing justices of the quarterly meeting. He had had a little experience of those licensing authorities, having been a member of one for three years, from 1882 to 1885. During those years he represented an outside district on the licensing bench, and on no occasion was notice given him to enable him to attend the annual inspection of licensed houses in his district. The other members of the bench visited the district, came to conclusions, adjourned licenses, and made alterations of importance, and he had no opportunity of having a voice in the matter. Notice of every meeting should be given to every member of the licensing board.

The PREMIER said it had already been provided that there should only be quarterly meetings of the licensing board. When offences were to be heard it would be the duty, he believed, of the clerk of petty sessions to see that the justices were informed; but if a man was charged with being drunk and disorderly it would be impracticable that every justice entitled to sit on the bench should have notice of the proceedings. The difficulty pointed out by the hon. member for Moreton would be met by the licensing authorities asking the clerk of petty sessions of the district to let them know when a case was likely to come before the court to be dealt with by the licensing authority. If any application were made to the Colonial Secretary's Department the necessary instructions would be given at once.

The HON. SIR T. MCILWRAITH said that three days' notice of an adjourned meeting would be quite insufficient in an outside district. It might do very well for Brisbane and some other places where justices could be got together in a short time, but it would be absolutely useless in any of the outside districts. It ought to be seven days at least.

The PREMIER said he had no objection to make it seven days, and he would move that the word "three" be omitted, with the view of inserting the word "seven."

Mr. WAKEFIELD said he was not alluding to the sittings of the bench, but to the private inspections which had been formerly done by the police, but were at present—and very properly—done by the board, the result being a very great improvement in the character of the houses. He was alluding to the Brisbane bench, upon which he represented Sandgate for three years. During the whole of that period he never had an opportunity of inspecting the houses at Sandgate with the Brisbane bench.

The PREMIER said that was a matter that was scarcely provided for by the Bill, as it did not compel the licensing authority to visit houses. The board ought to give notice to the various members of what they intended to do, unless the thing could be done by an instruction from the Colonial Secretary's Office to the clerk of petty sessions or the inspector of the district. That would be the most convenient way of doing it.

Amendment agreed to.

The HON. SIR T. MCILWRAITH said clause 14 provided for quarterly meetings for the purpose of considering applications for licenses and certificates, and the renewal, transfer, and removal of licenses; and clause 11 provided that every authority by the Bill conferred upon justices should be exercised by a police magistrate or two or more licensing justices of a district. There was no saving in clause 14, seeing that the special object of that quarterly meeting was to grant licenses and transfers.

The PREMIER said the hon. gentleman had not paid him the compliment of listening to what he had just said. He had pointed out that there was an inconsistency between the two clauses which he forgot to mention when they were passed. It would be necessary to recommit clause 11 and insert the words, "except as is hereinafter otherwise provided." Clause 15 provided that four members of the board, or the police magistrate and two licensing justices, should form a quorum; and if there was no quorum the court would be adjourned until there was one.

Clause, as amended, put and passed.

Clause 18 passed as printed.

On clause 19—"Clerks of petty sessions to keep register of licenses, etc.—prepare lists of applications—affix copies in and outside of court-house—report as to previous applications—notify application to inspector—forward notice of objection to inspector—send notice of objections to applicants—generally perform duties and give notices under Act—penalty for neglect"—

The HON. SIR T. MCILWRAITH said he had not minutely examined the Act to find out if those conditions were the same as those passed before, and he did not know if there had been any alteration. Had any change been made?

The PREMIER said he did not think there were any alterations except verbal ones, so far as he could remember. He wished to amend the second provision by the omission of the words "and seven days before every special monthly meeting," in the 24th and 25th lines.

Amendment agreed to.

Mr. JESSOP said that, under subsection 7, notice in writing must be given to the applicant when any objection had been made, three clear days before the day appointed for the hearing of such application. It was almost impossible to apply that clause to the country districts. It frequently happened that mails were delivered only once a week—on Saturdays, for instance. He thought fourteen days' notice should be given, as people had to come sometimes 200 or 300 miles to apply for licenses.

The PREMIER said that on looking at the provision he saw that it was unnecessary and inconsistent with clause 47, and he was glad the hon. member had called attention to it. Clause 47 required seven days' notice of objection to be given to the applicant and to the clerk of petty sessions before the time of hearing. The provision in subsection 7 was therefore unnecessary, and he moved that it be omitted.

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

On clause 20, as follows:—

"The inspector shall—

(1) Provide himself with a copy of the register directed by this Act to be kept by the clerk of petty sessions, and from time to time inform himself of the alterations made in such egister, and correct his copy accordingly;

(2) Inform himself of the manner in which all premises licensed under this Act withinthe district are conducted and kept, and whether the provisions of this Act in relation to such premises, and the management thereof by the licensee, have been and are observed;

(3) Immediately on receipt of any notice sent to him by the clerk of petty sessions, as by this Act is directed, inspect all premises and vessels in the district respecting which any application for a license, or the renewal, transfer, or removal of a license, has been notified as intended to be made; and if he believes that the

provisions of this Act with respect to any such premises or vessels are fully complied with, forthwith give to the applicant, or person in charge of the premises or vessel, a certificate as near as may be in such one of the forms contained in the third schedule hereto as is applicable; but if he finds that such provisions have not been complied with, withhold such certificate, and report his refusal, with a statement of the grounds thereof, to the clerk of petty sessions, at least seven clear days before the day appointed for the hearing of any such application;

(4) Make a report to the clerk of petty sessions at least three clear days before the day appointed for the hearing of the application upon all notices of objection to any application for a license, or renewal, transfer, or removal of a license, which he has received in pursuance of this Act;

(5) Attend at the quarterly and monthly meetings of the licensing authority, and on any other occasion when required by the licensing authority; and make all inspections, examinations, and reports required or directed by the licensing authority."

The PREMIER said an amendment was necessary in subsection 5. He moved that the words "and monthly" in the 1st line of that subsection be omitted.

Mr. CHUBB suggested that it would be only fair to give the applicant a copy of the inspector's report showing the grounds upon which he withheld his certificate.

The PREMIER said if the inspector gave his certificate the applicant would know that he was all right; and if it was refused he would have a very good notion why it was refused, because he would be present and see the inspector when he went round.

Mr. JESSOP said subsection 4 provided that the inspector should make a report to the clerk of petty sessions only three days before the hearing.

The PREMIER: That is for the information of the justices.

Mr. JESSOP said the applicant should be entitled to know what the report against him was, so that he might have time to defend himself.

The PREMIER said the applicant would have time enough. The inspector must make his report three clear days before the hearing; the objection must be sent in seven days before, and some time must be allowed for the inspector to take notice of the objection and make his report. Four days were allowed for that. Surely that was sufficient time.

Mr. JESSOP said that did not give the applicant time, and he might not know what the report or the objection was.

The PREMIER said the objection was served upon the applicant seven days before the time of hearing the application. It was also served upon the clerk of petty sessions, who would give it to the inspector. The inspector had then four days to send in his report to the clerk of petty sessions, and it must be in his own hands three days before the hearing.

The HON. SIR T. MCILWRAITH said the hon. member for Dalby was referring to cases in which the inspector himself might object. If the inspector was the objector, according to the clause he would not be required to send in his objection until three days before the case was heard.

The PREMIER said the 47th section provided that notice of objection must be given seven clear days before the time of hearing. The inspector would only report upon notice of objection being given to him. He would not report on an objection that he made himself.

Mr. ALAND said the hon. member for Moreton had informed the Committee that the licensing bench of which he was a member had gone round and inspected various public-houses in that district. He (Mr. Aland) knew that in other districts members of licensing benches had done the same thing, and he would like the Colonial Secretary to inform the Committee whether licensing benches had power to go round and inspect public-houses before granting licenses, or whether that work was to be left to the inspectors provided for in the Bill.

The PREMIER said there was nothing in the Bill expressly saying that licensing benches should be entitled to inspect premises, and he thought it would not be wise to insert such a provision. The result might be that if no special licensing justices were appointed every justice would be entitled to inspect every public-house in the district. Practically, licensing justices had authority to inspect buildings in this way: If the licensing justices expressed a desire to see the place which was proposed to be licensed, and the occupier refused to allow them to inspect it, he would know very well that the license would not be granted. He (the Premier) thought that was a good practical way of enforcing their right to inspect. Any man who refused to allow the bench to see what sort of premises he had would know very well that he would not get his license. He (the Premier) thought that was better than giving justices special power to inspect.

Mr. SALKELD said it did not follow because one member of a licensing bench was refused permission to inspect premises that the license would be refused. He thought that inspections by the licensing justices were very beneficial, and would have the effect of causing the inspectors to carry out their duties more efficiently.

The PREMIER said that, so far as licensed houses were concerned, the 97th clause gave authority to any justice to enter the premises at any hour, day or night. He was not aware of that when he last spoke. No justice would grant a license for new premises if permission to examine them was refused; and though that could be provided for, it was scarcely necessary to put the provision into the Bill.

Mr. JESSOP said he was still of opinion that the time mentioned in paragraph 4—three days—was too short; and unless the Premier was prepared to extend the time to seven days he would move an amendment to that effect.

The PREMIER said he had already pointed out that the inspector got the notice of objection seven days before the court sat. After that he must inquire whether the objection was well founded or not before he could make his report—it was of no use to say that he should make his report the same day—and at least three days before the court sat he must make his report.

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

Clauses 21 and 22 passed as printed.

On clause 23, as follows:—

"Licenses under this Act shall be of four kinds, that is to say—

(1) A licensed victualler's license, which shall be as nearly as may be in the first form of the sixth schedule to this Act;

(2) A wine-seller's license, which shall be as nearly as may be in the second form of the said schedule;

(3) A packet license, which shall be as nearly as may be in the third form of the said schedule;

(4) A billiard or bagatelle license, which shall be as nearly as may be in the fourth form of the said schedule."

Mr. DONALDSON said he did not know whether any reports were made by the police from time to time in connection with the abuses that might arise under the clause; but he was certain from his experience in the country districts and in other colonies that the wine-seller's license would be abused. He had known instances where wine licenses were granted to persons who kept places for sly grog-selling, and he had a great objection to opening the door to such a wholesale evasion of the law. The wine-grower might be allowed to sell his wine on the premises where it was made—and he did not care how small the license fee might be in such a case—but he was confident that if wine licenses were granted to persons other than wine-growers in the country districts, sly grog-selling would be resorted to, people being led to the holders of wine licenses ostensibly for the purpose of buying wines.

Mr. MACFARLANE said he was glad that the matter of the wine licenses had been brought forward. Since the Bill had been before the House, he had been receiving letters from different parts of the colony relating to that matter. One gentleman in particular informed him that there was a great deal of evil connected with the wine-growers and their gardens, as those gardens, on the Sabbath day, were filled with young men and young women, who frequently left them at night in a state of intoxication. He was informed that in some of those gardens they sold far more drink in a week or two than some publicans did in a year. They were selling not only what they grew themselves without any check, but also adulterated and deleterious stuff, and spirits as well, he supposed. His correspondent said that on visiting the gardens he was perfectly astonished, and hoped that something would be done to stop the drinking in them on the Sabbath day, and suggested that those growers of wine who had licenses should have their licenses taken from them, and then be allowed to supply wholesale houses or to have houses of their own in towns where they could sell their wine. He (Mr. Macfarlane) thought the wine licenses were one of the greatest evils they had to combat. They were simply the thin end of the wedge, for people would drink wine who would not take stronger drinks. They also put a temptation before young people. The unseemly meetings and drunken rows which now occurred in the wine gardens should not be allowed to take place any more. There were, he knew, other members who had an inclination to speak on the matter as well as himself.

Mr. FOOTE said that, as he understood it, the wine drinking shops in the interior of the country were not licensed at all. The wine-growers, under the Wine Growers Act, were allowed to grow grapes and manufacture wine, and to dispose of their wine in their own way. As the hon. member for Warrego had remarked, it was very possible that spirits were introduced into the wine-growers' places. What he thought would be the proper course to adopt was that those places should be licensed, and that they should not only pay an annual license fee, but should be under proper supervision, the same as the publicans were. They should not be allowed to keep open on Sunday, but should close on that day the same as the licensed victuallers, and should be under the supervision of the police just as the publicans were. He thought their license fee should be £10 a year.

The PREMIER said he understood that the points raised in the discussion were that the growers of wine should have to take out a license the same as other wine-sellers; that there should not be wine licenses at all except to growers; and that wine-sellers, whether growers or otherwise, should not be allowed to sell on Sundays. With respect to the last proposition, he was inclined to agree with it. He did not see any reason why wine-growers should be allowed to sell on Sundays any more than publicans. That was pointed out on the second reading of the Bill, and he then noted it with the view of carrying it out. As to the paying of a license fee by wine-growers, he was disposed to agree with that also. With respect to the proposition that there should be no wine-shops at all as distinguished from public-houses, he did not agree with that suggestion. He believed that if the wine-shop system was carried out wisely it would tend to decrease drunkenness. That, he believed, would be the result in many cases; for encouraging the drinking of colonial wine, especially with water, instead of other drink, would have an influence for good rather than an influence for evil. If it turned out unsuccessful it could be altered, but he thought it was an experiment worthy to be tried. On two previous occasions the House had been of that opinion, and on those occasions he agreed with the proposition, and he was still inclined to think that it was a good thing. As to the other points, he should be glad when they came to another part of the Bill to amend it, so that no wine-shop should be allowed to sell wine, whether the proprietor was the wine-maker or not, unless it had a license; and that the wine-shops should all close on Sundays.

Mr. DONALDSON said that his objection was not to the selling of the wine, but to the abuses which were likely to arise, particularly in the country districts. He was certain that the police reports of the other colonies utterly condemned the practice of issuing licenses for the sale of wine alone, and he was confident that if the practice was continued here it would open the door to evasions of the Licensing Act. Another phase of the question was that the licensed victuallers had to pay very heavy license fees; and now they proposed to take one of the publican's privileges from him. Why should the publican have every kind of competition against him? Was it not their object to make him as respectable as possible? Why, then, should they license men to compete with him? It would be very unfair to have a wine-shop competing with a good and respectable public-house. His desire was not to see all the public-houses in the colony swept away, but to try and induce respectable people to keep them. He felt confident that if they passed the clause as it stood such abuses would take place that there would afterwards have to be an amendment of the law. He had no desire to take away the privilege of the wine-growers to sell their wine. Let them pay a fee, of course. But if others were allowed to take out wine licenses there would be something else than wine sold in their places.

Mr. ALAND said that a wine-shop, whether licensed or unlicensed, would be open to abuse. As for the publican, he had to pay a higher license fee, but it must be borne in mind that he had a larger range of articles which he might sell. A wine-grower could only sell colonial wine, whilst the licensed victualler could sell every kind of spirits manufactured, and had, of course, to pay a larger license fee for that privilege. He did not think the wine-shops would be so liable to abuse as the hon. member for Warrego supposed. They would be placed under the same supervision as the public-houses, and would be open for inspection the same as other licensed houses.

Mr. DONALDSON said the hon. member appeared to forget that the publicans had a great deal more to pay for than their licenses.

Mr. ALAND: So has the wine-seller.

Mr. DONALDSON said the wine-seller would only require a small room in which to sell his wine, whereas the publican was obliged by the Act to erect large premises and provide specified accommodation. He was referring now to cities. What he had said, however, was that in the country districts, if a wine license was taken out, it would not be wine alone that would be sold. That had been proved in the other colonies by the reports of the police. When they went into those places they saw the wine there, and they saw men drunk, and they were told that the men got drunk on colonial wine. The same thing would be said here if those licenses were permitted.

Mr. NORTON said he believed the wine-shops, if under proper supervision, were desirable. In a town like Brisbane, so far as the evil effects of drink were concerned, wine-shops would be preferable to public-houses, as the liquor supplied in them would not be so injurious. There was a good deal in what the hon. member for Warrego had said. It was in the case of wine-shops in the country districts, where they would not be under such close supervision, that the danger came in. There was another question—namely, as to the right which wine-growers now had to sell their own wine—and it was a serious question. He had not seen anything in this colony of which he could speak personally, but he had heard others complain of what was done in the other colonies, and of the great evils that arose from allowing wine-growers to retail their own wine on their premises. Some of those houses were more than a quarter of a mile from the road, and in many cases not only wine but other liquors were supplied. They were allowed to distil spirits to fortify their wine.

The PREMIER: They pay no license now.

Mr. NORTON said he knew that; but they ought to pay a license, and they should be prevented from retailing wine and selling spirits. He knew it was not allowed by the Act, but it was done for all that. He had himself bought spirits at such a place in New South Wales, and the persons made no secret of the practice but followed it openly. He intended to refer to a matter which he had referred to once before, when the Licensing Bill was before the House. That was in regard to private bars.

The PREMIER said he thought that was practically dealt with by providing that a licensed victualler need not, unless he thought fit, keep a bar. That matter was dealt with by the 68th clause. He remembered when the hon. member brought the matter up before—and there was a great deal in it, but the difficulty was that it was considered dangerous to allow that privilege. By providing that a licensed victualler need not open a public bar he thought they would really meet the case mentioned by the hon. gentleman.

Mr. NORTON said he had referred to it on the second reading of the Bill, and since then he had been looking over what took place before, when the Premier himself—who was then leader of the Opposition—pointed out that it would not be at all the same, because when the then Colonial Secretary (Mr. Palmer), when he (Mr. Norton) brought forward an amendment, suggested that it should be optional with the hotel-keeper to have a bar or not, if he chose, it was pointed out by the hon. member opposite that that would not do. This was what the hon. member then said:—

"If the amendment was a desirable one he did not think it ought to be rejected because it would involve a little extra trouble; and the Colonial Secretary might rely upon the assistance of the Committee to point out the further consequential amendments which would become necessary. The matter of two hours' trouble or less should not, considering the short time that the House had been in session, deter the Government from adopting a desirable amendment. He would point out some of the clauses applicable to private lodging-houses, which would have to be altered if no special provision was made for them. Clause 4 provided that the name must be painted up over the door; and, as a matter of fact, the inscription as prescribed would be incorrect, because these hotels would be licensed for lodgers only. Then the keepers of such houses must keep their lamps lighted, and must measure liquor in half-pints, and so on. If on a public highway—as the houses must nearly always be—the keeper, by clause 60, must provide for travellers, and must find forage and stabling accommodation for four horses at least. The Bill would be, in fact, dealing with two distinct and separate classes. The business of supplying drink and accommodation for all comers was a very different thing from the business of supplying liquors as food to lodgers living in the house and selected by the person keeping the house. Again, with reference to music, unless special provision was made, people living in a private boarding-house would not be allowed to have any music without first obtaining a special license. They would not even be allowed to play a game of cards together. The two things were, in fact, entirely distinct. The Committee generally approved of the proposition, and he hoped the Colonial Secretary would not be deterred by fear of a little extra trouble from accepting a most valuable amendment to the proposed law."

Those were some of the objections which the Premier—who was then leader of the Opposition—pointed out to the proposal which was now embodied in the Bill, and he thought what he had read was sufficient to show that it would not meet the whole case. The Premier himself was a very strong supporter of the amendment which he (Mr. Norton) proposed, and was prepared to do all he could to assist him if it was agreed to by the House. At the time the remarks which he had just read were made, the proposal was not accepted by the gentleman who had charge of the Bill, though it was accepted afterwards, as was also the proposal of the hon. member to grant grocers' licenses. He thought it was a desirable thing that a provision for granting licenses to private boarding-houses should be adopted, because if that measure became law it would in all probability be a long time before any further amendment was made in the licensing law. If the matter deserved any consideration at all, he thought the present was the time to deal with it. In saying so much on that question he must apologise for not having referred to it on the second reading of the Bill. He would have done so but he thought at the time that everything that he wanted would be sufficiently provided for in the Bill. He would ask the Premier, seeing that the hon. gentleman had previously expressed such a favourable opinion on the subject, to carry out the suggestion, and not be prevented from doing so because it would perhaps delay the Bill for two or three hours. It was not necessary for him (Mr. Norton) to tell the hon. gentleman the difficulties which were now experienced by the proprietors of private boarding-houses in the matter, because it was well known that there were times when they required to supply lodgers with liquor of some kind. Now the Committee had an opportunity of removing those difficulties, and he hoped the Premier would agree to do it.

The PREMIER said he remembered that he had changed his mind a good deal about some things under discussion at the time referred to by the hon. member. He (the Premier) was then in favour of a grocer's license, but he afterwards came to the conclusion that it would be a great mistake; and in the same way he had come to the conclusion that a lodging-house license would be a mistake. The idea of course was, that private lodging-houses where liquor was sold should not be under supervision. If they provided that there should be supervision, then there would be no distinction between them

and a public-house without a bar; and if there was no supervision, then all the possible evil attached to the sale of liquor was at once authorised. He dared say that they might trust a particularly respectable lodging-house keeper, but they made laws to catch the worst kind of people. Suppose they were to provide that licenses should be granted to eminently respectable persons at the discretion of the justices; in some parts of the colony that discretion might be very capriciously exercised. He thought it was was better not to make the suggested amendment.

Mr. NORTON said he could hardly follow the Premier as far as he went. It appeared to him that there was practically no supervision for places licensed to sell wine, except those in towns or in the vicinity of towns, and they would do just as much harm as would be done by private boarding-houses, if they were licensed. He did not think the granting of licenses to boarding-houses would lead to any abuses, but if it did that would lead to the cancellation of the license. For his part, he thought there should be supervision over all boarding-houses. In England, lodging-houses were under very strict supervision, and the keepers had to observe a number of regulations which would be considered very arbitrary if proposed in this colony.

Clause put and passed.

On clause 24, as follows :—

"No license under this Act shall be granted or transferred to, or held by, any of the following persons, that is to say :—

(*a*) A person holding office or employment under the Government;
(*b*) A constable or bailiff;
(*c*) A licensed auctioneer;
(*d*) A brewer or distiller;
(*e*) A wholesale spirit-dealer, or wholesale dealer in wine or beer;
(*f*) A person actually undergoing a sentence for any criminal offence.

"Nor shall any licensed victualler's or wine-seller's license be granted in respect of premises of which a constable or bailiff is the owner, or in which he is interested."

Mr. NORTON asked the Premier whether a married woman could hold a license under the Bill? He knew that in some cases—such as where her husband was incapacitated—a married woman was allowed to hold a license.

The PREMIER said there was nothing in the Bill specially prohibiting the granting of a license to married women, and he did not see why a married woman separated from her husband by a judicial or protection order should not be allowed to hold a license. There were, however, some instances in which a woman could not get a protection order, and there was nothing in the Bill to prohibit a woman in such a case from obtaining a license. It was just as well it should be so. Suppose a man was convicted of manslaughter, there was no reason why his wife should not be allowed to keep a public-house. He thought it was as well to let the matter stand as it was and leave it to the discretion of the justices.

Mr. NORTON said he quite agreed with the Premier that it should be so, but he was not sure that it was, and that was the reason he asked the question.

Mr. MACFARLANE said he would like to ask a question in reference to subsection (*a*), which provided that a person holding office or employment under the Government should not be allowed to hold a license. Did that include a Government contractor?

The PREMIER: No.

Mr. MACFARLANE said his reason for asking was, that he had known contractors doing work for the Government to hold a license for the sale of intoxicating drink. He thought it was a very pernicious practice, and that it would be better to exclude them, so as to make the Bill as perfect as possible.

The PREMIER said that would depend very much on the kind of contract. A publican might have a contract to supply brandy to a gaol; that would be a contract. He did not see how they were to draw the distinction. It was certainly very undesirable that a railway contractor should be licensed.

Mr. MACFARLANE said what he referred to were railway contractors. That was a very different thing from a contract for supplying spirits to a hospital.

Mr. NORTON said that with regard to married women, though they were not prohibited from having licenses, it was inferred that they should not, because it was provided that if the husband became insane the wife should hold the license. The 57th section provided that if she married the license was to go to her husband. The inference was that a married woman should not hold a license.

The PREMIER : I do not think so.

Mr. ANNEAR said he thought it was a very good suggestion the hon. member for Ipswich had made—that a railway contractor should be prohibited from holding a license; but other men who held contracts for large Government works should also be prohibited. He did not see why any exception should be made, by which a contract for public buildings costing £20,000 to £30,000 could be taken by a man keeping an hotel.

Mr. MACFARLANE said he would move the insertion of the words "or railway contractor" after the word "employment" in subclause (*a*).

Mr. FERGUSON said he could not see why any distinction should be made between a Government contractor and any other contractor—say, for example, a contractor for a divisional board or municipality. He knew that some contractors would not employ a man unless he was a good drinker, and often the bulk of his wages was spent in the public-house. If they excluded contractors they must exclude all contractors.

The HON. SIR T. MCILWRAITH said he wished the point made clear, whether there was any provision in the Bill that would prevent a married woman living with her husband from holding a license in her own name?

The PREMIER said there was no express provision to that effect. A married woman living with her husband should not be allowed to hold a license in her own name; and he supposed no licensing body would grant her a license unless the husband was insane or an invalid. He thought that was a matter which might be left to the discretion of the licensing bench. He had never heard of any abuse occurring in that respect. With regard to contractors, it was quite clear that any amendment of that kind must be much more restricted than the hon. member suggested. A man with a public-house in Brisbane might take a contract at Mackay. Of course it was undesirable that a railway contractor should have a public-house on his own contract, but if he wanted to evade that he would probably get one of his servants to keep the public-house, and the provisiom would not make very much difference. He did not see how they were to limit the definition of "contractor" to the case the hon. member desired to meet.

Mr. MACFARLANE said he would suggest the insertion of the words "or a contractor for public works" after the word "employment."

The PREMIER said it might be at the other end of the colony.

Mr. FERGUSON said that if a man had a public-house or a mortgage on one in Cooktown he was not eligible for a seat on the board in Brisbane, and why should not the same principle apply to a publican who had a contract at Cooktown and resided in Brisbane? He could see no difference between the two.

The PREMIER said the hon. member was under a misapprehension. The provisions about ownership of a public-house and being the mortgagee of a public-house only related to the district. A man might own a public-house in Cooktown and have a seat on the licensing board in Brisbane. There was no objection to that. Why should all publicans be debarred from holding public contracts? That was what the amendment would amount to. It was a serious disability to attach to a man. In the case of mail contractors many of them held licenses.

Mr. MACFARLANE moved, as an amendment, to insert the words "or a contractor for public works," after the word "employment," in paragraph (*a*).

The PREMIER pointed out that if the amendment was carried there would be so many persons the less capable of contracting for public works, with the result of a corresponding increase in the amount of the tenders when called for.

Mr. WAKEFIELD said it would be an improvement to the amendment to add to it the words "exceeding the sum of £5,000."

Mr. MACFARLANE said that when a man obtained a publican's license he was supposed to attend to his business, and not to be off his premises for more than a day or two at a time. If he became a contractor under the Government, and left someone else to look after his business while he looked after the contract, he was no longer the licensee of the house, and, according to the Act, could not hold it.

The PREMIER said a licensed victualler might be a partner in a contract, and if he had the smallest share in it he would be disqualified. A publican might have some very good timber on a selection, and he might have a contract to supply timber to the Government; he should not be disqualified on that account.

Mr. GROOM said he thought the hon. member for Ipswich was going a little too far in his amendment. In some of the country districts the mail contractors were publicans, and very useful men they were. One of the best pieces of work on the Main Range was done some twelve or eighteen months ago by a gentleman who held a license at Toowoomba, and he could see no reason why such a man should be debarred from taking up a Government contract. There was such a thing as over-legislation, and it struck him that the amendment of the hon. member had a tendency in that direction. It was going altogether beyond the scope of a Bill of that kind. If carried it would disqualify a number of useful men, and would be productive of great hardship. It would be wise on the part of the hon. member not to press his amendment.

Mr. KELLETT said he quite agreed with the remarks of the last speaker. Only the other day a small reservoir was required to be made in a country district, and nobody could be got to do it except a publican who lived not far off, and who carried out the work at a more satisfactory price than would otherwise have had to be paid. If publicans were debarred from contracting for public works, the only result would be an increase in the amount of tenders sent in.

Mr. DONALDSON said it frequently happened that publicans were contractors for works on stations, but they never induced their men to settle up at the public-house. He had never known any abuse to arise from the system. Men of energy ought to be encouraged, and if the amendment was carried it would disqualify many industrious and deserving men.

Mr. MACFARLANE said he did not want to over-legislate in any way, but there were many important reasons for moving the present amendment. Without mentioning names he would give an instance to show how necessary it was. A publican contracted for the erection of a very large building in Brisbane, and none but good drinking men could get employment under him. There were instances of that kind all over the colony. Of course he would not press his amendment if the sense of the Committee was against it.

Mr. FOOTE said the argument of the hon. member for Warrego did not apply. The amendment referred to Government contractors, not to contractors for work on stations.

The HON. SIR T. MCILWRAITH: What is the difference between a Government contractor and any other contractor so far as this is concerned?

Mr. FOOTE said it was not likely the Committee would interfere with the liberty of the subject with regard to contracts outside of the Government. At first he was inclined to think the amendment a good one, but he was now inclined to believe that it might press too heavily on the class to whom it was intended to apply, and such being the case he should recommend the hon. member to withdraw it. The term "contractor" was so wide that he did not see how it could be well defined in that particular case.

Mr. SALKIELD said the amendment was intended to apply mainly to railway contracts, not to contracts for carrying mails and other matters of that kind. He knew of cases where publicans had been interested in railway contracts, and where the men were expected to spend all their spare money in liquor, though not at the place where the contractor held a license. The amendment had evidently a very wide scope, and could be easily evaded. He knew of cases where persons did not themselves hold licenses, but had transferred them simply in name to someone else, who carried on the business for them; and those were the kind of licenses granted to houses in which workmen were induced to spend their money.

Mr. KELLETT said he could quite understand what the hon. member for Ipswich had said about some contractors not employing men unless they were good drinkers. His experience was that the good workmen were the men who took a little liquor. After work it did them good and refreshed them for their next day's labour. They were men with a great deal more stamina, and who did a great deal more work, than the non-drinkers. Of that he was perfectly satisfied, and that had been his own experience. He seldom met a good tradesman who was a teetotaller, and every employer of labour would bear him out in that.

Mr. FERGUSON said he could not agree with the hon. member for Stanley in saying that the best drinkers were the best workmen. The object of the amendment was, no doubt, a very good one if it could be carried out; but in a great many cases one or two contractors in a district carried everything before them, and no one could compete with them—such was the power they exercised over the men in their employ. As a rule, the men lived in the

contractor's house, which was a public-house, and they were expected to spend all their spare wages in drink. That class of contractor simply monopolised the contracts of the district. With regard to the statement that the man who drank was the best worker, that was quite a mistake. He had always found that the man who wanted two or three drinks during his work was perfectly useless. He could drink in his own house if he wished; but he must come to his work sober, or he was of no use whatever.

Mr. MACFARLANE said he had a word to say to the hon. member for Stanley. The hon. member must have kept very bad company all his life, for he (Mr. Macfarlane) had never heard such statements coming from an employer of labour before. He had even noticed that the publicans themselves advertised for men who did not drink. After the expression of opinion he had obtained from the Committee he would withdraw his amendment, as he did not wish to detain the Committee unnecessarily long.

Mr. NORTON said he was glad the hon. member proposed to withdraw his amendment, because he did not see why publicans should be looked upon as black sheep and treated in such an exceptional way all through the Bill. He did not think it was necessary to treat them in a harsher way than any other class of men. He did not mean to say that proper restrictions should not be imposed upon publicans, but he would not go beyond that. It was desirable that restrictions should be imposed upon them, but they should be treated like men as well as anybody else.

Mr. CHUBB asked whether poundkeepers should not be excluded from holding licenses? It appeared to him that it was very undesirable that they should be allowed to do so.

The PREMIER said it was very difficult indeed to get poundkeepers at all, and they would have still more difficulty if they excluded them from holding licenses.

Clause put and passed.

On clause 25, as follows:—

"No licensed victualler's license shall be granted for any premises within a municipality, or in any place distant less than five miles from the boundaries of a municipality, which do not, at and after the time of applying for the same, contain, in addition to and exclusive of such reasonable accommodation for the family and servants of the proposed licensee as the licensing authority may think necessary, at least three sitting-rooms of moderate size and six sleeping-rooms of which none contains less than seven hundred cubic feet or is less than nine feet high, constantly ready and fit for public accommodation, as well as a bar for the public convenience; nor unless there are attached to such premises privies and urinals in accordance in all respects with the requirements of the Health Act of 1884, and the by-laws of the local authority having jurisdiction within the district in which such premises are situated; or, if the provisions of the said Act are not applicable, then unless they are in conformity with regulations; or, if no regulations are in force, unless such premises are provided with proper places of convenience for the use of the customers, so as to prevent nuisances and offences against decency."

The PREMIER said the clause contained a provision that every house should contain a bar for public convenience. That, of course, was a slip, because section 68 provided that publicans need not keep a bar if it did not suit them. A nice point arose whether a bar should be kept at the discretion entirely of the licensee or at the discretion of the bench; but on the whole he thought it would be better to leave it to the publican, only requiring that he should say in his application whether he intended to keep a bar or not. He proposed, therefore, to leave out the words "as well as a bar for the public convenience."

Mr. DONALDSON said before that amendment was put he should like to invite some discussion upon the number of rooms a licensed house should contain. Small houses should not be allowed to compete with a better class of houses. They should try to make the houses as high-class as possible, and in fact that was the object of the Bill. The inference was that if a landlord had a good house he would conduct it well, and it was not fair that he should have small shanties entering into competition with him. The number of rooms should certainly be increased—the sleeping-rooms at all events. A publican who kept a house containing only six sleeping-rooms would, in all probability, keep it simply for drinking purposes. Those were the class of men among the publicans who were the most objectionable; and they never heard of a publican who kept a commodious house for the benefit of travellers getting into any trouble whatever. The hotels in Brisbane where travellers stayed were respectable and well conducted, and he was certain that no complaint was ever made against them on account of any infringement of the Licensing Act. On the other hand, if a person walked about the streets he would find places where no persons lived at all—at least very few—and which were a perfect disgrace to the city. During the late hours—and not unreasonably late either — drunken men were frequently to be seen in those houses; there was one in particular where he had seen drunken men at all times during the evening, and they stayed long after the house should be closed up. Those were houses where there was not the necessary accommodation, and he really believed that the only remedy to prevent nuisances of that kind was to increase the accommodation. He should like to hear some discussion on the matter.

Mr. FERGUSON said there was no doubt that that would apply to some parts of the colony. But in other parts what would be the good of having a large hotel; take a place like Gladstone for instance? If there were more rooms, not a soul would occupy them. The number of rooms was quite sufficient, and if it were increased it would put the owner to a great deal of unnecessary expense. He did not know whether the Bill would apply to houses already built, and whether the owners would have to increase the accommodation if it passed.

The PREMIER: The 27th section provides for that.

Mr. FERGUSON said the number of rooms was quite sufficient. If a man knew that his hotel would do a sufficient trade he would add more rooms. He would build according to the population. In Brisbane, for instance, a man might want fifty rooms; but why should he be compelled to build more than were necessary in places like Blackall or Gladstone?

The PREMIER said that when the Bill was being framed he did not think the colony was in a condition to justify the classification of the different towns for the purpose of describing the accommodation to be provided. The clause applied to municipalities and places within a distance of five miles from them. There were many places within that distance of Brisbane where the number stated would be quite enough. If it were attempted to require accommodation according to the population of municipalities the same difficulty would arise. The work of classifying houses in that way might very well be left to the licensing benches. During the last few years the licensing benches had shown that they might be trusted with that power. They did not grant licenses indiscriminately; he had never heard complaints of their granting them unduly; in

fact he had heard complaints, which, however, he thought, were not well founded, that they had refused them too frequently.

Mr. CHUBB said there was one matter he would refer to, and that was whether the sleeping-rooms were to be occupied by more than one person in each, which was very objectionable. Of course there were some cases where it could hardly be avoided, and that might make a difference.

The PREMIER said he remembered one occasion upon which he and his hon. colleague the Minister for Works were very glad to occupy one room, which did not contain much more than 300 cubic feet. But they were thankful for what hey could get.

Mr. SALKELD said he thought the size of the rooms should be increased from 700 cubic feet to 800 or 900 cubic feet. That would be a great improvement, as 700 cubic feet was very small.

Mr. NORTON said that he agreed with what had fallen from the hon. member for Rockhampton. There were small municipalities and large ones, and in some places he did not think there would be any use for an hotel with more than six sleeping-rooms. A man would be compelled to put up accommodation which was unnecessary, except on very rare occasions. He would advise the hon. member for Rockhampton to be careful how he spoke of Gladstone. So far as the size of the rooms was concerned, they could, of course, insist upon any size they liked. He did not see how they could insist upon a publican not putting more than one person in the same room if he chose. Of course, a man would rather share a room with another than camp out on a wet night.

Mr. SALKELD moved that the word "eight" be substituted for the word "seven" in the 41st line.

Mr. ISAMBERT said it was evident that it was rather difficult to lay down any hard-and-fast lines as to the number of rooms that might be required. A certain number might do in one place that would not be sufficient in another. It was also objectionable to give to licensing benches too great powers. There ought to be some recognised limit to the power given to them so that publicans might know what was laid down by law—what licensing benches could insist on. He had heard great complaints in town that although places had ample accommodation, according to the Licensing Act, still the licensing benches had made great difficulties about granting licenses. He thought difficulties of that kind might be got over by permitting by-laws to be made, which should receive the sanction of the Governor in Council, similar to those under the Building Act. By that Act municipal councils had power to declare certain blocks of land first-class property, and only buildings of certain material could be erected upon them. In the same way it could be laid down what were understood to be first, second, and third class public-houses, and the licensing benches might then decide under which description a public-house came. The licensing bench would then know their own powers, and so would publicans who were erecting buildings.

Amendment—omitting "seven" and inserting "eight"—agreed to.

The clause was further amended by omitting the words "as well as a bar for the public convenience," and agreed to.

On clause 26, as follows :—

"No licensed victualler's license shall be granted for any premises outside the boundaries of any municipality, and distant more than five miles from the boundaries thereof, which do not, at and after the time of applying for the same, contain, in addition to and exclusive of such reasonable accommodation for the family and servants of the proposed licensee as the licensing authority may think necessary, at least two sitting-rooms of moderate size, and four sleeping-rooms of moderate size, constantly ready and fit for public accommodation, as well as a bar for public convenience; nor unless there are attached to such premises privies and urinals in accordance in all respects with the requirements of the Health Act of 1884 and the by-laws of the local authority having jurisdiction within the district in which such premises are situated; or, if the provisions of the said Act are not applicable, then unless they are in conformity with the regulations; or, if no regulations are in force, unless such premises are provided with proper places of convenience for the use of the customers, so as to prevent nuisances and offences against decency; nor unless there is attached to such premises stabling sufficient for four horses at least, with an adequate supply of wholesome forage."

The PREMIER said there was no reference to the cubic contents of bedrooms in country districts, and he thought that was desirable. Public-houses in country districts were not always of a permanent character. They all knew that small townships sometimes sprung up, lasted a couple of years, and then disappeared. He thought it would be unreasonable to require the accommodation in country places to be the same as in towns. He moved that the words "as well as a bar for public convenience," in line 11, be omitted.

Amendment put and passed.

Mr. SALKELD said there ought to be a minimum fixed with regard to the size of bedrooms in country public-houses as well as those in towns. None of them ought to be less than 800 cubic feet. He therefore proposed to move as an amendment that the words "of moderate size," after "sleeping-rooms," be omitted, with the view of inserting——

The CHAIRMAN said it was too late for the hon. member to move that amendment, an amendment in a subsequent part of the clause having been passed.

Mr. KELLETT said he understood from the Premier just now that he approved of some amendment of the kind.

The PREMIER said the hon. gentleman misunderstood him. He had pointed out reasons why such a provision was not necessary.

Mr. SALKELD said he had not caught what the hon. gentleman said, and thought he had left it an open question.

Mr. FERGUSON said he did not think there was any great necessity for the amendment that the hon. member suggested. No public-house in the country was likely to have rooms smaller than 10 feet by 8 feet, and 10 feet high. That gave 800 cubic feet, and very few rooms would be less than that. It should also be remembered that country public-houses were often of a temporary character, and generally there was plenty of ventilation; the wind blew in from all directions.

Mr. SALKELD moved that after "public accommodation" the words "of which none contain less than 800 cubic feet" be inserted.

The PREMIER said he hoped the hon. gentleman would not press the amendment. He (the Premier) had pointed out that in the country districts it was almost impossible to lay down a hard-and-fast line. Some public-houses in those places were of a very temporary character, being intended to last for, perhaps, no more than a year or two—for instance, places that were erected at a temporary railway terminus. He thought it was not worth while to make the amendment.

Mr. NORTON said that so far as country accommodation was concerned there was very little necessity for the amendment, because generally the rooms were too well ventilated—too

much breeze came in from all quarters. But, for all that, there was something in the amendment, because some houses might be within five miles of a municipality—such as Brisbane—and might be built of brick. They would come within the scope of the clause. There was, therefore, more in the amendment than appeared at first sight.

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

On clause 27—"Exception as to accommodation in premises already licensed"—

The PREMIER moved the addition after the word "sections," in the 1st line of the clause, of the words "contained relating to the number and size of rooms." There were other provisions in those sections relating to outhouses, which were very important; and they ought to apply to existing houses as well as those licensed in future. With respect to those which already had licenses, but had a certain number of rooms not large enough, he did not think that ought to be an absolute reason for refusing to renew the license.

Amendment agreed to, and clause passed with verbal amendments.

On clause 28—"Notices to be given by applicant for new license"—

The PREMIER said that, to make the phraseology of the clause correspond with that of clause 29, he would move that the words "applying for a license" be substituted for the words "he applies at the quarterly or monthly meeting of the licensing authority," in lines 31 and 32.

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

On clause 29, as follows:—

"1. A licensed victualler desirous of obtaining a renewal of his license shall, at least fourteen days before applying for such renewal, deliver to the clerk of petty sessions a notice in writing, and in duplicate, signed by him, and as nearly as may be in the second form in the fourth schedule to this Act.

"2. An applicant having delivered the notice required by this Act, shall be entitled as of course to a certificate for the renewal of his license, unless it is shown to the licensing authority either—

(*a*) That the applicant has become disqualified from holding, or is unfit to hold, a license under this Act; or

(*b*) That the premises in respect of which he holds a license have ceased to fulfil the conditions prescribed by this Act; or

(*c*) That the house is no longer necessary.

"3. It shall not be necessary for an applicant for the renewal of a license to publish any notice, or to attend at the hearing of his application, unless he is summoned by the licensing authority so to do, or unless notice of objection to a renewal of his license has been duly served upon him.

"4. Applications for the renewal of licenses shall be made to the licensing authority, at the quarterly meeting held in the month of April, unless special monthly meetings have been directed to be held as hereinbefore provided, in which case such application may be made at either of the meetings appointed to be held in the months of April, May, and June, at the option of the applicant."

The HON. SIR T. MCILWRAITH said the clause provided that a license should be granted if any of the three things mentioned in paragraphs (*a*), (*b*), and (*c*) had not happened. Did that provide sufficiently for the local option clauses being carried into effect?

The PREMIER said the clause had been drawn up without any reference to the local option clauses, and that the local option clauses would override the whole of the licensing provisions. When the first local option resolution—that the sale of intoxicating liquors should be prohibited—was adopted by the ratepayers in any area, the sale of liquor would be prohibited from the 30th June next ensuing. If the second resolution was adopted it would be the duty of the licensing board of the district to restrict the number of licenses in accordance with the number specified.

The HON. SIR T. MCILWRAITH said that clause 29 prescribed that licenses should be granted under certain circumstances. Should not the clause be amended so as to be consistent with the local option clauses?

The PREMIER said that practically the question would not be raised, but it might be convenient to insert a few words as the hon. member suggested.

The HON. SIR T. MCILWRAITH said he thought the alteration proposed to be made in subsection (*b*) was to be made with that intention.

The PREMIER said that had not been the intention at all.

Mr. FERGUSON said, supposing a man had leased a piece of land and erected on it a house for which he got a publican's license, and the licensing board took it into their heads afterwards that his house was not necessary, would the board have the power to take his license away?

Mr. JESSOP said the hon. member had taken words out of his mouth. It would be a great injustice to the owner of the property if the licensing board could say, "We will not have this house licensed." If a man was making his living by a public-house in a respectable way, and in accordance with the law, no licensing board should have the power to take his license away.

Mr. SALKELD said the hon. member for Dalby appeared to assume that a public-house which had a license for twelve months had a right to a license for all time. The licensing laws had never recognised that, and he trusted they never would. Public-houses should only be licensed for twelve months at a time.

Mr. JESSOP said that if a man took out a license for a house and carried it on for twelve months to the satisfaction of the police and the licensing board, and all interested in the matter, it would be unfair if the board could step in and say, "You shall not have a license again." A publican had a right to the renewal of his license under such circumstances. It would be an injustice to take that right away from him, and he (Mr. Jessop) should therefore like to see the clause struck out.

Mr. SMYTH said there was another way of looking at it. There were publicans in Brisbane who had paid £5,000 or £6,000 for the goodwill of a house. It would be rather hard on them, after having paid so much for the goodwill, to have to go out in five or six years simply because the licensing board might take it into their heads that the houses were not required. Provision should be made that in the case of the renewal of a license being refused the hotel-keeper should have the power of appealing to some other authority—either to the Minister or somebody else.

Mr. MACFARLANE said there was another way of looking at it. Hon. members should remember that the public-houses were for the accommodation of the public. By remembering that one thing they got rid of the whole difficulty. The public-houses were for the public, not for the publicans.

Mr. FERGUSON said there was another way of looking at it. Supposing a publican leased a piece of land for fifteen years and built a house upon it. Of course, at the termination of the lease all the improve-

ments would go to the owner of the land. The publican only got the value of the lease while his business was being conducted on the land. But supposing that in the middle of his lease, or after a year or two, and although he had complied with all the provisions of the Act, the board took it into their head that his house was not required, and refused a renewal of his license, then an injustice would be done. He did not say that was likely to be done; still it was possible that the board might not like the man, or might have something against him, and would not grant his license. That man would then be ruined straight off, and all the property would go to the owner of the land.

Mr. NORTON said there was yet another way of looking at it. A board might encourage a man to put up a hotel and grant him a license, but before the first twelve months were over the members of the board might be changed and former members might be replaced by others who had very strong objections to the selling of liquor at all, and who might take the license away from the man. The same board that granted the license might also decide a short time afterwards that the house was not necessary, and the license would therefore be cancelled. There might be very hard cases under that rule.

The PREMIER said the principle that a public-house, once established, was to be there for ever had never been recognised in the colony, and he hoped it never would. The principal cause for the licensing board refusing licenses would be because houses were unfit.

Mr. NORTON; Unfit and unnecessary too.

The PREMIER said that both reasons were included in the clause. He was sure there was plenty of justification for that provision, for they saw whole rows of public-houses almost standing side by side. Many of those houses were unnecessary, and ought not to exist. They were not in the interests of the publicans themselves or of anybody else. And what was the use of licensing boards if they could not be trusted with authority like that contained in the clause? If the clause was to be amended in the direction suggested, it would be better to leave it out altogether. The hon. member's proposal would confer a vested right upon the applicant in certain cases, and he was certainly not prepared to agree to that.

Mr. NORTON said it was not necessary to go as far as that. There might be cases where an appeal might be granted. There should not, he thought, be a vested right created, but an appeal might be allowed in certain cases, and even compensation might be allowed where a case was shown to be a very hard one.

Mr. McMASTER said the action of the licensing boards, particularly of Brisbane, had proved that they did not stop licenses because they were unnecessary, but, as a rule, because the premises were unfit. It had been the rule for the board to give an applicant twelve months' notice in which to put up a better house, or else he would not get a renewal of his license. A number of licenses had been stopped in Brisbane during the last few years because the premises were unfit for the accommodation of the public. Where provisional licenses had been granted, the licensing board gave a guarantee that if the house was built in accordance with the plans submitted to them the applicant would get a license. In cases where a house was condemned, the applicant for a license was given twelve months' notice in which to erect a suitable house. If he failed to do so the license was stopped. So far he did not think the licensing board had inflicted any hardship on any of the publicans.

Mr. NORTON said he thought the hon. member was mistaken when he said twelve months' notice was given in all cases. There was the case of the house opposite Finney, Isles, and Company's place—twelve months' notice was not given in that case.

Mr. McMASTER said that in that case the twelve months' notice was given, but in the meantime the holder of the license sold out, and the incoming proprietor wanted to say that he had not got twelve months' notice. There was twelve months' notice given in which to erect a suitable house, but it was well known that the original owner would never erect a suitable building there.

Mr. JESSOP said the hon. member was mixing up the words "unfit" and "unnecessary." The clause gave the board power to say that a house was unnecessary, but he held that the owner of the house or the licensee was the proper person to decide that. What right had they to interfere, for instance, with a grocer or draper, and say he should not open a business in Stanley street, because there were plenty of grocers or drapers there already? If a man conducted his house or business on proper principles they had no business to say whether it was unnecessary or not. It might be necessary for the publican, and not for the people, but that was his affair. He hoped the Premier would strike out that provision.

The PREMIER: I shall certainly not do that.

The HON. SIR T. McILWRAITH said that the clause, instead of interfering with any vested interests of the publicans, rather created a vested interest whilst there was none at the present time. Now the justices could take away a license without giving any reason at all; but the effect of the clause was that, except for certain three reasons mentioned, they could not take away a license; so that it was actually better than the law as it was at the present time.

Mr. WAKEFIELD said he thought the clause was necessary, but there were hardships under it which could not well be legislated for, because they could not legislate for individual cases. He could mention one case of hardship under the clause. There was a house in Stanley street, South Brisbane, which had been licensed for about eighteen years. A new house had lately been built nearly opposite it—the Palace Hotel—and the owner of the house he had referred to—the Victoria Bridge Hotel—received notice that in twelve months the house would not be licensed again. He submitted plans of a new building to cost £4,000, and even then he could not get a license for a new house, the reason given being that a new house had been built directly opposite.

Mr. McMASTER said he could put the hon. member for Moreton right in respect to that case. The house had got a license, and had a provisional license now; and when the proposed new building was finished the proprietor would get the present license transferred to it. He had got twelve months' notice to put up a new building or he would not get a renewal of his license, and he had first submitted a very inferior plan to the licensing board. The plan submitted by the owner was rejected twice by the licensing board, and when a proper plan was submitted to the board a provisional license was granted.

Mr. JESSOP said they were getting back to the old argument as to the fitness of a house. He would suggest to the hon. member for Fortitude Valley and the hon. member for Moreton that there were other places in the colony besides Fortitude Valley. There were places hundreds of

miles from here which they must legislate for as well as for Fortitude Valley. He considered it was a great injustice to the owner of a house to take away a license from him because it might get into the heads of the licensing board that the house was not wanted. They might be taking a man's living away from him and ruining him. The hon. member for Fortitude Valley had mentioned one or two cases where plans had been submitted to the licensing board and provisional licenses granted, but the present was not a case of provisional licenses being granted at all. It was simply permitting the licensing board to say that a certain house was no longer necessary, to the great loss perhaps of the proprietor. Fifty or one hundred miles from here there were plenty of places where influence might be brought to bear upon the licensing board to induce them to say that a certain house was not wanted, and they might then be enabled to take a man's living out of his hands. He thought it necessary that subsection (*c*) of the clause should be omitted, and, as the Premier did not seem to see his way clear to omit it, he would move that it be omitted.

Mr. DONALDSON said the licensing board should have that privilege. They should certainly have the right of refusing a license to any house which they thought was unnecessary in a district. They might be supposed to be possessed of common sense, and they might be trusted to use their discretion wisely. There were many country places in which one or two houses would be quite sufficient. It might happen in some cases that persons of inferior character would put up inferior houses with the intention of entering into competition with respectable publicans, and it was necessary that the board should have the discretion to say whether licenses should be granted to those persons or not. The board would no doubt use their powers wisely.

Mr. FERGUSON asked whether there was any appeal from the licensing authority?

The PREMIER said there was no appeal under that section. The only appeal it was proposed to give was on the refusal of an application on the ground set forth in the 7th subsection of clause 41—that the conditions prescribed by that Bill, or any of them, had not been complied with.

Mr. JESSOP said that, with the permission of the Committee, he would withdraw his amendment.

Amendment, by leave, withdrawn.

The PREMIER moved that the following words be inserted at the end of paragraph 2, namely—"or unless the licensing authority is otherwise required by Part VI. of this Act to refuse the renewal of a license."

Amendment put and passed

The PREMIER moved that all the words after the word "April" in the 3rd line of the 4th paragraph be omitted.

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

On clause 30, as follows :—

"When an applicant for a licensed victualler's license, or for the renewal of a licensed victualler's license, desires to keep open in his licensed premises more than one bar or counter for the sale of liquor, he shall state that fact in his application, and shall specify the situation of each bar or counter so proposed to be kept open, and it shall be in the discretion of the licensing authority to grant or refuse permission to keep a second bar or counter."

The PREMIER said it was desirable that an applicant should state whether he was going to keep a bar, and he therefore moved that after the word "liquor," in the 3rd line, there be inserted the following: "or proposes not to keep open any such bar or counter."

Mr. NORTON asked what was the object of compelling a man to specify where his bar was to be?

The PREMIER said that was necessary, because in clause 68 it was provided that the licensing board was to approve of the place where the bar were situated. The bar must not be in a garret, or on the third floor at the back of the house.

Mr. JESSOP said he thought that when a man had a license to sell liquor he should be allowed to sell it wherever he liked. He did not see that there was anything wrong in having a bar on every story. In the very large hotels, such as existed in other towns, it would be impossible to confine a man to one or two bars.

The PREMIER said the clause provided the very thing the hon. member wanted; it provided that a man might have more than one bar.

Mr. JESSOP: But he must mention it in his application.

The PREMIER said it was clause 68 that proposed to limit the number; and if two were too few they might increase it to three. It was important to know where the bars were to be.

Mr. JESSOP: The customers would find that out.

Mr. NORTON said he did not see the object of the amendment. If a man did not want to keep a bar, he should be allowed to close it at any time.

Mr. BAILEY said many people thought that those bars out of sight of the street were not exactly the evil places some hon. members imagined. He himself was very fond of seeing a game of billiards, though he did not play himself, and there was one hotel he frequently went to where a number of gentlemen met to play billiards and pool. At the private bar upstairs close to the billiard-room, where one man drank a glass of grog, three men drank beef-tea or coffee. There was always beef-tea ready for them, and they preferred that or coffee to the grog sold downstairs. It was a great accommodation to people who wanted a quiet game, to have a bar handy where they could have a cup of coffee, or beef-tea, or a glass of whisky if they liked. Men who played billiards were not, as a rule, men who drank.

The PREMIER said he did not care about the amendment, and would withdraw it. He saw no reason why a licensed victualler should not close his bar if he liked.

Amendment, by leave, withdrawn.

Mr. NORTON said he would like to know whether the little loopholes in the passage where people were served would be considered separate bars?

The PREMIER said they all opened into one bar, and would be considered part of it.

Mr. McMASTER said he might state that the licensing board last year made a visitation at an hour when the publicans least expected them, and they came to the conclusion that the bars upstairs were simply snares for young people. They did not come across the beef-tea or coffee the hon. member for Wide Bay spoke of, though they found the young men playing billiards. In one house the entrance was shown to as that to the office of "John Smith, broker," so that it did not appear to belong to the hotel at all. The licensing board made a very close inspection, and they went so far as to speak of making a suggestion, when the Bill was being drafted, that upstairs bars should not be allowed. They did not object to three or four bars on the lower floor, but they thought upstairs bars were undesirable.

Mr. BAILEY said he was very sorry that the licensing board should have degenerated into a Paul Pry. He pleaded guilty to having been a frequenter of one of those bars, but he never saw what the hon. gentleman had spoken of. He had seen gentlemanly young men there who wished to enjoy a game of billiards privately and not on the ground floor amongst all sorts of people. He had never seen any impropriety going on. He thought hon. members were getting too prudish and nice. Let people enjoy themselves a little bit if they wanted to, and do not let there be an everlasting Sabbath every day and night in the week. They were getting almost a set of Puritans in the House now, and no man was to have the right to enjoy himself, lest he should abuse his liberty. He did not see any objection to a billiard-room away from the sight of the street, where people could get a glass of whisky or a cup of coffee without every passer-by seeing what they had and how often they had it.

Clause put and passed.

Clause 31 was passed, with a verbal amendment.

Clause 32—"Removal of license"—passed, with a consequential and a verbal amendment.

On clause 33—"Provisional certificate"—

The PREMIER said the only change from the present scheme of issuing provisional certificates was that under the present law the person intending to build the house must be the applicant for the license, whereas, by the Bill a landlord might get permission to build the house without intending to be the applicant for the license, and when he found a suitable tenant that person would be the applicant for the license.

Clause passed, with a consequential amendment.

On the motion of the PREMIER, the CHAIRMAN left the chair, reported progress, and obtained leave to sit again to-morrow.

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