

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 22 OCTOBER 1885

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LEGISLATIVE ASSEMBLY.

Thursday, 22 October, 1885.

Question.—Question without Notice.—Federal Council (Adopting) Bill.—Formal Motion.—South Brisbane Gas Company Bill.—Additional Sitting Day.—Fortitude Valley Railway.—Friendly Societies Act Amendment Bill.—Wharf Line Extension Mackay Railway.—Justices Bill.—second reading.—Supply.—resumption of committee.—Adjournment.

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

QUESTION.

Mr. FERGUSON asked the Colonial Secretary—

1. What amount of money was subscribed by the public to the Brisbane Hospital for the financial year of 1884?
2. The amount received from public subscriptions?
3. The amount received from pay patients?
4. What amount was paid by the Government in the same year to the Brisbane Hospital, stating the purpose the money was given for?

The COLONIAL SECRETARY (Hon. S. W. Griffith) replied—

1. (Including pay patients) ...	£2,960	2	4
2. ...	2,840	8	10
3. ...	119	13	6
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4. For building ...	£232	5	10
Lock ward ...	825	9	2
Maintenance of general hospital 5,620	7	8	
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Total ...	£6,759	12	8

QUESTION WITHOUT NOTICE.

Mr. HAMILTON said: Mr. Speaker,—I wish to ask the Colonial Secretary, without notice, if it is true that the Humpybong and Sandgate committee have been granted the use of the steamer "Otter"; and if so, whether they are allowed to charge for admission on board? I notice by advertisement that they intend to do so, but I always understood that the people to whom a Government steamer is lent are not allowed to make any charge for admission.

The COLONIAL SECRETARY: If the hon. gentleman will give notice of the question I will get the information he requires.

FEDERAL COUNCIL (ADOPTING)
BILL.

On the motion of the PREMIER (Hon. S. W. Griffith), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. ALAND (for Mr. Buckland)—

That there be laid on the table of the House—

1. A return of all papers and correspondence in connection with the errors in survey of portion 7, parish of Mackenzie, showing the area deficient in the original survey of same.

2. The amount of compensation, if any, offered to the present freeholder, Mr. Thomas Armstrong.

SOUTH BRISBANE GAS COMPANY
BILL.

Mr. CHUBB moved—

That leave be given to introduce a Bill to enable the South Brisbane Gas and Light Company, Limited, incorporated under the provisions of the Companies Act, 1863, to light with gas the city of Brisbane and its suburbs, and for other purposes therein mentioned.

Question put and passed.

The Bill was presented, read a first time, and ordered to be printed.

ADDITIONAL SITTING DAY.

The PREMIER, in moving—

That this House at its rising to-morrow do adjourn till Monday, the 26th instant, at 3 p.m., and that Government business do take precedence on that day—

said: Mr. Speaker,—It has always been usual towards the close of the session to ask for Monday sittings. I have received from hon. members on both sides of the House expressions of their wish that the session may be brought to a close as early as possible; and considering the state of the business now, and that in the present state of the country it is desirable that many members should be able to return home to attend to their own affairs I think it is a reasonable thing to ask the House to take an additional sitting day—next week at any rate. I am in hopes that if we sit on Monday the greater part of the business will be concluded, as far as this House is concerned, by the end of next week; and in making this proposition for an additional sitting day I think the Government are consulting the convenience of hon. members on both sides of the House.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—I will gladly assist the Government to make a House on Monday for the purpose of forwarding the business of the country, and I made this question "not formal" in order that we may understand fairly from the Government what they intend to do. There is, for instance, on the paper an important Bill of between 250 and 260 clauses which repeals about twenty Acts of Parliament. That matter of itself will take a great deal more time than the hon. gentleman has indicated as being likely to be required to complete the business of the session. I do not think that any member of this House has read that Bill, and I do not see the slightest possibility of its being taken into consideration by the House this session. I want to know what the Government intend to do with regard to that Bill? If they propose to go on with it, then the session will be a great deal longer than they anticipate. It is not fair to ask this House to sit five days a week if the Government bring in new matters of such a formidable kind at this period of the session. On the condition that this matter is not proceeded with, I am quite willing to sit on Mondays.

The PREMIER said: Mr. Speaker,—I am very sorry indeed to hear what the hon. member has said about the Justices Bill, and I hope that on reconsideration he will not adhere to the views he has expressed. It is a Bill which, if opposed or discussed a great deal, cannot be passed; but it

is one of those measures which can be passed in a very short time in almost any session; it must be taken to a certain extent on trust after a fair explanation of what is the character of the Bill. Of course I recognise at once that if it is to be discussed in detail it would be idle to attempt to do anything with it this session, but I may take this opportunity of stating that the Bill is mainly, almost entirely, a consolidation and simplification of the existing law. The changes that are made in the law are few in number, but some of them are of great importance, and of such a character as to commend themselves to everybody to whom they have been submitted. The Bill was originally framed by the late Chief Justice, Sir James Cockle, before he left for Europe. He left it in my hands, and it has been lying in abeyance for some time, and, after being revised and the language modernised, it has been submitted to the keenest scrutiny. I notice that it has been read by a great many laymen as well as lawyers, and every layman who has read it has said that it is so constructed that there is not the slightest difficulty in its being understood, and that it will be of enormous benefit to justices of the peace in the performance of their duty. Under these circumstances the Government hope that it may be passed this session. If there is a desire to pass it we propose to give a portion of Monday's sitting for that purpose. But if there is to be a long discussion upon it there will be an end of it this session.

The Hon. J. M. MACROSSAN said: Mr. Speaker,—I fancy the hon. gentleman has made a mistake in not introducing the Bill—which he described as having been so long drawn up—earlier in the session. Why was it not introduced at the very beginning of the session, instead of being kept back until nobody has time to peruse it? I should be much inclined to take the Bill on trust, but really I think we have trusted too much to lawyers in this House already. It is not a safe thing to do, although the Justices Bill is in the main a lawyers' Bill. Question put and passed.

FORTITUDE VALLEY RAILWAY.

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

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole to consider the following resolutions, namely:—

1. That the House approves of the plan, section, and book of reference of the proposed extension from Brisbane Terminal Station through Fortitude Valley to Bowen Hills, on the Sandgate Railway, as laid upon the table of the House on Tuesday, the 20th instant.

2. That the plan, section, and book of reference be forwarded to the Legislative Council for their approval, by message in the usual form.

Question put and passed.

The MINISTER FOR WORKS, in moving—

1. That the House approves of the plan, section, and book of reference of the proposed extension from the Brisbane Terminal Station through Fortitude Valley to Bowen Hills, on the Sandgate Railway, as laid upon the table of the House on Tuesday, the 20th instant.

2. That the plan, section, and book of reference be forwarded to the Legislative Council for their approval, by message in the usual form.

—said that hon. members would observe, from the plans which had been on the table for some days, the direction which that extension would take:—

"The route selected crosses Albert and Turbot streets near their intersection; it is proposed to direct these streets to a new street and over-bridge between the Lady Bowen Hospital and the School of Arts. The line passes at the rear of those buildings and crosses under Edward street, which will require to be raised 4 feet into the Upper Reserve for National School between Wickham terrace and Ann street about one chain from the latter street. Here it is proposed to build the city station at a level nearly

corresponding to that of Ann street. The principal approach to the station will be by means of a new street $1\frac{1}{2}$ chains wide, between Adelaide and Ann streets, passing over the site of the present building for girls in the Normal School square. The gradient of this street will be 1 in 16, as compared with 1 in 11, and 1 in 10 by Edward and Creek streets respectively.

Immediately beyond the city station the line will be conveyed by means of a tunnel $36\frac{1}{2}$ chains in length under the following streets—namely, Creek street, Wickham terrace, Wharf, Bowen, Raft, Boundary, and Warren streets. The line will then run in open cutting across Gotha, Gipps, and Brunswick streets, all of which will be crossed over the railway. Gipps street will require to be raised 6 feet and Brunswick street $2\frac{1}{2}$ feet for this purpose.

"The Valley station will be placed between Brunswick and Constance streets, where provision will be made for both passenger and goods traffic, by resuming a considerable area of land with access from Wickham street, the length available for sidings being 13·6 chains. This station will necessitate the partial closing of Alice and Julia streets; but as these are only blind streets this is not a serious matter. Constance street is more important, being a thoroughfare, and it is proposed to raise this street $11\frac{1}{2}$ feet, and cross it over the railway.

"A few chains beyond Bridge street, which will be diverted into Constance street on the left, the line enters Crown lands and runs up the valley of a watercourse, crossing Leichhardt street and Gregory terrace, the former to be raised 15 feet and the latter $24\frac{1}{2}$ feet, and crossed over the railway. The line then enters the grounds of the National Association, and passing between the cattle sheds and the creek, joins the Sandgate railway under the over-bridge in O'Connell terrace.

"The length to construct is 1 mile 55 chains 80 links, exclusive of 18 chains comprised in the contemplated extension of the Roma-street station.

"Authority is also sought for a loop connecting the Fortitude Valley line with the Sandgate branch at Exhibition station; the loop will be 16·58 chains in length, and will be built entirely within the grounds of the National Association.

"A glance at the diagram accompanying the parliamentary plan will show that this loop is designed to play an important part in the general scheme, as it admits of passenger trains compassing a large part of the city and suburbs without shunting.

"This extension is intended to be constructed for a double line laid with rails of the heavier section (60 lb. per yard). The cost is estimated at £180,829, exclusive of compensation for resumption of land, buildings, etc.

"The works will necessarily be heavy and expensive—the most costly being the proposed tunnel between Creek and Warren streets, introduced with a view of reducing the claims for resumption of private property. A large portion of the expenditure will also be incurred for retaining walls, with the same object, and also in providing for the numerous streets, over-bridges, diversions, etc."

The Hon. Sir T. McILWRAITH: Mr. Fraser, I rise to a point of order. May I ask if the Minister for Works intends to lay the paper on the table of the House?

The MINISTER FOR WORKS: Yes.

The Hon. Sir T. McILWRAITH: That is all right, because we could not hear a word he read.

The MINISTER FOR WORKS said that if hon. members would look at the plans on the table they would see the necessity of that extension through the Valley, more especially as in the construction of the North Coast Railway it would be absolutely necessary that that deviation or extension should take place direct through the Valley. Under any circumstances the passenger station must be brought to the centre of the city, and for the traffic to go right round the Normal School to the present line would be entirely out of place. A very great mistake was made in the first instance in the direction now proposed. He was not quite sure that "mistake" was the proper word—a very great blunder had been committed in the first instance in not carrying the line as proposed by the plans now laid on the table of the House. Hon. members might come to the conclusion that it involved a very large outlay, and that the country would be hardly justified in undertaking

it. He had only to warn hon. members that the longer the delay the more costly would it be, and he believed it was absolutely necessary that the work should be carried out. He did not know how it happened, but nearly all their railway stations were a laughing-stock to strangers visiting them or travelling along their lines, because the trains had all to back into the station. They were remedying that defect at Ipswich by building a station at which passengers might arrive and depart without the train having to go backwards and forwards. Unless the extension was carried in the direction proposed in the plans on the table, the very same system would prevail. In Toowoomba again there was a great loss of time occasioned by backing the train into the station; and he hoped very soon to be able to bring down plans for remedying the evil there. He hoped hon. members would approve of the extension proposed, which would rectify the mistake that had been made.

The Hon. Sir T. McILWRAITH said he had not had time to go into the memorandum which had constituted almost the whole of the speech of the Minister for Works, and which seemed to have been written by the Under Secretary for Railways. That would be gone into in detail by-and-by, and in the meantime he would say a few words as to the general features of the scheme. Apart from the description of the line by the Under Secretary, the whole speech of the hon. gentleman consisted in saying—first, that anyone who looked at the plans would see the necessity for the line, and in the second place in showing that very great mistakes had hitherto been made in constructing our railways, and that the proposal of the Government was an attempt at reformation in that respect. Now, he (Sir T. McIlwraith) had looked at the plans with a good deal of anxiety since they had been on the table, and he could see nothing but waste of the public money in constructing a line in any such place. He defied anyone to look at the map and see the necessity for that line of railway. The only reason given for the line was that the North Coast Railway would be able to start the other way from the station, instead of going round. What the Committee wanted was the reason why the Government were going to expend, he believed, about half-a-million of money to construct such a line. Was it for the passenger traffic? What passenger traffic could there be between the railway station and the junction with the main Sandgate line? The passenger traffic was already taken up by lines of omnibuses and trams. If it were intended for goods traffic, where was the goods traffic that would justify them in making such a railway from the central station to the Valley? One reason given when the Loan Bill was before the House was that the passenger station was situated outside the town and was not convenient for the inhabitants of Brisbane; but the Minister for Works had not had the effrontery to bring that argument forward again. So far as the inhabitants of the town were concerned, there was not a station in any city in the world more convenient; it was within five minutes' drive of almost every hotel in the city. Did the Minister for Works mean to say that an expenditure of £180,000, exclusive of the money that would have to be paid for the land, was justified by the saving of five minutes' drive for passengers to the main railway station, that five minutes being counterbalanced by the five minutes saved to people living in other directions? As to the line being required for passenger traffic, that was a perfect farce. The traffic would go where the people wanted to go, and they did not want to go along the streets he Minister had mentioned. The line of traffic

was well defined at the present time by the omnibuses, and the people had the kind of accommodation they required. He granted that it would be more convenient—it would look better on paper, at all events—that the Gympie line should start facing Gympie, but it would cost a great deal of money. Now to come to the Minister's other arguments. The hon. member got into generalities and said that for many years they had been accustomed to make their stations in wrong places—they backed into all the important stations, and were the laughing-stock of the other colonies on that account. There was a good deal to be said on that score. Ipswich station was really a disgrace to the colony, and so was the one at Toowoomba; but why was that? Simply because ministerial jobbery managed to put the stations in bad positions; and the job now proposed was the worst of all. The jobs of the Ipswich and Toowoomba stations were fleabites compared with the expenditure of half-a-million of money to suit a very few people. The hon. member said he was going to remedy the state of affairs at Ipswich; but he (Sir T. McIlwraith) believed, from his examination of the designs and the work that was being carried out, that the Government were going to waste £20,000, and that a much more convenient station for the public and for Ipswich itself could be made at a cost of one-third what the Government proposed to expend. He was perfectly satisfied that it had been put in that position to suit some people, but not the people of the colony. Anyone could see that who looked at it. No engineer could say that it was put in the best place; on the contrary any engineer would say that the proper place for a station was between a-quarter and half-a-mile further on. They had to seek, therefore, for some other reason why it was put there, and the only possible reason was that it was put there to suit the convenience of certain people who were not the public of Queensland. With regard to Toowoomba, the Government had done nothing. He for one would have had no objection if the Government had proposed a reasonable sum to cut off that abominable excrescence, the railway station at Toowoomba, from the railway line altogether. The main station ought to be put so that it would be actually on the main line to Roma. That would have been a reasonable thing to do, but the Government had done nothing whatever there, and they were evidently not prepared to remedy that error. They were not going to remedy that error, but they were making a fresh job at Ipswich and a tremendous job at Brisbane; and yet they went on saying that they were actually putting right the blunders of their engineers and politicians in past times. The Minister for Works said he believed the work would cost £180,829, but he added that that was exclusive of compensation for land resumed. Had the hon. gentleman got an estimate of the amount of compensation that would have to be paid? For he had no business to come to the Committee and ask for such a vast amount of money without knowing how much the country would have to pay for the line before it was finished. The Government could not shelter themselves by saying that they had not got an estimate of the amount for compensation, because if they had not got it they ought to have got it; and he was quite sure the Committee would never pass plans and sections sanctioning such an enormous expenditure without having some much more satisfactory information with regard to the cost. He had been told that the Government had made a valuation. Was that so?

The MINISTER FOR WORKS: Yes.

The Hon. Sir T. McILWRAITH: May I ask what is the amount of the valuation?

The MINISTER FOR WORKS: Somewhere about £80,000; but a great deal of that will be saved by the tunnel. That is a long way from half-a-million.

The HON. SIR T. McILWRAITH said he believed his estimate would be much nearer the mark than that just given by the Minister for Works, because if the line started from the Roma-street station the hon. gentleman would have to pay double £80,000 for compensation before he reached the mouth of the tunnel. Of that he was perfectly sure. Then the hon. gentleman said the line was to be carried through Government property. It was a mean thing for the Government to try to get out of a difficulty by running their line through the very little bit of ground that was still left to the city of Brisbane. Why should the ground of the citizens be taken away from them? The taking away of that ground was a greater evil than buying land from other people. That land was set apart for public purposes of the city, and the Government were going to take it away from the city and put it to a use for which it was never intended, in order to save an amount which they would otherwise have to pay for compensation. He would like to see that valuation, and to know by whom it was made. No doubt the Government employed someone in whose opinion the Committee could place reliance. There were other points which he would criticise when he had read the memorandum of the Under Secretary for Works, a good deal of which he could not understand when it was read by the Minister for Works. One of those points would be the wrong done to a large number of the inhabitants of the city—especially to the people living to the north of Queen street, up towards Wickham terrace—by the extraordinary gradient they were going to give in the new streets and in the altered streets in consequence of the line. It was evident that the Government had not given any consideration to the people living on Wickham terrace; for property there would be injured to a very considerable extent. Altogether, the railway was not wanted in any shape or form. The Committee might have some sympathy with a line that was going to give convenience to a large number of the inhabitants; but that line would not do anything of the sort. If the object was to carry on the line more directly towards the river there might be something to say for it; but that scheme did not carry it a bit nearer the lower part of the river, so far as the river traffic was concerned. As to passenger and goods traffic, he had shown that the line was perfectly inadequate for it, and that it was never intended for it. The hon. gentleman rightly enough said nothing about its paying qualities. Talk about not paying for the grease on the wheels! That line would not pay the wages of the men who put the grease on.

The PREMIER said the question of that line was first submitted to the House last session, when the proposition was approved of by a majority of two to one. A separate discussion took place upon it, and it was carried by 25 to 13. Such being the case, the Government were expected, at any rate, to submit to the House, at a suitable time, the plans for the construction of the line. He was of opinion that the present railway station was in the wrong place, and he had always been of that opinion. When it was proposed to put it there he said so in the House, and unsuccessfully tried to get it reconsidered. When hon. members remembered that there was going to be a north coast line soon, it would be seen how inconvenient the present railway station would be as a starting point. He had always been of opinion that the way of getting to Sandgate was wrong. Starting where it did

prevented a great deal of traffic on that line. One could get to Sandgate nearly as soon from the Valley by road as by rail if one had to go to the Roma-street station. It might take half-an-hour to get to the station and an hour to get from the station to Sandgate by rail. One could drive out in an hour and a-half with far less trouble and inconvenience. But that was a mere trifling matter.

The HON. J. M. MACROSSAN said the train time between Brisbane and Sandgate was thirty-five minutes.

The PREMIER said that was not the average time. He was speaking of the average time. He knew that they could go down in half-an-hour at full speed. That was to a great extent a suburban line, and it would pay handsomely if, as a suburban line should, it followed the most convenient route for picking up passengers and came into the middle of the town. To people who wanted to get into town from anywhere on the Sandgate line, the present station was extremely inconvenient, and he had no doubt that the traffic would be very much larger if passengers could be landed somewhere near the centre of the town. There could be no doubt whatever about that. When they had a North Coast line it would be inconvenient in the highest degree to conduct the traffic at the present terminal station. As a matter of fact the station was not large enough, and, situated where it was, it could not be enlarged so as to carry on the business of the Western lines, the suburban lines, and the North Coast line. It would be extremely inconvenient, there being no way of getting out of it at the town end. He regarded it as a matter of absolute certainty that the line would have to be extended into the city; and that it would be extended from the city through the Valley he regarded as equally certain. Hon. members might doubt whether the present was the proper time to do it; but that it would have to be done was beyond all doubt. It was very like the Sibylline books. When a reasonable offer was made and it was not taken, when the offer was made a second time, more would have to be paid; and if not taken then, still more would be asked on the next occasion. If that work had been done when the railway was first brought into Brisbane its cost would have been comparatively trifling, and if the railway to Sandgate had been made through the Valley it would have cost much less—tens of thousands—probably nearly £100,000—than it would to do it now; and if they put it off for another year it would cost perhaps £100,000 more. What did they find in New South Wales? They had been talking there for the last fifteen or twenty years of bringing the railway station into the city. They always did talk a long time there before taking action, and what might have been done a few years ago for £300,000 or £400,000 would now cost probably a million and a-half, and, perhaps, before they made up their minds it would cost two millions and a-half. It had to be done.

The HON. J. M. MACROSSAN: It is not like this.

The PREMIER: Of course it was not exactly like. No two towns were exactly alike. The extension of the railway into the city would be of the greatest convenience to passengers; and it would be made more profitable so far as suburban traffic was concerned. Of course it was impossible to say what the additional profit would be, earned from a railway of that kind. It was not one of those things which could be considered exactly on the same footing as the extension of a line into new country. It was for the purpose of affording facilities which were absolutely necessary for carrying on the traffic; and he thought

the people who used the railway were entitled to some consideration. He used that argument last, because it was probably the least weighty; although he did think, considering that nearly one-half the people of the colony would use that line, that they were entitled to some consideration. He knew that some people held the opinion that the terminal station should be brought into the city, and that the line should go no further; but he could not see the advantage of that. It would be extremely inconvenient to have the terminal station in the middle of the city, and he did not think the advantages to be derived from it would justify the expense. For the purposes of suburban traffic it would be no better than at present. Unless the line went right through he did not see that there would be any advantage at all; but if taken through it would facilitate traffic in every way, relieve the pressure on the terminal station, and produce a very large amount of additional income from suburban traffic. The hon. member had said there were many places where terminal stations were not so convenient as here, but large expense had been incurred to make new stations more convenient for the public. Take London Bridge station. That was quite close to the city, just across London Bridge; yet they spent two or three millions of money to carry it half-a-mile further across the river, and quite right too, because they saw that it would be convenient and that it would pay.

THE HON. SIR T. McILWRAITH: Exactly—that it would pay.

THE PREMIER: And so with other railways in the old country. One other company, at least, that had a station on the south side of the Thames had been compelled to come to the north side; and in other great cities in England the same thing had been done. In Melbourne, again, they had been obliged to do the same—at any rate some of it had been done, and the rest would have to be done. All those things showed that the proposed extension would have to be made. There were no two opinions as to the route to be adopted, and the only question was whether it should be done now. There might be a difference of opinion on that point; but the House last year affirmed that it was desirable that the money should be borrowed for the purpose of doing the work; therefore, the only practical question now was whether the present was a suitable time to spend it; and in the interests of economy he thought it was a suitable time, because the cost of the work would be certain to increase as time went on.

MR. BEATTIE said he had listened very carefully to the remarks of previous speakers with reference to the construction of this line of railway, and he had listened to the remarks of the hon. the Premier with some degree of anxiety, having taken some interest in the desirability of having railway communication with Fortitude Valley. But he was surprised, and it was a matter of regret to him, that the hon. gentleman had altogether ignored the fact that it was possible to create a trade that would be advantageous to the railway by making something in the shape of a connection at the lower part of the Valley with the Brisbane River. He would ask hon. members who had examined the plans—as no doubt they had all done carefully—what the line now proposed was going to add to the advantages of the water frontages in the Bulimba Reach? That was totally ignored. He had measured the distances on the plans; and he might say at once that he had never had any serious objection to bringing the station into the city if it was the wish of the public that it should

be brought in. But with reference to the extension through Fortitude Valley, on the west side of Wickham street, he had always held a very strong opinion, knowing the amount of injury it would do to property holders in that locality—particularly seeing that the railway was going to trend to the westward immediately it got down to Creek street, and would not touch the eastern part of the city as far as river communication was concerned. He came to the conclusion at once that there was not the slightest intention on the part of the Minister for Works to provide for a loop-line to Bulimba. He would point out the evidence on which he formed that opinion. It was this: that the hon. gentleman, in submitting the plans, showed that he intended making a connection with the Sandgate Railway in the National Association's ground. He made no provision for going to Bulimba, although he knew well that it was a rising locality where a very large amount of trade would have to be done within the next two years. No railway system that did not embrace a connection with the Bulimba reach, so as to give advantages to the mercantile community, who required railway communication with the centre of the town, would give satisfaction to the people of Fortitude Valley. The line as now proposed might be a good means of connecting the city with the North Coast Railway, but what trade would it fetch into the Valley? The distance from Bridge street, where the tunnel entered, to the junction with the Sandgate line, was one mile and a-half. It went into the water reserve at least eight or ten chains from Wickham street, and there it ended—not the slightest provision being made for Bulimba. That was the reason why he objected to the plans when they were laid on the table before. And now he would draw the attention of the Premier—whose memory seemed to be a little defective on the point—to the fact that when the Minister for Works laid the plans on the table last year, he (Mr. Beattie) pointed out that there was no provision for a loop-line to Bulimba, and that the line would be of no advantage to the Valley if a loop-line to Bulimba was not introduced. The House having discussed the matter, the Minister for Works withdrew the plans so that he might be enabled to give further information to the House. In the plans that hon. gentleman had now submitted he had adopted what was called the tunnel line. In his first proposal the line was to pass through open cuttings across the whole of the streets. Now he had adopted the alternative tunnel plan. He (Mr. Beattie) presented a petition the other day which was signed by 140 or 150 residents in the Valley. Only eight or ten of those were merely residents there; all the others were property holders who would be affected by land being taken from them for the line proposed by the Government, and they objected to the Government proposal. For himself he would have been glad to have seen a proposal from the Government to construct a line from the Valley which would have a connection with the Sandgate Railway, going then down the water reserve, and making a station at the bottom of Wickham street. There was plenty of Government land there without touching an inch of anybody's property, and there was also plenty of room for station purposes. The only land, too, they would require to resume in getting to Bulimba would be very little indeed, because they could by law take possession of a street, which would carry them to the Bulimba boundary. They would only have to purchase 8 or 10 chains running from Brookes street somewhere to the north of the Waterloo Hotel. As soon as he saw the plans he waited upon the Minister for Works, and pointed out the mistake

he was making in not providing for a loop-line to Bulimba. He also showed the Minister that the expensive character of the work proposed would defeat the object he had in view, and that his proposition did not meet with the approval of a very large section of the people interested. Supposing the scheme as proposed by the Government was carried out, what probability was there of the House granting money for a loop-line to Bulimba during the next five or six years, even if there were shipping from one end of the reach to the other? They would first have to go into the market for another loan. He had no hesitation in saying that the line he proposed could be constructed for £40,000; and yet the Government asked them to agree to a line which would take property to the value of over £100,000, and that, too, for a line which would not be of the slightest advantage to Fortitude Valley. He had been told that under his plan Fortitude Valley would have no direct communication with Sandgate. That, however, was absurd. There would only have to be a head-station for the Valley and there was sufficient room available for that purpose. He had sufficient confidence in the Traffic Manager to believe that he would arrange to run all the trains required for the convenience of the residents in the Valley. Moreover, the Valley, with its large resident population, demanded, or was entitled to, a head-station, and not a mere platform at which it was tacked on to the Sandgate Railway. He hoped the matter would be seriously considered by the Committee. A line that did not give the necessary communication to Bulimba reach would not, as the leader of the Opposition had said, pay for the wages of the individual employed to grease the wheels. The Committee would not be justified in voting for the motion unless the Government amended their proposition so as to connect the river at Bulimba with some point—he did not care where—on the Sandgate line.

The PREMIER said the remarks of the senior hon. member for Fortitude Valley had reminded him that he had intended to refer to the line proposed as being a means of communication with the water frontages. He had given the matter very careful consideration, and was bound to say that he thought the line would furnish a most convenient way to the river frontage at Bulimba. The station would be just about as far from the wharves there as the Brisbane station was from the Brisbane wharves. The difference, at all events, was not very appreciable. A little additional carriage when goods were once put upon the drays would make very little difference, and it would be much more convenient to place the station where the Government proposed than where the hon. member proposed. So far as his judgment went, it certainly would be at least as convenient for access to the wharves at Bulimba, or the wharves which might be constructed there, as that proposed by the hon. member for Fortitude Valley. He did not profess to be infallible upon that point. It would be a little bit further; but the other advantages were enormously greater. Fortitude Valley would be actually placed in direct communication with every part of the Southern and Western Railway. The place proposed by the hon. gentleman would simply carry a goods station, approached by an extremely inconvenient route. He had the misfortune to differ from the hon. gentleman. He had given the matter very careful consideration, and had arrived at a different conclusion from the hon. gentleman. He was not bold enough to say that he was right; but hon. gentlemen could form their own opinions.

The Hon. Sir T. McILWRAITH said there was no wonder that the Premier forgot to men-

tion the facilities that the line would give to traffic in the Bulimba reach, because the line would be so far away that the engineers forgot to show the river on the plan. The river was so far away that it would be as near to the Brisbane station as the Valley station. The idea of a passenger line, for which £188,000 was asked, being made the means of communication with the Bulimba reach was a little too absurd. To make a station useful at all there it must be a goods station. The cost of the land for the station would be nearly as much as the whole amount put down by the Minister for the construction of the line. There was one point upon which the Minister was very reticent, and that was as to which was to be the central station for the Southern and Western line. He forgot to refer to the point just now, and the Government forgot it also. When the plans were before the House before, the reason why they gained a large number of votes was because they said the Brisbane station was in the wrong place altogether. Trains ought to start from the centre of the town. Did the Government really mean to start trains from the city station? He was perfectly satisfied in his own mind that the person who made the plans never intended it. It was actually proposed to make that the terminal station for the traffic, not of one line but of two—the North Coast Railway and the Southern and Western. Was anything more preposterous? Did the hon. gentleman know he was going to make a little side-station perform the whole duties of the present Brisbane passenger station? £80,000 was to be spent in getting a small piece of land, and there was not one single bit of that land that would be available for a terminal passenger station. The hon. gentleman knew the engineer never meant the city station to be put there. It was only intended for a by-station, and there was no room for anything else. It could never be made anything else, nor could a terminal trade ever start from there.

The PREMIER said the place fixed for the terminal station was a great deal larger than any central passenger station in London.

The Hon. Sir T. McILWRAITH: That is absurd.

The PREMIER said he knew the place perfectly well and went over it carefully some months ago. Did the hon. gentleman know the distance between Edward street and Creek street? That was the length of the proposed station, and the width of it was about half of that. There was no station in London anything like half the size of that. It would be an extremely convenient place for a terminus, as there would be access to it from both ends. Trains could come in and go out from either end, and there would be ample room for the station.

The Hon. Sir T. McILWRAITH said the hon. gentleman seemed to talk with very little consideration. He said that little piece of land in the plan, which was about one-tenth of the size of the Roma-street station, was a great deal larger than any terminal station in London. The thing was preposterous. There was not a terminal station in London that had not fifty times that amount of land. It was a gross absurdity to make the Valley station one-half greater in size than what the terminal station was proposed to be.

The PREMIER said there was a misunderstanding somewhere. The length of the station was from Edward street to Creek street, which was more than five chains, and the width was half that. It was very nearly as large as the block between Queen street and Adelaide street, and Edward street and Creek street. That was the land available there, whether it was shown in the plan or not.

Mr. BEATTIE said that if the Colonial Secretary alluded to the whole block of course there was room enough. But he must remember that that was a school reserve. The Government were only to take a slice alongside of the street for the central station.

The PREMIER: One-half of it.

Mr. BEATTIE: It is a gully, and will have to be filled up.

The PREMIER: The material from the tunnel will fill that up.

Mr. BEATTIE said nearly the whole of that would be required to fill up the streets in Fortitude Valley, which would require to be raised some 15 or 16 feet above the present level. He pointed out, last session, that he did not think the approach to the central station was good. They knew very well that a gradient of 1 in 16 for a long incline was very steep; but they must take into consideration that the vehicles using that line would be of a very light character, simply taking passengers. The whole of the traffic business would be done at Roma street. How would they ever do any traffic business at Fortitude Valley without making the necessary extension to the river at the Bulimba reach? The station he had suggested would be at the bottom of Wickham street, and would have plenty of room, without an inch of ground having to be bought. What was the distance between the siding proposed in the plans and the station he suggested at the end of Wickham street? Why, the difference in distance was something like five chains, and yet the hon. gentleman was trying to make people believe that taking the station to the bottom of Boundary street would be disadvantageous to the residents of the Valley, and that the other would be more central. But not only was that not the case, as he had already pointed out, but at the place he had indicated in Boundary street there was plenty of Government land available for the station and it would not be necessary to resume one inch, while in the other case the whole of the land required would have to be resumed. He would ask the Government to give that matter some consideration. As the leader of the Opposition had pointed out, it was perfectly clear from the plans that neither the Minister for Works nor the engineer had taken into consideration the desirability of taking the railway to Bulimba.

The Hon. Sir T. McILWRAITH said the land, where it was proposed to establish the terminal station of the Southern and Western Railway, was 4 chains wide by 1 chain broad, so that the area was exactly two-fifths of an acre, and the Premier told them that that was as much ground as was occupied by any central station in London. Why, the Midland station alone occupied 6 acres! It was evident from those plans that it was never intended that the place in question should be a terminal station. There was simply ground provided for a proper platform, and that did away entirely with the principal argument which had been used by the Government for the purpose of getting the House to vote the money for that station. It now seemed that it was not the intention of the Government to shift the terminal station at all. He said so at the time the money was asked for, and then stated that it would cost a great deal more to shift the station than was voted by the House. Evidently the Government simply proposed to put up a platform for the people of Fortitude Valley.

The PREMIER said the hon. gentleman was evidently speaking about a different plan from that to which he referred. What he (the Premier) asserted was that there was a certain amount of land available for the station. He did not give the area because he had not had an opportunity of

measuring it, but he had measured it since and found that instead of being two-fifths of an acre it was $2\frac{1}{2}$ acres, being 10 chains long by $2\frac{1}{2}$ chains wide, if the map was correct; and that was available for station purposes. The hon. gentleman talked about a terminal station in London. If he spoke about a station and works for rolling-stock, then no doubt it did cover several acres; and it would be extremely inconvenient to have a terminal station in that sense at the place where it was proposed to build the station. But he (the Premier) was speaking of a place for passengers to arrive at and start from, and there was plenty of room for that.

The Hon. Sir T. McILWRAITH said he thought the measurement he had given was correct.

The PREMIER: How can that be? The land is 10 chains by $2\frac{1}{2}$ chains.

The Hon. Sir T. McILWRAITH: The plan is on a scale of 2 chains to an inch.

The PREMIER: No; 5 chains to an inch.

The Hon. Sir T. McILWRAITH said the scale was 2 chains to an inch, so that the land was really 4 chains by 1 chain, which was exactly four-tenths of an acre.

The Hon. J. M. MACROSSAN said he would like to know from the Minister for Works whether he had got a detailed report of the valuation with respect to the amount of compensation to be paid for the land to be resumed, and also whether he had had more than one valuation made?

The PREMIER said that before his hon. colleague answered that question he would like to have an understanding about the scale of those plans. The scale of what were called the plans and sections was 2 chains to an inch; but with that there was what they might call a local map or sketch showing the areas; and that map, which was the one on which his calculation was made, was 5 chains to an inch; and the dimensions of the site for the station, according to that, were 2 inches by $\frac{1}{2}$ inch. That was 10 chains by $2\frac{1}{2}$ chains, or $2\frac{1}{2}$ acres.

The Hon. Sir T. McILWRAITH said that on the title-page of the plans it was stated that the scale was 2 chains to an inch, but it appeared that in a little corner on one page there was a sketch on the scale of 5 chains to the inch as stated by the Premier.

The MINISTER FOR WORKS said the leader of the Opposition was endeavouring to drag a red herring across the trail about the size of the terminal station. If the hon. gentleman had no better argument than that he had better leave the matter alone. With reference to the question asked by the hon. member for Townsville, there had been only one valuation made; and the amount to be paid for resumed land was put down at between £80,000 and £90,000.

The Hon. J. M. MACROSSAN: I asked if you had the detailed report?

The MINISTER FOR WORKS said that was the amount of the valuation, but he had received some information since which would reduce that valuation considerably.

The Hon. Sir T. McILWRAITH said the hon. gentleman need not think that he was going to pass the business through by bounce, and he ought to be the last to attempt such a thing, as no member of that Committee had been accorded such indulgence as he had received. The hon. gentleman had been allowed to read a whole speech that afternoon, a thing which was never done by any other member except by the Colonial Treasurer when making his Financial Statement. But even with reading his speech he

had not given the Committee the slightest enlightenment on the subject; indeed he did not seem to know anything about it. But he (Sir T. McIlwraith) thought hon. members who were now seriously discussing the business before them would understand it before they had done. He would now come to the point between the Premier and himself. The fact that the land was 10 chains by $2\frac{1}{2}$ chains, which was $2\frac{1}{2}$ acres exactly, did not alter his (Sir T. McIlwraith's) argument in the slightest degree. The next point in dispute between them was what each considered a terminal station. He would tell the Committee what the hon. member considered it. What the hon. member said last year in introducing the scheme was as followed:—

"The scheme they proposed was twofold, first to bring the main passenger station of the Southern and Western line to the place where it ought to have been always and where it certainly would be some day—that was the middle of the city."

That was exactly what he (Sir T. McIlwraith) meant, "bringing the main passenger station"; and, looking at the plan, he said that that plan was never designed by any engineer with the object of bringing "the main passenger station" into any such hole as two acres and a half. There would be no room to work the terminal trains. If that plan was adopted the passenger trains would start from the Roma-street station exactly the same as before, unless they were filled up at the Roma-street station and then shunted back, to the danger of all other traffic, into a place where they ought never to have been at all. That was what he meant—the engineer in designing those plans had not the slightest intention of shifting the terminal station from Roma street to that cramped-up position in Ann street.

Mr. SCOTT said he intended to refer to one thing in connection with the consideration of the matter, and that was the question of compensation for resumed land. One part of that he knew a little about, and that was the reserve and grounds of the National Association. He was one of the trustees of the grounds and might be allowed to say a word or two about that. The building there cost at least about £10,000. There were, he supposed, some 15 acres in the grounds, which were worth at least about £1,000 an acre. He was speaking well within the bounds when he said that, and if the land were sold to-morrow it would fetch a great deal more money than that. The land was not the property of the National Association, but they had a lease of it for fifteen years, which was perhaps about the same so far as they were concerned. It would take between £20,000 and £25,000 to put the National Association in as good a position anywhere else as they were at the present time—that was more than one-fourth of the sum the Minister for Works had put down for compensation. The line proposed would cut the grounds of the National Association into three parts, and render them absolutely useless for the purposes to which they were at present applied. If that line were made the association would have to shift their quarters somewhere else, and the only way he could see in which that could be done would be for the Government to purchase a site for them in some other place. What would have to be paid to the other owners of property he did not know; but the idea of putting down the amount of compensation required at £80,000 was simply monstrous. They would want a very great many sums of £80,000 before the compensation question was thoroughly settled. The line went for the most part through improved property, and would greatly disturb the persons who owned it, and he fully believed the amount for compensation would be an enormous sum; and the

compensation question should receive the serious consideration of the Committee. They ought to have had a detailed estimate of the compensation that would be required placed before the Committee before passing a railway of that sort. He was quite sure that the Minister for Works was greatly mistaken in the amount of compensation that would be required, and, as he had said before, it would take several sums of £80,000 before it was finally settled.

The HON. J. M. MACROSSAN said the matter ought to be entered upon seriously; and they should have an opportunity of knowing exactly what the compensation required would be. The Minister for Works appeared to be disinclined to give a direct answer to the question he had put in regard to the compensation. The hon. gentleman first said it would be £80,000, and now he said that it would be between £80,000 and £90,000. He wanted to know if the hon. gentleman had got a report from the valuator upon the subject; and if he had such a report it should be laid upon the table of the House.

The PREMIER said he had never heard of a confidential report made to the Government as to the value of private properties being laid on the table of the House. Laying such a report as that upon the table of the House would amount to publishing it in the Press. It would be letting hon. members and the persons interested know exactly how much the Government were prepared to give for the properties. He had never heard such a proposition as that before.

The HON. J. M. MACROSSAN said that the hon. gentleman need not attempt to shirk the question by a side issue of that kind. They should have a correct estimate of the valuation made—not necessarily for publication—as they wanted to know before they passed those plans what the compensation would amount to. It was currently reported that another valuation had been made, and that it was nearly £400,000. They should know the real truth of the matter before they gave a vote to throw away half-a-million of money upon an absurdity.

The MINSTER FOR WORKS said he could inform the hon. member that there had been only one valuation made of the property to be resumed according to the plan. Where the hon. gentleman got his information as to the other valuation he did not know.

The HON. J. M. MACROSSAN: The hon. member gets his information from various sources, and it is generally very correct.

Mr. MOREHEAD said he could speak with some amount of local knowledge upon the subject before them, as he had lived just beyond the Valley for the last twelve years. When he first heard of the proposed scheme for the railway he thought it was a skit, because he believed that it could never have been seriously intended by any Government that such a scheme as that which was at present before the Committee should ever come into existence. He had always believed that any extension to the Valley would be for the benefit of the residents of the Valley, and for the life of him he could not see what benefit any resident of the Valley would derive from the proposed line. It pursued a slightly boomerang course, and ran nearly parallel to the existing line. At the present moment the tramway relieved that portion of the Valley through which it would run, and the proposed line would in no way touch the centre of the Valley, or where the population of the Valley was; and it would in no way reach Bulimba, which he thought should be touched by any Valley railway. He thought the alternative scheme

proposed by the senior member for Fortitude Valley was an infinitely better plan than the one before them in every respect as a passenger route, and certainly as a goods route. If that plan were carried out it would really touch the great centre of the population in the Valley. There could be no two opinions that the line would be enormously costly as proposed, and would interfere with a large amount of vested interests, and when constructed would be to all intents and purposes practically useless. As a passenger route it would certainly not be availed of, and it would not be availed of as a route for the carriage of produce. Where was the produce to come from? Was it to come by the Sandgate line? The loop-line did not in any way touch Bulimba; and though the Minister for Works had told a deputation that it was ultimately intended that a railway should go there it was not on the plans before the Committee. The alternative scheme proposed by the senior member for Fortitude Valley was a tangible one. It touched that portion of the river bank where the export wharves would be ultimately situated. The railway proposed by the Government seemed to be simply intended to destroy people's property in some cases, and in other cases to give compensation to property holders. As far as he was individually concerned, the line would benefit property of his; but he hoped the common sense of the Committee would not allow of such a monstrous waste of the taxpayers' money. He would ask any intelligent man who knew the locality whether such a line was justifiable—whether it would be of the slightest benefit to the densely populated part of Brisbane that it was intended to benefit?

Mr. McMASTER said it was a matter of regret that the representatives of the Valley should be opposed on the question before the Committee; but he intended to support the line. The senior member for the district said that no extension to Fortitude Valley would give satisfaction unless it went to Bulimba, and that the Government scheme had not the approval of the Valley electors; but he (Mr. McMaster) was in a position to say that the Valley electors did approve of the plans that had been laid on the table. He was in a position to state that, because he had only recently been returned for the Valley electorate, and he had spoken with no uncertain sound about that railway. He said in his election speech that he intended to support the line proposed by the Government, and since then a public meeting had been held in the Valley, and with one exception resolutions were unanimously passed approving of the plans now on the table of the House. He could assure the Committee that the Fortitude Valley people did not want the line advocated by the senior member. The loop-line spoken of by the hon. member for Balonne and the senior member for Fortitude Valley did not go to the Valley at all. The hon. member said the proposed line did not touch the thickly populated portion of Fortitude Valley. He would like the hon. member to define where Fortitude Valley was. It was not where the hon. member for Balonne lived, or in the swamp near there. The thickly populated portion of the Valley was where the station was proposed to be built, with Brunswick street running from the station into the New Farm district. There were very few people living between the swamp down by the lockup where the senior member of the Valley proposed to put the station and the hill where the hon. member for Balonne lived. Every hon. member in the Committee knew that what was known as Child's farm, where the new gasworks were being built, was sometimes covered with water when the tide was up, and

would not be fit to live on till it had been filled up. He had not the slightest doubt that when the traffic required it a branch line would be taken from the station in the Valley to Bulimba; but the Fortitude Valley people were not sanguine, and they were thankful to get a portion of the line. They had been promised a line for years, and if the Government did not see their way to take it to Bulimba at once they would be glad to take what they could get. He was living in Fortitude Valley and had been moving amongst the people for many years, and he knew the senior member for Fortitude Valley did not express the desire of the majority of the electors in saying that they did not support that line. If the station were put where it was proposed by the hon. member for Balonne and the senior member for Fortitude Valley, they would have to travel 2½ miles to get into town. Why should they have to travel that distance? To hear some hon. members talk, one would think there was no business in Fortitude Valley; but he could assure the Committee there was a large business in that direction. If the loop-line from Sandgate proposed by the senior member for Fortitude Valley were constructed, it would not pass through the Valley at all. The hon. member said the Government could construct that line without resuming any land; but the Government had no land there for railway purposes; the Railway Department would have to pay the Treasurer for the land. That land was set apart for several purposes, and he presumed the Colonial Treasurer would take care not to hand it over to the Railway Department for nothing. If the railway came from Bowen Hills through private property it would be far more expensive than the property the proposed railway was going through. The Minister for Works had traversed the whole of the land very carefully with him and the senior member, and he (Mr. McMaster) thought a railway could not be taken through any part of Fortitude Valley where property was less valuable. The petition presented by his colleague stated that the land proposed to be resumed was only second to Queen street in value. Any hon. member who knew the locality would bear him out in stating that that was not the fact. It was preposterous. That petition was signed by a number of ladies. No doubt they were very respectable ladies, and the owners of property, but hon. gentlemen must know it was not difficult to get a lady to sign a petition if they told her she was going to be turned out of house and home. One gentleman who signed the petition said to him, "I signed the petition to please my mother, because the line went through her property. If I had to sign it again I certainly would not do it." He could assure the Committee that, so far as the Valley electorate and district were concerned, they approved of the plan as laid on the table of the House. There had been very little agitation got up about it. A public meeting was held in June last year, at which the hon. member, Mr. Beattie, was present, and moved the first resolution, to the effect that the railway be continued from the Southern and Western Railway through Fortitude Valley. Nothing more was done. They did not even suggest what route the line should take, nor was such a suggestion ever made—as the Minister for Works could bear him out—by any deputation from the Valley which waited upon the hon. gentleman. All they asked for was the continuation of the railway through Fortitude Valley, and they would be perfectly satisfied with the boon which the Government proposed to bestow upon them. He would remind the Committee that a large traffic was carried on between stations on the line and Fortitude

Valley. It cost him sixpence a ton more to get produce from the Roma-street station to his store in Fortitude Valley than it cost to carry it from Ipswich to the station. There was also a great and growing traffic in wool between the railway station and Bulimba. A ship was now loading with wool in the Bulimba reach, and all the wool had to be carted from the station. Even if the proposed line did not go at once to Bulimba it would be a great convenience to those who had wharves at Bulimba. There wool and other goods would have a much shorter distance to be carted, and carting, which was now a very serious item, would be reduced almost to a fraction. It was certain that in a very few years the line would be extended to Bulimba, and that extension would not be the costly work the hon. member, Mr. Beattie, spoke about. The distance was not more than three-quarters of a mile at the outside, the road was level, and the low swampy land through which it would run was not of much value. Having only lately canvassed Fortitude Valley in a contested election, he was well acquainted with the opinions of the people there on the important subject now before the Committee; and he could say with certainty that their opinions were entirely in favour of the line as now proposed by the Government. He believed that if the Valley was polled to-morrow the majority would go for the plans now on the table.

Mr. SMYTH said he was one of the members of the Committee who did not believe in the proposed line. If that line had been made to go to Sandgate in the first instance, instead of joining the Sandgate line, it might have been a very good one; but to spend £400,000—for it would cost the whole of that before it was finished—upon a line which nobody wanted and which could not by any possibility pay, was simply preposterous. There were plenty of districts in the colony which wanted railway communication far more than Fortitude Valley. It would be folly to spend the ten-million loan in constructing railways which could be dispensed with. Was it not rather premature as yet to speak of the great shipping port of Bulimba? Why were the Government lending money to the corporation to make wharves in the South Brisbane reach and elsewhere? Why were they spending money in deepening the bed of the river up to Victoria Bridge? That part of the river was not yet overcrowded with shipping, and if it were, had they not that fine reach off the Gardens yet unutilised? Hon. members might protest, but that would have to be used for wharfage purposes some day. In fact, there were any amount of wharfage sites in Brisbane which would have to be turned to use before Bulimba became the centre of the shipping trade of the port. As to whether the railway was required or not, look at the suburbs of Sydney. They had no railway communication with the city, but they had tramways and omnibuses, the same as people in the Valley had. If the question went to a division he should certainly record his vote against it.

Mr. ANNEAR said they were there, not to consider the people of Fortitude Valley, but the taxpayers of the colony. If people wanted to get in or out of Fortitude Valley in the direction of the city there was a tramway that would take any person from the Longreach Hotel to Breakfast Creek Bridge for the small sum of 3d.—a tramway that was a credit to the colony and to all those who had been concerned in it. The sum of £400,000 was well within what the proposed line would cost; indeed, his opinion was,

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from what he had seen, that it would be considerably over that amount; and to expend that enormous sum on a line which would be of no use to anybody would be one of the grossest pieces of injustice which had ever been done in any of the colonies. There were many persons in the Valley who would not be a bit better off with the railway than they were without it. The tramway did not go to everyone's door; no more would the railway; and even if it did it could not possibly pay a return on the vast sum it would cost to construct it. Even supposing the hon. member (Mr. McMaster) did have to pay 6d. a ton extra for getting his goods from Roma-street station to the Valley, the people of the colony had nothing to do with that; and how many sixpences would be required to help to pay for that large expenditure? But there were at present many important centres out west and north that were crying out for railway communication—for railways that would open up splendid country and settle those people on the land whom the hon. member for South Brisbane, Mr. Jordan, spoke about on last Friday night; and he hoped the Government would think of those places, and pause before they pressed the motion to a division. The Valley members might vote for it, and the Brisbane members might vote for it, as they would vote for anything that would tend to centralise the spending of the public money in Brisbane. But Brisbane was not the colony yet. He should be sorry to do any injustice to Brisbane, and he believed in beautifying the capital; but the making of that railway would not tend to beautify it. He believed in bringing the terminus of the Southern and Western Railway into the city, and he would willingly vote a sum of money for erecting it where the Normal Schools now were. When that was done the requirements of Brisbane in that direction would be met for twenty years to come. He was willing to vote for railways wherever they were required to settle people on the land, or where they would be remunerative and beneficial to the country; but the people in his electorate, and throughout the North, South, and West as well, would consider it a great calamity if Parliament committed themselves to spending half-a-million of money in constructing a railway for which there was not the slightest necessity.

Mr. HAMILTON said he certainly thought the Committee were entitled to be placed in possession of the information which the hon. member for Townsville had asked for, and which had been refused by the Premier—namely, the valuation of the property which it was proposed to resume from private individuals. The Premier had refused to give that information on the ground that it was not right that details of the value placed upon the various properties should be given. Even if that information had been asked for he did not see what objection there could be to giving it, but it had not been asked for. What was asked for by the hon. member for Townsville was the total amount which the State would have to pay for the property that would have to be resumed. He had heard that a competent valuator had valued it at £400,000. The question was, therefore, a most important one, and hon. members were entitled to be put in possession of that information before they gave a vote on the matter, as the result of that valuation would very much affect their decision.

Mr. CHUBB said, although a resident of Brisbane, he intended to give his vote against the resolutions. There was one matter that he should like some information upon. That House had voted £175,000 for the construction of this railway. The Minister for Works, in introducing the resolutions that afternoon, said the work would cost £5,000 more than that, and he (Mr.

Chubb) would like to know where the money for compensation for resumption of property, which the Minister had stated had been estimated at £80,000, was to come from? Did the hon. gentleman think for a moment that hon. members would accept that as a correct valuation? All he could say was that the man who valued that property at £80,000 did not know his business. He (Mr. Chubb) had been in the habit of passing through the Valley nearly twice a day for the last seven years, and, although he was not a member for that electorate nor an actual resident in it, he believed he knew as much about the population there as any member of the Committee, and with that knowledge he said the proposed railway was a perfect farce. It was to run down at the back of Wickham and other streets, and it would be running parallel with and within a stone's throw of the trams, which now ran every quarter of an hour from Longreach Hotel to Breakfast Creek Bridge, and would soon be running every five minutes. The proposition was perfectly ridiculous. If he wished to use hard language he would be quite justified in characterising the proposal as a swindle, and then he would only be using language which the hon. gentleman had applied to a proposed railway in his (Mr. Chubb's) electorate. He could charge back upon the hon. gentleman every word he used, with much more force. The junior member for Fortitude Valley had said that the Valley did not want the railway which was advocated by the senior member, but he (Mr. Chubb) maintained that the place did not require a railway at all. He did not agree with the proposition of the hon. member, Mr. Beattie. If communication was to be made with the river at Bulimba, the place to make it from was the Mayne Railway Station where the line would not be more than half-a-mile from the river and not pass through more than three or four houses, and where it would be perfectly level. That, he contended, was a better scheme than either the one now proposed or that suggested by the hon. member, Mr. Beattie. But he held that a railway was not required at all, and he was satisfied that if they committed themselves to it, by the time the land required to be resumed was paid for, they would find themselves short to the extent of £300,000 or £400,000. For those reasons he should oppose the resolutions.

Mr. LUMLEY HILL said it was his intention to oppose the motion also, because he was perfectly certain that it would cost about £400,000, and it would be far better for the colony and for Brisbane itself if they were to expend that money in extending country lines. That would bring more trade from the interior, and add more to the stability of Brisbane and its future prosperity, than making those railways which he looked upon as luxuries—as absolutely unnecessary luxuries—considering that there was at present ample accommodation for passengers by trams and omnibuses. There was nothing in the proposition which would provide for the necessities of life or of trade, except, so far as he could understand, the saving of 6d. a ton on the produce that went to the store of the hon. member for Fortitude Valley. If the necessity, which had been pointed out with such terrible earnestness by the Minister for Works and the Premier, should arise for the construction of the line at some future period, and they should then have to pay double the money for it, they might then be much better able to throw money away in making it than they were now. They might then be able to go in for luxuries of that kind; they might not know how to spend their money in any other way; they might have a surplus and be able to spend a million in making a railway to Fortitude Valley. But now they were not in those

circumstances; and they should expend their loan money to the best advantage by bringing trade from the remote interior into the city, and so increase its prosperity, and at the same time enable the inhabitants of the interior to tide over the very hard seasons they had to deal with.

Mr. PALMER said he did not know whether other members of the Committee had followed the Premier when he said that one-half of the people of the colony would use the proposed line, but he (Mr. Palmer) did not see how the people who would use it were going to pay for it when it would neither carry a ton of coal, nor a sack of maize, nor a single article of produce that could be brought in for the benefit of the city. He considered that the inhabitants who would be affected by the proposed line had ample accommodation by trams—which, as the hon. member for Bowen had said, would run within a stone's throw of it—and other conveyances. He would refer to the opening of a station on the Northern line recently, which had taken four years and three months to construct since the plans were laid upon the table of that House. He alluded to the line to Torrens Creek, which passed through level country where there were no engineering difficulties, and which might have been made in twelve months. But they had now a proposition to construct a line, the money for which was only voted on the Loan Estimates last year, and there was no comparison in point of importance, so far as trade was concerned, between it and the line to which he referred—from Charters Towers to Torrens Creek, which had taken over four years to construct. The same slow progress was being made on other north-western lines, now that they had got over the mountainous country. A crawling pace at the rate of about twenty-five miles in two years was the extent of construction on lines in the interior, while, within twelve months, they had the line proposed to be carried out—a line that would cost about three times the amount voted on the Loan Estimates. Supposing that line was carried out, where would their Northern lines be? Why, they would be left out in the cold. The money that would be spent on the line through Fortitude Valley would carry one all the way from Normanton to Cloncurry. He could only characterise the Fortitude Valley line as the most iniquitous ever placed before the House. The whole thing was preposterous.

Mr. KATES said the junior member for Fortitude Valley had told them that all the residents were in favour of the line proposed by the Government; but that was contradicted by the senior member. As for other members, they seemed to know little about the line. He himself was surprised that the Minister for Works had proposed such a railway after having postponed that most important of all railways—the *via recta* line from Ipswich to Warwick. Just imagine them paying £300,000 to £400,000 for a line only 1 mile and 55 chains in length! The Fortitude Valley railway was a fancy line which was not required at all. And was it right in these days of drought and disaster to unnecessarily drain the Treasury of nearly half-a-million of money? The proposal was unparalleled, and he certainly would oppose it. When the residents of the Valley had communication with the city by means of tramways, omnibuses, and cabs, what more did they want?

Mr. ALAND said the Premier seemed to think that the Committee was committed to the Fortitude Valley line because when the Loan Estimates were dealt with they agreed to a Valley railway. The majority of hon.

members who voted on that occasion, however, had no idea that such an extravagant, preposterous scheme as the one now proposed would be tabled. There had been an impression for a very long time that the railway should connect in some way with the river at Bulimba, and that idea was in his (Mr. Aland's) mind when he supported the line at the time the Loan Estimates were before the House. Had he for one moment thought that the line was simply to connect the present terminus with another point on the Sandgate Railway, and that, too, at a cost of £400,000 or £500,000, it would not have had his vote. He considered now that by voting for the line as proposed he should be doing an act which would bring discredit on him from his constituents. For passenger traffic the line was not necessary. The present trams, omnibuses, and cabs were far more convenient. Again, the line was not to be utilised for goods traffic, and even if it was it would do the State no good, for it would only save the junior member for Fortitude Valley 6d. per ton in freight. He (Mr. Aland) hoped the Government would not feel that because they had a vote of £10,000,000 placed to their credit they could act like a spendthrift, for they would find that their supporters would not encourage anything like extravagant notions.

Mr. GROOM said he did not wish to give a silent vote on the question. When the line to Sandgate was proposed he moved an amendment that it should go in the direction of the one now proposed. The majority, when a division was taken, decided in favour of taking the Sandgate line by its present route. He had looked over the plans of the Valley line, now proposed, very carefully indeed, and also over the names of the owners of the properties through which it would pass, and he had come to the conclusion that he should not be doing justice to his constituents or the country if he voted for that line of railway. No member could close his eyes to the present state of the interior. A gentleman who called at his office on Monday morning informed him that about Beauaraba and in the Western paddocks the stench was unbearable through the numbers of dead stock lying around. In every direction he could see sheep falling dead along the road and lying dead on the ridges. They also knew that in the Roma district the people were cutting down the trees to keep the sheep and cattle alive, and that the leaves of those trees scarcely afforded sufficient nourishment. Under the present circumstances it was the duty of hon. members to see that every farthing that could be spared should be directed towards the extension of lines as far into the interior as possible, if only for the saving of the stock. He was astonished at the junior member for Fortitude Valley when he said that the proposed line would save him 6d. per ton on his produce; or rather that he paid at present 6d. more for freight from Brisbane to his store than he could get produce carried for from Ipswich to Brisbane. The carriage of goods from Ipswich to his own store could not cost more than 5s. or 6s. a ton. And did not the hon. member know that beyond the terminal stations of the Southern and Western lines the people were paying from £40 to £60 and more per ton for the carriage of their goods? Surely pictures of that kind should be taken into consideration before they spent £180,000, and an unknown sum for compensation for property, on a line through Fortitude Valley! He quite agreed with what fell from the senior member for Cook, when he said that it was one thing for a valuator to say what property was worth, but quite another thing to get the owner's valuation and the arbitrator's judgment. In nine cases out of ten they found that the

price was largely in excess, and how much more in excess would it be in and about Brisbane, where property was increasing so much in value and likely to increase? He should be very glad to assist the hon. gentleman so far as railway communication with the Valley was concerned, but with the knowledge that there was a tramway line running through the main thoroughfares, by which they could travel from the top of Queen street to Breakfast Creek and back again for 6d., he did not think they were justified in spending a quarter of a million of money on a mile and a-half of railway. He spoke in the interests of economy of commerce, and in the interests of the people in the interior, who ought to receive sympathy and encouragement. His own impression was that, as there was a great deal of opposition to the proposal, it would be very judicious on the part of the Minister to withdraw the line altogether.

Mr. McMASTER said the hon. member for Maryborough was speaking in a very wild manner when he said that he (Mr. McMaster) was supporting the resolutions so that he could get his goods to Fortitude Valley at 6d. per ton cheaper. He said that the present station was not in a convenient position and that it cost 6d. per ton more to get goods to Fortitude Valley from the station than it cost to get them from Ipswich. He did not want his goods carried for nothing; it mattered little to him whether the line went to Fortitude Valley or not. It was no scheme of his. He had not asked for the railway; it was part and parcel of the Government policy last year. He was sorry to say that but for the action of the older representative of the constituency it would have been carried out last year.

HONOURABLE MEMBERS: No, no!

Mr. McMASTER said that was a matter of opinion. He had every reason to believe so. The Fortitude Valley people did not ask for that line in particular. They asked to be put into communication with the Southern and Western Railway, as they had a perfect right to do. They paid taxes as well as those gentlemen inland, who deserved some sympathy, no doubt; but there was no gainsaying that the railway in question would be a boon, and a very great public convenience, not only to Fortitude Valley, but to the whole of the Northern and Southern districts. The expense of resumption would go on increasing every year. Last year the valuation was something like £17,000, for the present year it was £80,000, and next year, perhaps, it would be £150,000. He was perfectly satisfied that the line would have to be constructed.

Mr. BEATTIE said he did not intend to say anything with regard to what the last speaker had said in reference to his (Mr. Beattie's) action in the matter last year. He was actuated by honest motives as a member of Parliament, and he spoke against the proposal of the Government last session, which was similar to that before the Committee now. He believed now that the Government were wrong, and he looked at the matter from the point of view of those persons who entrusted him with a petition to present to the House on the subject. If the line were constructed according to the present plan there would be a cry that would not be forgotten for a long time. There was no doubt that the Committee were altogether opposed to the project of the Government, and were actuated by a desire that the Government should proceed with the extension of the line to Bulimba, so as to give facilities for trade. The proposition of the Government to bring the railway station further into the city met with his approval; but, at the same time, he was opposed to the

other portion of the proposal, which was the most expensive part. He did not know in what light the Government looked at the opposition to the resolution—perhaps as a vote of censure; but he did not oppose it in that light. He believed that the advice given to the Government was wrong, and he was certain that any person of ordinary intelligence who examined the plans would come to that conclusion. It would be most injurious to the city generally if the plan were carried out. Suppose a train was coming from the Southern and Western line with passengers, it would have to come from the Roma-street station, through the central station, and on to Fortitude Valley. It would then have to go along the Sandgate line, and follow simply a segment of a circle to get back to Roma street. The stations it would pass through were nothing more than sidings. There was no doubt that the majority of the Committee were opposed to the proposition as emanating from the Minister for Works, and he trusted that the Government would reconsider the plans at present before the Committee.

Question put, and the Committee divided:—

AYES, 9.

Messrs. Miles, Rutledge, Griffith, Dickson, Dutton, Moreton, Buckland, McMaster, and Wakefield.

NOES, 28.

Sir T. McIlwraith, Messrs. Archer, Norton, Chubb, Sheridan, Hamilton, Groom, Aland, Macrossan, Black, Campbell, Lalor, Isambert, Annear, Donaldson, Foxton, Stevenson, Smyth, Scott, Kates, Morehead, Palmer, Ferguson, Lissner, Beattie, Bailey, Macfarlane, and Salkeld.

Question resolved in the negative.

On the motion of the MINISTER FOR WORKS, the Chairman left the chair, and the House resumed.

FRIENDLY SOCIETIES ACT AMENDMENT BILL.

The SPEAKER read a message from the Legislative Council, returning the Friendly Societies Act Amendment Bill to the Legislative Assembly without amendment.

WHARF LINE EXTENSION, MACKAY RAILWAY.

The MINISTER FOR WORKS moved—

That the Speaker do now leave the chair, and the House resolve itself into a Committee of the Whole to consider the following resolutions, namely:—

1. That the House approve of the plan, section, and book of reference of the proposed Wharf Line Extension of the Mackay Railway, as laid on the table of the House on Tuesday, the 20th instant.

2. That the plan, section, and book of reference be forwarded to the Legislative Council for their approval, by message in the usual form.

Question put and passed.

The MINISTER FOR WORKS, in moving—

1. That the House approves of the plan, section, and book of reference of the proposed Wharf Line Extension of the Mackay Railway, as laid on the table of the House on Tuesday, the 20th instant.

That the plan, section, and book of reference be forwarded to the Legislative Council for their approval, by message in the usual form.

—said he had some doubts as to whether the Government should proceed with the motion, as the Committee appeared to be in an economical mood that evening, and he did not know whether they would be inclined to allow that wharf line extension to pass. But he would warn hon. members that the Mackay Railway was one which required nursing; and if hon. members were going to oppose that extension owing to the drought, all he could say was that it would be better to lock up the rolling-stock there at once. The Mackay line was one of those

railways which required a great deal of nursing to make it pay working expenses. Although, from the plans laid on the table, it appeared that the length of the proposed extension was 50 chains it was really not more than 30 chains, as a portion of the line had already been constructed. According to the plans the line extended beyond the bridge, but it was not intended to carry it so far. The object of constructing the wharf branch was to enable sugar-growers to have their produce conveyed direct to private wharves for shipment. There had recently been an increase in the price of sugar, and it therefore behoved the Government to do all they could to assist producers to get their sugar to the wharves with as little cartage as possible. The cost of the extension was set down at £2,500, but he was quite sure it would not cost more than one-half that. He need say no more on the subject. That, at all events, was not a sum that was likely to ruin the country, and he hoped the Committee would pass the resolutions.

Mr. BLACK said that although the Committee had shown that they were not inclined to endorse any plans of railways which they considered unjustifiable, they had not expressed the opinion that they intended to adopt that course with every line proposed. He was quite sure that the proposed very small railway instalment—which was necessary in the interests of the department and in the interests of the public—would meet with acceptance by the Committee. He did not for one moment wish to appeal to hon. members for that line in consequence of the drought or because the Mackay people wanted any nursing. He was happy to say that they had not been suffering to any great extent from the drought, and he hoped the industry of the district would be quite sufficient to justify not only that, but some future extension also, and that the result would be satisfactory to the country. The Minister for Works had explained what was the necessity for that line. The terminus of the line was half-a-mile away from the wharves, and the consequence was that produce coming down or goods going up by rail had to be carted that distance. Sugar was a commodity which would not stand very much handling, and when hon. members understood that the distance the sugar had to be carried on the railway was very short, and that it cost 1s. per ton for cartage from the station to the wharf, they would not be surprised that many planters found it more convenient to put it on the drays at once at the mill and cart it direct to the wharf. It was very desirable to see the railway made as remunerative as possible to the country, and the construction of that wharf extension, which would only be about 30 or 35 chains in length, would contribute to that end. He believed it was a fact that other districts had found it necessary to have railway communication down to the wharves. That was the case at Maryborough, and the present was a similar case, and one in which the interests of the district and those of the department entirely coincided.

Question put and passed.

The House resumed; the CHAIRMAN reported the resolution to the House, and the resolution was adopted.

JUSTICES BILL—SECOND READING.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said: Mr. Speaker,—In moving the second reading of this Bill, I think I can claim for it that it is a Bill the provisions of which have commended themselves to all those who have taken the trouble to carefully consider them. Hon. members must be aware that for a very long time past the various Acts

which have provided the statute law which has governed the powers and authorities of justices in this colony have been of such a character as, to a very great extent, to confuse those who by virtue of their office as justices have necessarily had to have recourse to them. No less than about eighteen various Acts are proposed to be repealed by this Bill; and throughout the whole of those eighteen Acts, the various provisions which are placed in a condensed form in this Bill are scattered. It is therefore easy to understand how difficult it has been for gentlemen, not only those who perform the duties of magistrates gratuitously but also those appointed as police magistrates in the various towns of the colony, to be able to understand what the law is in regard to many matters upon which they are required to adjudicate. The magistrates of the colony have had the very great advantage afforded by the publication of "Wilkinson's Queensland Magistrate," and similar books, and I may say that but for the existence of such books as those—"Wilkinson" is of course an adaptation and enlargement of the older work of Plunkett—but for such works as those it would have been impossible during past years for many magistrates to have performed their duties with anything like a decent approach to accuracy. It has been thought by those most competent to form an opinion upon the subject that it is unwise that the statutory provisions upon the various subjects upon which justices are required to be informed should be allowed to remain in the state in which they are now. Hon. gentlemen will be able to gather something like an idea of what the difficulties are in connection with the interpretation of many of these statutes when I say that single sections of some of the Acts which have formed the principal basis of the laws referring to justices contain nearly 1,000 words—a whole page and a-half of printed matter without any punctuation—a perfect wilderness of words. The principal English Justices Acts were adopted by New South Wales; and as years went on it was found necessary in New South Wales to supplement the provisions of the Justices Acts, and far too frequently some very important provisions were inserted in most unlikely places to look for them. Some of those Acts consist of provisions dealing with the jurisdiction of justices, others relate to their privileges, and others to their duties, while some most important provisions were imbedded in the Towns Police Acts. It has been a very difficult process indeed, even for well-informed magistrates, to become anything like clear as to what the law is in matters of almost everyday consideration. Sir Alfred Stephen—as everybody knew, the late Chief Justice of New South Wales, and a very eminent authority—expressed his opinion to the effect that he had reason to believe the provisions of some sections of Jervis' Acts were very much misunderstood by reason of the involved and elaborate character of the wording of those Acts. That is recognised by many judges, and there cannot be a doubt that in many cases magistrates not skilled in the language—particularly the more ancient language in which those statutes are couched—have been very much beclouded and befogged in their endeavour to comprehend the provisions of the law they are expected to administer. Sir James Cockle, when he was Chief Justice of this colony, recognised the same thing, and he, I understand, in his leisure hours, set to work upon a plan of consolidation and simplification of the old Justices Acts, which he hoped and believed would form a better system of statute law for justices in the future than had

been enjoyed in the past. When Sir James Cockle went away he gave his manuscript into the hands of my hon. colleague, the Premier, who was then Attorney-General; and although it has been the intention of the Premier, ever since he assumed the office he now holds, to do something in the direction of carrying out Sir James Cockle's original idea, it has only been during the past year that he has been able to give anything like the necessary attention to it. I may say, Mr. Speaker, that this is a matter which requires, in order to be thoroughly well done, the concentrated intellectual effort of more than one man. I think everyone will acknowledge that the genius for Bill-drafting possessed by the Premier is probably inferior to that of no other living man; but in the efforts he has brought to bear on this matter—following out Sir James Cockle's idea, upon which he has enlarged—he has availed himself of such assistance as I have been able to render him, and as others have been able to render him. In taking charge of the more important part of the framing of this Bill, he has not contented himself with a mere cursory effort, but for a period of many months has devoted the most assiduous attention to the perfecting of its various clauses, so as to make it such as it would be very difficult indeed to improve upon. I think, Mr. Speaker, I may claim that, although this Bill is perhaps one of the longest—so far as regards the number of clauses it contains—during the last few years brought into the Assembly, its clauses are cast in such simple language as to make them very easy of comprehension to the most ordinary mind; so that there should be no need for any very great amount of discussion to be expended upon them as the Bill passes through committee. I may say that, if hon. gentlemen are disposed to take anything on trust at all, they ought to take a Bill of this character on trust. I say that no Bill ever brought into this Chamber, at any time during the history of the colony, has had as much care and attention bestowed upon it as this Bill has. The reason why a Bill of this importance was not brought in at an earlier part of the session is because it was thought necessary to have a great many revisions of it; and it was thought better to defer the bringing-in of it to a later period of the session, when it would probably contain scarcely anything it might be considered necessary to amend, than to bring it in at an earlier part of the session and have many amendments made with the possibility of being obliged to recommit it to insert amendments afterwards discovered to be necessary. I say, therefore, without fear of contradiction, that this Bill is as perfect a measure of its kind, looked at from any standpoint hon. members choose, as has ever been submitted to this or any other Assembly. There have been a great number of gentlemen, both legal gentlemen and those who are not members of the legal profession, who have gone carefully through the provisions of this Bill. Perhaps it will be sufficient if I quote the language of one gentleman who is a lawyer of considerable distinction and position in the city, and who is as competent to form an opinion upon a Bill of this kind as any other gentleman, whether he is a legal gentleman or not—I refer to the Hon. Mr. Macpherson. That gentleman has expressed himself about the Bill in words to this effect: He said that, with the assistance of the notes appended to the sections, he had verified the correctness of upwards of 200 clauses in the Bill, and that he found, wherever an alteration had been made by the draftsman, that alteration had tended towards its improvement. What the Hon. Mr. Macpherson and other members of the legal profession have done, any member of this

House may do with equal facility; and that members should have an opportunity of doing it, every section has had attached to it marginal references by which not only the particular Act the provisions of which are herein condensed and simplified may be found, but the very pages of Cooper's edition of the Statutes in which they are printed are stated, and can be referred to. Mr. Macpherson says he has gone through with the aid of these notes, and verified the correct statement of the law in 200 clauses. There are only 253 clauses in the Bill altogether, and Mr. Macpherson does not profess that he has gone through the whole Bill, being apparently satisfied as far as he went—and any member of this House can, without any difficulty, certify himself of the correctness of the legal expressions which are employed here, and of the correctness of the statement of the law which is contained in these sections. The whole tendency of modern Bill-drafting is towards simplifying to the greatest possible extent the forms and language of public enactments, so that the statute law may not be a mystery that only lawyers may be able to unravel, but something that every man can understand for himself. Now, Mr. Speaker, the Bill proposes to repeal altogether some eighteen Acts, and then there are repeals of sections of four more. The Act is divided into ten parts, and in each of these parts there are numerous cross-headings by which any subject upon which any person consulting the Bill desires information may most readily be turned up. The first part deals with preliminary matters; the second with the appointment of justices and vacation of office; the third with jurisdiction; the fourth with general procedure; the fifth with proceedings in case of indictable offences; the sixth with proceedings in case of simple offences and breaches of duty; the seventh with summary punishment of certain indictable offences; the eighth with sureties of the peace and for good behaviour; the ninth with appeals from the decisions of justices of the peace; and the tenth with protection of justices of the peace in the execution of their office. So we find that, from the appointment of justices of the peace right on to the protection necessary for them in the performance of their duties, everything is provided for. The offences which are in the Bill proposed to be made cognisable by justices are those which have already been cognisable by them—certain indictable offences, simple offences, and breaches of duty. There are some amendments introduced into this Bill, but they are not numerous. There is a certain amount of original matter, but the amount of absolutely original matter is not very great. I am quite satisfied that hon. members who take the trouble to consult the marginal notes of the Bill and see for themselves where the original matter is and where it is not, will find that that original matter either makes provision for wants that have long been felt and acknowledged in the administration of justice in the courts of petty sessions, or else contains a declaration of the law as it has been understood, although probably nowhere could any statutory provision be found on the subject. There is a considerable part of the laws of the land which is deducible from a long series of judicial decisions pronounced from time to time by the highest legal tribunals. The effect of these decisions will be found in some of the formal provisions of this Bill, so that on many points persons unfamiliar with such law will not necessarily be compelled to have recourse to a lawyer in every case. Some clauses consist of provisions introduced for the purpose of clearing up doubts. An illustration of that will be found in clause 19. It is a matter of doubt at present whether gentlemen who have conscientious objections to taking

an oath have the right to make an affirmation instead of an oath of allegiance, or of office, under the Oaths Act of 1867, when taking an office such as that of justice of the peace. As that is a matter which it is desirable should not be left in doubt, it is provided for in clause 19. There are gentlemen who have already been appointed justices of the peace who have never taken an oath, and who are indisposed to take even an oath of allegiance, but who are desirous of making a solemn affirmation of allegiance and of office—gentlemen whom I am sure everyone would regard as adorning the bench. About the position of these gentlemen I think it is desirable that there should be no doubt. Another illustration will be found in clause 37. That is a clause consisting of only two lines, and it declares that—

“A warrant or summons issued by a justice shall not be avoided by reason of such justice dying or ceasing to hold office.”

That may seem a small matter, but it is really not so, and I mention it as an illustration of what may be considered new matter in the Bill. It has been held to be the law that, in connection with cases of warrants issued for offenders guilty of indictable offences, the warrants did not cease to have any effect by reason of the justice who issued it, dying. On the other hand, there is very grave doubt whether, in the case of a warrant issued by a justice in respect of an offence cognisable by justices in summary jurisdiction, the warrants would not cease to have any effect in the case of his death. That doubt is cleared up by a simple provision of two lines declaring that such warrants shall not cease to have effect. None of the new matter in the Bill can be construed by any possibility into contentious matter, or matter requiring any debate. It is necessary, in a Bill of this sort, that all doubts should be cleared away and cease any longer to exist. In the second part of the Bill there are some provisions—comparatively few—which have been adopted from a similar statute in force in the colony of Victoria, and two or three sections that are taken from the provisions which we already have in our own Local Government Acts. The Local Government Acts provide that the chairman of a municipality or a divisional board for the time being shall be, by virtue of his office, a justice of the peace; and it was thought desirable that an enactment of that kind should be found in a Bill dealing with the question of justices of the peace. That is part of the new matter in the Bill, but it is not matter that will be regarded by any section of the House as requiring any discussion. Clause 39 of this part of the Bill, which is a clause of a most useful character, is taken from one of the Towns Police Acts, which contain excellent provisions that are difficult to be discovered except by those accustomed to consulting them, and of the existence of which most persons are not aware. A clause of that kind must naturally find a place in a Bill of this sort. I believe it is only a question of time when all the Towns Police Acts will have to be repealed. Some of them have already become obsolete. Their main provisions are now embodied in our Local Government Acts, and the time is not far distant when they will disappear from the Statute-book. The fourth part of the Bill deals with general procedure, and there is nothing that is novel contained in it. Hon. members will find a very important provision in section 71, which is another illustration of the same thing that I have already alluded to. This clause has reference to search warrants. It is the law at present that when an offence has been committed in violation of the provisions of the Larceny Act—most of which offences are either misdemeanours or felonies—that cannot be dealt

with by justices in their summary jurisdiction—where there is good ground for supposing an offence has been committed, a search warrant may be issued. That does not touch the case of a great many offences that are cognisable by justices in their summary jurisdiction; and a provision has been inserted by which, in other cases than those comprised in the Larceny Act already alluded to, a search warrant may be issued. Part V. deals with proceedings in cases of indictable offences. There is very little indeed that is new in this part of the Bill. Hon. members know very well that in cases of indictable offences—that is to say, misdemeanours and felonies—the practice is for the individual suspected to be brought up on summons or warrant before the justice, who investigates the charge, and if a *prima facie* case is made out, commits for trial, and forwards the depositions to the Attorney-General, or to the Crown prosecutor of the district court. The whole procedure with regard to these matters has been embodied in Part V. of the Bill, and I am sure the clearness with which it is set out must commend itself to every hon. member. There is a very important provision in clause 124, and its complement clause, 132, to which I will briefly draw attention. It is new, but I think every hon. member will recognise the necessity for the insertion of a provision of this kind; and it is another illustration of what I have already said, that where there is anything new in the Bill it is of a character which I am certain hon. members will cordially approve. Hon. members are aware that when a man is charged with an indictable offence he is committed to a certain gaol to await his trial. If the circuit court sits in the meantime, it is the duty of the sheriff to make a return to the presiding judge of all persons whom he has confined in the gaol. No matter whether the prisoners have been committed to the circuit court or to a district court, the presiding judge takes cognisance of the fact that the prisoners are in gaol, and if no information is presented against a prisoner he is brought before the judge and discharged, simply because the circuit court is a court of gaol delivery. Then, in the case of the prisoners so discharged, the whole form has to be gone through again, and the witnesses put to the trouble and expense of giving evidence a second time, so that the prisoners may be formally recommitted to the court at which they ought to have been tried. Clause 124 provides that when a man charged with an indictable offence has been committed, by mistake or otherwise, to the wrong court, so that a recommitment to the proper court becomes necessary, it shall not be necessary for the man to be discharged, and the expense and trouble gone all through again; but that, upon production of the original depositions, any justice may cancel the warrant of commitment, and may recommit the prisoner for trial at the court to which he ought at first to have been committed; and then clause 132 makes the provision complete by enacting that if a circuit court is held before the district court to which any prisoner is committed, the judge of the circuit court shall not discharge such prisoner. An illustration of a case of the kind I refer to happened some time ago in Roma. A man was committed for trial by the Thargomindah bench to the district court at Roma; and before the time of the sittings of that court the circuit court sat at Roma. Of course it was a mistake on the part of the justices to commit the man at all to the district court at Roma. District courts have been established at great expense in various parts of the colony, and it is as much an injustice to the prisoner, as it is to the Government who have to bear the expense of conveying prisoners and

witnesses, that a man should be committed to the wrong court. A prisoner is entitled to be tried at the court held nearest to the place where the offence was committed, but in the case I refer to the magistrates by mistake committed the prisoner to the district court to be held at Roma instead of to the court at Cunnamulla. Of course the effect of that was that when the sheriff made his return of prisoners in the Roma receiving-gaol, amongst them was this man, who had been improperly committed to a Roma court, and the judge had no alternative, following the strict rule of the law, but to have him brought up and discharged. The man had consequently to be re-arrested, sent back all the way to Thargomindah, and the whole of the evidence had to be taken a second time, and the man committed over again—this time to the proper court at Cunnamulla. One object of establishing district courts, and of maintaining them at the present great expense, is that a man should be tried at the court nearest the place where the offence has been committed, and that is as much in the interest of the prisoner as of the Government, because that is the place where he may be able to clear himself of the crime charged against him if he is innocent, and he ought to have the opportunity of doing so. In that case, had a provision of the kind to which I have drawn attention existed the judge would not have had to discharge the man from custody, and the country would not have been put to the expense of taking him back to Thargomindah and paying the costs of witnesses. Another instance of a similar kind of thing happened quite recently in Brisbane. A man was charged with the larceny of certain property of members of a club; he was committed for trial to the district court at Brisbane; when the case came before the judge he decided that as a member of the club which owned the property he was debarred from trying the case. The man stood committed to the district court, and under the circumstances it became necessary to discharge him from custody; he had to be re-arrested, the whole of the evidence gone into a second time, and he was committed to the Supreme Court which was held some time after. I think it is very desirable that where a man has been inadvertently committed to the wrong court in that way, there should be some provision whereby in the summary way described in section 124 he should be recommitted to the court which is to try him. Part VI. deals with proceedings in cases of simple offences and breaches of duty, and there is very little in it to which it is necessary that I should draw the attention of hon. members. There is a provision in clause 155, adapted from the English Summary Jurisdiction Act of 1879, with regard to the payment of instalments of, or security taken by justices for the payment of money in respect to convictions of offenders who are charged before them, which I think hon. members will acknowledge is a useful and necessary provision. Clause 164 also contains several useful provisions taken from the English Summary Jurisdiction Act. Part VII. deals with the summary punishment of indictable offences, and there are to be found here several useful provisions, notably one in section 178, whereby any person who is charged with an indictable offence, not now capable of being dealt with by justices in their summary jurisdiction, may, where he pleads guilty, be dealt with summarily. It has been complained, again and again, by the judges of the Supreme Court and the district courts, that the time of those courts is taken up in trying cases that might very properly be dealt with by the justices; and there are many cases which are not now strictly cognisable by justices which everyone will admit

ought to be cognisable by them. The most important provision in this part of the Bill is that which deals with cases of offences by children; but this, I may say, though new in this colony, is part of the law of England at the present time. Section 185 is taken from the English Summary Jurisdiction Act of 1879, and it makes provision that, where a child not exceeding twelve years of age is charged with the commission of any indictable offence, the justices may, instead of committing the child, proceed to deal with the offence committed, and it then prescribes the amount of punishment which may be inflicted. Although it may be an offence which, if punished by the higher courts, would be punishable by penal servitude, yet the justices are limited in the exercise of their jurisdiction conferred upon them by this clause to the infliction of a term of imprisonment not exceeding one month, or, if they inflict a fine, a sum not exceeding forty shillings. There are other cases where, if the offence is of such a nature as seems to justify it, the justices have power to order the youthful delinquent to be whipped with not more than six strokes of a birch rod, cane, or leathern strap, which is to be done in the presence of the parents—if they wish to be present—and every safeguard is taken against any abuse creeping in. Part VIII. deals with sureties of the peace and for good behaviour. This branch of the subject, I am sure, is one that will commend itself to hon. gentlemen. We have here, I think they will acknowledge, a very marked improvement upon the law as it at present exists. Hon. gentlemen who have had anything to do with dispensing justice in their capacity as magistrates will remember that the law, as it stands at present, is exceedingly arbitrary and one-sided. At present, all a man has to do is to go before a justice of the peace and declare that he is in fear of his life in consequence of the threats of a certain man. Then that man is either brought up on summons or is ignominiously arrested on warrant and dragged before the justices, where he is not allowed to give evidence in disproof of the charge made against him. All that he has probably a legal right to do is to show, if he can, that the charge is preferred from malice or ill-will, which, being a matter of inference, is a very difficult thing to prove without going into the facts of the case; and into the facts of the case charged against him he has no right to enter. So that it is, in fact, little better than an *ex parte* proceeding, and I have no hesitation in saying that frequently grievous injustice has been done in many cases by one-sided proceedings on the part of evil-disposed persons who have been desirous of subjecting their neighbours to the ignominy of being bound over to keep the peace. That has been done again and again, and this provision is intended to rectify all these improper proceedings by permitting the person who is sought to be bound over to keep the peace to disprove the statement made against him in the ordinary way. I am quite sure that a provision of this kind will tend to discourage the trumping-up of false charges by evil-disposed persons against their neighbours, which cannot be legally rebutted. Part IX. deals with appeals from decisions of justices of the peace. Hitherto the form has been for persons dissatisfied with decisions of justices to move the court for a rule *nisi* for a prohibition, afterwards moving the rule absolute. This does away with the old system of prohibition, but substitutes practically the same thing—an appeal to the Supreme Court in the ordinary way. There is also a provision in section 214 for an appeal to the

Supreme Court by way of special case. That is also a provision of a very useful character taken from the Summary Jurisdiction Acts of Great Britain. At the present time a man who is the victim of a decision against him by justices—if he is either fined or ordered to be imprisoned—can apply for a prohibition, but there is not a sufficiently ample provision in the law whereby any person who is aggrieved can take his case before the Supreme Court by way of special case. This provision is a simple and comparatively inexpensive method, and the most just way of securing a reversal of any decision given by justices of the peace. Part X. deals with the protection of justices of the peace in the execution of their office. In this part there is very little, if anything at all, that is new. There are simply the old provisions of the law put into simple form, easily to be comprehended by persons of the meanest intelligence. I do not wish to weary the House by a long dissertation on the details of the measure. I have referred to the salient features of the Bill—to matters which are either a statement of law which is not contained in print or to modifications and improvements of the existing law. It is not necessary, therefore, for me to touch upon anything else. When it is borne in mind that, in a colony of such large extent as this is, justice has to be very extensively administered by magistrates, it is of the utmost importance that they should have every facility for the proper execution of the duties of their offices; and I think, by passing a law with regard to the functions of justices, their rights and powers, of which the great bulk of them have the very faintest idea—by casting these into a simple and condensed form, capable of being easily understood—not only will a great service be conferred upon the justices of the peace themselves, whose office is a very responsible one, but a great boon will be conferred on the entire public of the colony; and although it is late in the session for a measure of this length to be introduced, yet, as I have already pointed out, there is nothing in the Bill to cause any hon. gentleman to be desirous of prolonging discussion upon it. Although the measure comes in late, yet I trust it is not too late to become the law of the land during the present session. I beg to move the second reading of the Bill.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I have no doubt it is a great work to succeed in consolidating and amending the law relating to justices of the peace, their powers and authorities, and it is a work which will deserve the attention of this House. It has often been before the House, but not in the concise form in which it has been brought forward in this Bill, so far as I understand it from the Attorney-General's speech. I may say that I have never read the Bill, and I do not think that any other member of the House except the Premier and the Attorney-General has read it. It seems, according to the Attorney-General, that the law relating to justices, their powers, and authorities is scattered over eighteen Acts of Parliament, and parts of four other Acts of Parliament. It is proposed to repeal those eighteen Acts, and to repeal also the parts of the four other Acts, and to substitute this Bill for them all. The Attorney-General says the Bill has received the anxious consideration of the greatest lawyers in the colony. Chief Justice Cockle, we are told, had it under his deliberation for years—that the subject of consolidation had been his study for years, that he left the colony with the work unfinished, and that he handed over the work that he had done up to that time to the present Premier, who has, from time to time, also given anxious study to it, and given to it also

a large amount of solid work. Further, we are told that during the present year the Premier has devoted most anxious attention to it, and he has given it three months' good work and succeeded in simplifying those eighteen Acts of Parliament and portions of four other Acts, and put the whole subject in a form that can be understood by any man of the meanest capacity. Very well, that is a capital recommendation to any Bill put before us. No Bill could come before us with a better recommendation. I have the highest opinion of Chief Justice Cockle, and I value his opinion in a matter of this kind. I have the highest opinion of the powers of the present Premier in drafting Bills and consolidating Acts of Parliament, and I do not believe the tribute paid to the Premier by the Attorney-General is in one item undeserved; but, at the same time, if the Attorney-General thinks for a moment that we are going to hand over our positions as members of Parliament to Chief Justice Cockle, Mr. Griffith, and Mr. Macpherson, he is woefully mistaken. Does he think that we are going to take on trust anything that those gentlemen think is right? We have eighteen Acts of Parliament to read through and see whether this Bill is an improvement upon them. We are not going to take Mr. Macpherson's word for it, because, as we are told, he has gone over the side-notes and verified some 200 of them. What are we, as members of Parliament, here for? We are sent here to do solid work ourselves, and that we intend to do with regard to this Bill, as I hope we have done with regard to every other Bill. We are going to take nothing on trust. Why, if I proposed that a subject of this kind, so difficult to handle, should be referred to a committee of the most able men of this House, so that a report might be brought up and hon. members might have something to go upon, the House would assert its dignity and say, "What are we sent here for by the country except to make Acts of Parliament?" Here we have a subject brought before us which has taken Chief Justice Cockle years to study, and which has taken the Premier considerable time to fathom; and the Attorney-General brings this Bill before us in a speech which is most like an apology for bringing it before us at all, and asks us to pass it hurriedly and on trust, even after the Government have asked for an additional day in the week for the consideration of their measures. Why, it is an insult to our constituents to ask us to do any such thing! What am I to say—or any other hon. member to say—to our constituents about this Bill? Are we to acknowledge that we have taken it on trust? I would not be astonished to find some great flaws and omissions in this Bill just as we have found them in others. I cannot forget the lectures that have been given to us by the Premier when we have tried to consolidate Acts of Parliament and make them much shorter. He has told us in many a long, dreary speech that consolidation cannot be effected simply by brevity; and that seems to be the only merit, according to the Attorney-General, which this Bill has. We cannot get at the bottom of the thing. We cannot get at the real truth by simple brevity; and it is not by putting a Bill into this children's language that we are to be induced by the lawyers to pass it. But at all events the very fact is that the language in those eighteen Acts we are to repeal is so difficult to interpret that we must surely have time to consider what they mean. The Attorney-General said it was very difficult to understand them. Sir James Cockle took a very long time to understand them and to give his opinion. It has taken the Premier a very long time to

understand them and give his opinion. And do you mean to say, sir, we must not understand the law we are going to repeal, and that it is not our duty to see that we understand what is to be the law of the land? Is it supposed for one moment that a Bill of this sort will pass through this House in a day? Why, there is in it two or three weeks' work for members of Parliament if they mean conscientiously to do their duty. I say that with all respect to those men who have had anything to do with it. I cannot say anything about the Bill itself because I have not been very much enlightened by the speech made by the Attorney-General. I can give every praise to the men who have undertaken the labour of bringing a Bill of this sort before the House, but if they assume that we are, in our appreciation of their efforts, to throw aside our duties as members of Parliament, and to take for granted what they say, they make an egregious mistake. If all the best lawyers in the world took part in the framing of the Bill I would not subject it to one ounce less criticism than I intend to do. I will not abdicate my position as a member of Parliament and take refuge under their wing, for I should consider that in so doing I should not be performing my duty to the country. Now, the Government in dealing with this measure have, perhaps, gone as far as they intended to go—that is, to the second reading. I have no intention of opposing the second reading, but if the Ministers intend to rush the Bill through the House they will find that there is not the slightest chance of that being done, because I am satisfied the Bill will appeal so much to the common sense of hon. members that they will insist on knowing and understanding what is the law of the land before they allow the measure to pass.

The PREMIER said: Mr. Speaker,—I think it is very much to be regretted that the hon. gentleman, the leader of the Opposition, has not read the Bill. The measure has been before this House for a week, and has been before the other House for a considerable period, and if the hon. member had devoted a day or even half-a-day to its consideration he would not have made the speech he has just made. I believe that the majority of this House have read the Bill, and all the members of the other House. Numerous members of the other House have told me that they had no difficulty whatever in understanding it—that it was a matter which anybody could understand, and that it would be of enormous assistance to justices of the peace. The hon. gentleman told the House that he had not read it, and that was his principal reason why this House should not pass the measure. But the hon. member appears to misunderstand the course of parliamentary procedure with respect to measures of this kind. It is not the practice of this Parliament, or of any Parliament, in dealing with measures of this kind, to scrutinise every clause in detail. If that were done, a Bill of the kind would never pass. Does not the hon. member know—he was not in the House, I think, nor was I—that in the session of 1867 the House actually passed twenty-seven different Bills for the consolidation of previous laws?

The HON. SIR T. McILWRAITH: And we have repented ever since.

The PREMIER: Some hon. members may have repented of it ever since; but the only persons who can have good reason to repent of it were the lawyers, who may have lost money in consequence of the simplification of the law. In respect to the preparation of this Bill, I think the hon. member misunderstood what was said. I do not know how long it took Sir James Cockle to consolidate and arrange the law contained in the

Acts then passed, as he never told me. He left the colony in 1878. I regret that I did not take the business in hand while I was in opposition. It could not, of course, be taken in hand last year, but I took it in hand as early this year as other business would allow. There is a good deal of work in preparing a Bill of this kind. The first step was the consolidation by Sir James Cockle of the old law in the old language, but divided and arranged in a new manner very similar to the arrangement in this Bill, but divided into six or seven separate Bills. The next step was to modernise the language. I next had the whole subject gone carefully into by a gentleman at the bar, whose industry and accuracy I could fully trust, to see that nothing was left out of the existing law, and also to incorporate in the Bill several provisions in the amended Imperial laws relating to justices of the peace, the necessity for which has been pointed out for years by writers on law in the colonies. Then the Bill was carefully revised two or three times. All that and even the printing took time; and then it was considered desirable that the Bill should be submitted to gentlemen who had practical experience of magisterial duties in the colony. The Bill was, therefore, submitted to Mr. Gray, the Under Colonial Secretary; to Mr. Pinnock, the police magistrate at Brisbane; and to other men of large experience. I had also the advantage of suggestions from Judge Paul. All that took time, but it was considered better that the Bill, before being submitted to Parliament, should be digested and revised to the highest possible extent, rather than that amendments should have to be made afterwards. That, then, is the process it has undergone, and although I am not prepared to say that it is absolutely perfect, still it is a very good Bill. I know that since it has been in print, I, for one, have used it for reference, instead of going to all the laws relating to justices of the peace. Nobody can go through it without learning a good deal about the existing law. I will not refer in detail to its provisions or to the changes it makes. It was introduced in the Legislative Council, where it underwent a very careful scrutiny—not by any means a formal scrutiny, for the other House contains many members who have large experience of the matter professionally, and from having held official positions. The President of the Legislative Council took a very warm interest in the Bill; and every question that was open to argument was discussed. Several amendments were made and the Bill now comes to us as amended by the Council. If a Bill of this kind is not to be passed through this House unless every clause is discussed in detail then it had better be abandoned for the session or any session, and we must then at once admit that we are to be contented with amending the law by patches here and there. In England they have recognised the fact that a Committee of the whole House is not competent to discuss measures of this kind. In the House of Commons no one would think of bringing on such a measure until 1 o'clock in the morning. They would not treat it as a contentious measure which might occupy the earlier hours of the night, but would take it, as they do all matters of the kind, and as they do with four-fifths of the measures of the session, when only members specially conversant with the subject are present. Our Statute-book is deficient in many measures of that kind, simply because hon. members think that when they do not understand a Bill they have quite a sufficient reason why it should not pass. I think in such matters hon. members should take pains to understand them or leave them to members who do take the pains to do so. That is the principle that is adopted in every legislature. I do not propose to go into the

details of the Bill. It commends itself to every member who has read it, and it will be an enormous advantage, not to lawyers or hon. members of this House specially, but to every justice of the peace in the colony. What changes there are in the old law are all indicated. In the ordinary course of procedure that has been adopted by this Legislature in dealing with similar matters, it would not take more than one evening to pass through committee; but, of course, if it is to be discussed clause by clause it will take more time than is available this session or any other session. I shall say no more about it; but I shall be very glad to see it pass the second reading, and if we cannot get it any further I shall be extremely sorry, and so will everybody else who has read it, and even the hon. gentleman who leads the Opposition.

The HON. SIR T. McILWRAITH: I would like to correct the hon. Premier. He said the Bill had been before the House for a week. It was only distributed to hon. members last Friday.

The PREMIER: That is six days.

Mr. CHUBB said: Mr. Speaker,—There is much to be said in commendation of this Bill, but if I were not a member of the legal profession I should certainly be unable at a glance to digest it and assist in passing it so rapidly as has been recommended by the hon. gentleman who has moved the second reading. I have had a great many years' experience in the practice of the law in justices' courts, and I suppose no member of the legal profession in this House has had more actual practice before justices; and therefore I may stand in a better position than many hon. gentlemen with regard to the Bill. But I cannot allow the hon. Attorney-General to condemn the author of the Acts that are proposed to be repealed. The hon. gentleman said the language in them was most involved, and had been condemned by no less authority than the late Chief Justice of New South Wales and our late Chief Justice. It must not be forgotten that the gentleman who drafted Jervis' Acts was the Attorney-General of England, a man of high legal position, and whose work was highly commended. While I commend the skill displayed in consolidating these Acts, I cannot pass over in that way the labour, skill, and ability which was displayed by the gentleman who introduced the parent Acts into the Imperial Parliament, which Acts, for nearly thirty-eight years, have been in force in England and in these colonies, practically without amendment. The fact that they have been so long in existence is a very strong recommendation for them, and shows that they must have been pretty good Acts when they were originally passed. It is true that many of the sections are very long, and contain, as the hon. gentleman said, over 1,000 words; but, in a great measure, those sections have in this Bill been cut up into a number of sections, although, of course, the introductory parts, which are long, and the provisions that are only applicable to England have been omitted. I am aware that there is practically nothing new in the Bill. The Justices Acts and the Acts that are corollary to them have been consolidated, and to them have been added parts of certain provisions of later Acts—and the method of appointing justices of the peace, and removing them from their office, has been put into the Statute-book, also provisions with regard to sureties of the peace, and what is also new here, another method of appeal. The hon. Attorney-General was not quite accurate when he said that prohibition had been abolished. The word "prohibition" has certainly been abolished; but prohibition remains under the head of "Appeals."

The ATTORNEY-GENERAL: I said so.

Mr. CHUBB: There are two methods of appeal, one of which is new in this colony. Where a prosecutor has had his complaint dismissed he will have the opportunity of taking the case to a higher court, a privilege which he has not at present. I am not prepared to discuss this Bill in detail now. There are some matters which I shall consider it my duty to point out when we get into committee, and perhaps I shall suggest one or two amendments; but I can say this, at once, that it will be a very great advantage to justices and practitioners. In the Bill there is all the law relating to justices of the peace, and the course of procedure and practice in their courts, and it will be extremely beneficial to justices and to persons who have occasion to appear before them. I have no hesitation in saying that the thing is simple enough to be understood by a layman, and I think that the provisions which provide for the punishment of persons who plead guilty before justices are very good. They will save a great deal of expense to the country, and also a great deal of time, and will prevent a person who acknowledges that he is guilty being kept in gaol for a considerable period and then having to undergo a trial, when he was quite willing to take it at once and receive his punishment. In that respect I think there will be a great deal of benefit, and also in regard to the punishment of juvenile offenders, where the powers of justices are somewhat increased in regard to penalties. There are several other matters which I should like to refer to, but as the second reading of the Bill appears likely to pass, I have no desire to detain the House, and shall reserve what I have further to say until it goes into committee.

Question put and passed.

On motion of the ATTORNEY-GENERAL, the commitment of the Bill was made an Order of the Day for to-morrow.

SUPPLY—RESUMPTION OF COMMITTEE.

On the motion of the COLONIAL TREASURER, the Speaker left the chair, and the House went into Committee to further consider the Supply to be granted to Her Majesty.

The MINISTER FOR LANDS moved that there be granted the sum of £74,751 for salaries and contingencies in the Survey of Land. There was an increase in that vote of £24,043, made up as followed:—An inspector of surveys and district surveyor had been appointed at a salary of £600 a year with £200 a year travelling expenses. Although that officer would do the work of a district surveyor at times, primarily his work would be to examine surveys. There was also an addition of two to the staff of surveyors at £350 each. An increase of £50 was given to the draftsman in charge of the lithographic branch. That was a new branch of the Lands Department, which it was found necessary to establish. The work had previously been done at the Government lithographic establishment, but there was a great deal of friction, and it could not be got through with regularity and the expedition necessary. Then the draftsman in charge of the compiling branch also received an increase of £50; and there was an addition of twelve draftsmen in the drafting department, at a salary of £250 each. There were two printers in the lithographic department—one at £200, and the other at £150 a year. There was also a second messenger—a young lad—at £36, and an office-keeper for the survey branch—which was now a very large building—at £60. There were two additional chainmen at £192, and eight additional surveyors' labourers, who altogether received £550.

There were also two labourers in connection with the lithographic department receiving £192. There was an allowance in lieu of horses, forage, equipments, instruments, etc., for two additional surveyors at £200 each. Then in contingencies there was an addition of £18,000 for fees to licensed surveyors. In the incidental expenses there was an addition of £100, also an addition of £100 in incidental expenses for the photographic department, and of £200 incidental expenses of lithographic printing. That branch of the department was nearly perfected, but some additions were necessary, and £200 would complete the work. The main increase in the vote was £18,000—for the increased fees to licensed surveyors. The whole work under the head of "Contingencies" was £51,900. It was estimated that that expenditure would enable them to carry out the surveys and markings of 6,600,000 acres of land, a portion of which would be divided into grazing farms, as follows:—200 farms of 20,000 acres each, 150 of 10,000 acres each, 100 of 5,000 acres each, and 1,000 of 2,560 acres each. Those were to be marked and measured by what professional men called a circumferential survey, which was about the cheapest form of surveying or measuring that had yet been adopted, and was, he believed, sufficiently accurate for all practical purposes. It was also proposed to survey about 600,000 acres of that area into agricultural farms as follows:—156 farms of 1,280 acres each, 156 of 640 acres each, 468 of 320 acres each, and 937 of 160 acres each. Those would be surveyed by the more accurate process of theodolite and chain. The total cost of surveying and marking the 6,600,000 acres would be £41,000; the balance of the £50,000 being made up by £4,000 for suburban surveys, and £5,000 for fees now due to licensed surveyors.

The HON. SIR T. McILWRAITH said there was an immense increase in that vote. Of course, it was anticipated that there would be a large increase for the present year in the department of the Surveyor-General; but he regretted to see such an amount of money put on the Estimates for what he considered was temporary work, as would be the case with a considerable part of the surveys for which they were asked to make provision. The other work which was to be done by chain and theodolite was of a more permanent character, and would work in with the surveys of the colony. In connection with that he would point out that they had a report from the Surveyor-General, which was sent in before the House met. Several months had elapsed since then, and there had been ample time to send in a supplementary report which might have put hon. members in possession of the information which the Minister for Lands had just given the Committee. Hon. members would then have been able to discuss the matter, whereas, although it might be familiar to the hon. gentleman, the information which he had read out from a paper was heard by them for the first time, and was simply a wilderness of figures. Why had not a report been furnished, so that hon. members could see how the money was to be expended in surveying? If that information had been given, and hon. gentlemen had been satisfied with the plan proposed, the estimate might have been passed without discussion.

The MINISTER FOR LANDS said that if he had known the information was desired he would have been glad to give it to hon. gentlemen before. He had no desire to withhold information.

Mr. MOREHEAD said the matter was so important that he thought the Minister for Lands had better postpone the estimate till it had been

settled. The hon. gentleman said it had been a matter of anxiety to himself for three or four months, but he did not appear to conceive that it had any interest for anyone else. The figures quoted by the hon. gentleman were important to every member of the community, as they showed that the very large sum of £50,000 would be required for the survey of the area mentioned. Some millions of acres were to be surveyed by a method which was not absolutely accurate—but good enough for those grazing fellows with a thirty years' tenure! There was not likely to be any squabbling in regard to the boundaries of selections with a tenure of thirty years! He could tell the Minister for Lands, however, that there had been plenty of squabbling with regard to very much larger areas which were held for a very much shorter period. The method of survey proposed with regard to those 20,000-acre grazing farms was a very loose one. The hon. gentleman admitted that such was the case; but he said it was good enough—the boundaries could be settled by-and-by! It was preposterous for any Minister to make a statement such as the hon. member had made; and no one knew better than the Minister for Lands that the question of disputed boundaries in regard to large areas continually cropped up in the Lands Department. The question would crop up much oftener now they had narrowed down the area to be occupied by each individual for grazing purposes to 20,000 acres. Before the present Act came into force the area was calculated by square miles—thousands of square miles, in many cases—and yet difficulties in connection with boundaries arose even when the areas were so large. The survey defined under the Act which was to be a definite survey, was now, by the *ipse dixit* of the Minister for the time being, to be brought down to what the hon. gentleman admitted to be an incorrect and incomplete survey, which might be upset to-morrow. The Minister for Lands proposed to deal with one class of selectors in one way as to the method of survey, and with another class of selectors in another way, and that must lead to tremendous complications in the future. They had been told that there was to be a differential mode of survey, and he should like to have the opinion of the Surveyor-General as to whether it was likely to tend either to his comfort or to the comfort of the Minister for Lands for the time being? Surely, when Parliament had provided, so far as it was possible to provide under the new Land Act, for the permanent settlement of the colony for a great number of years, they should be careful as to the accuracy of surveys; yet they were told in a flippant way by the Minister for Lands that there were to be several modes of survey. Everyone who knew anything about surveys knew that the mode of circumferential survey was not accurate; yet it was proposed to initiate that system of survey with regard to a large portion of the land thrown open to settlement. While on the subject he might say something with regard to the land question generally. It was anticipated by the Government that the new Land Act would produce an enormous revenue. That revenue had not yet been produced, but there was an enormous expenditure. The expenses connected with the administration of the Act had increased enormously, while the revenue was apparently not coming in at all. Hon. members on the Opposition side had predicted that the Act would require an enormous expenditure and that the employment of a large amount of skilled labour would be required in the making of surveys, but that the revenue would not be anything like what was anticipated by the Government; and so far the prognostications of those hon. gentlemen had been verified. They could

not have any clearer proof of the desire of the Minister for Lands to entangle those who came after him—because, please God, he would not last for ever—in all sorts of troubles than his statement that there was to be a variation in the mode of survey. He hoped the Committee would not pass the vote without seriously considering the question in all its bearings.

The MINISTER FOR LANDS said he simply pointed out that there were two modes of survey. One an elaborate and expensive one which was as accurate as a survey could be made, and the other less expensive but fairly accurate for all practical purposes. It was admitted by professional men that the process of circumferential survey was fairly accurate, and in some instances more accurate than the more elaborate system as carried out in New South Wales in years gone by. If the more expensive and tedious system to be employed in regard to small areas intended for freeholds were to be employed in regard to large areas it would entail an additional cost to selectors, and delay the time at which they could be made available for selection. He ventured to say that the hon. member for Balonne objected to the more expeditious mode of survey because it would make the land available, to the people too soon. He wished to throw difficulties in the way of those large grazing areas being made available for selection. He would like to see the more expensive and tedious method of survey applied to them, so that they would not be made available as quickly as they would be if that other system of survey were adopted. That was the object of the hon. member. The mere fact of the amount estimated for those surveys would show the difference between the cost of the two methods. There were 6,600,000 acres to be surveyed for £41,000, or something under 2d. per acre, as compared with the surveys done in the colony before, which had cost from 7d. to 11d. per acre. That showed conclusively that it was a very desirable class of survey to deal with considerable areas such as the grazing leasehold would be. It was important, in the case of a considerable area, that the survey fee should be as small as possible. The cheaper that people could get the land the more successful the working of the Act would be; and it was with that object that class of surveying was decided upon.

The HON. SIR T. McILWRAITH said he very much regretted to hear the Minister for Lands introducing the old cry without any necessity at all. When a criticism was made upon the action of a department under the Minister for Lands, and a fair criticism was made—why should they not deal with it upon its fair merits, without attributing bad motives as the hon. gentleman had done? The hon. member for Balonne had said nothing that would lead them to suppose that his only objection to the style of survey proposed was that if the more expensive method were adopted it would protract the time within which the land could be taken from the pastoral tenants. The hon. gentleman could not expect that they would quietly put up with their motives being misconstrued in that way. He had heard nothing about the proposed system of surveying until the hon. member spoke of it that night. It should be discussed from a professional point of view. He very much objected to the funds of the colony being squandered away upon unnecessary surveying, but at the same time he objected equally to its being squandered upon a survey that would be of no use. It was the duty of the Minister for Lands, in proposing the scheme, to show the Committee that it would be a profitable thing

to go upon that system rather than upon the more expensive style of survey. He did not himself believe that the adoption of the more expensive scheme would protract the time when the land would go from the squatters. It was simply a question of putting on more surveyors. The sooner the land was surveyed and opened for selection the better, so that a test might be supplied of what actually was the value of the hon. gentleman's land system. What he thought the hon. member for Balonne had brought clearly before the Committee was this—was it a judicious thing to introduce two classes of survey? They were to have agricultural and grazing farms, and the agricultural farms were to be surveyed in so minute a way that they could be framed in with the general survey of the colony when the trigonometrical survey was completed. The other survey was to be less correct though better than the old survey of runs, but not so good as an accurate survey. Then the question arose, was it worth while to cut up those lands and do a vast amount of work which would be only temporary, but which, as he understood it, would cost nearly as much as the other? The hon. member shook his head, intimating to him that the system proposed was much cheaper than he thought. It might be actually cheaper, but there would be nothing like the difference, in his opinion, which the hon. member pointed out. In some points, as he had intimated to the Minister for Lands, he rather approved of the small amount that was going to be spent upon the surveys, because he thought a great many of them would be abortive; but at the same time, if the surveys were to be made at all they ought to be of such a character that they could be incorporated with the general survey of the colony. In any case, the hon. member had no right to attribute motives to any member of the Committee when a purely professional argument was raised against the course he had adopted in connection with the Survey Department.

The MINISTER FOR LANDS said he certainly admitted that no motive should be imputed to hon. members of the Committee, but when a matter of that kind was taken up in the tone, temper, and spirit in which the hon. member for Balonne took it up, it had to be met in the same way. If the hon. member had spoken in the way in which the hon. member for Mulgrave had spoken, he certainly could not have attributed any motives to him. In such a case, the difference between them was simply a difference of opinion. The hon. member for Mulgrave said there was no considerable difference between the two methods of surveying proposed to be adopted, one for the measurement of grazing farms and the other for the measurement of small areas. The difference really amounted to 50 per cent., and would mean about £20,000 more than was set down in the estimate. It would result in a very considerable amount being added to the cost to the selector in the survey fees he would have to pay. He was of opinion that the cost of survey should be reduced to as small an amount as possible consistent with such a survey as would prevent trouble in the future on the score of accuracy. He was borne out in that opinion by others, and he did not submit it as his own unsupported opinion. He had consulted with the Surveyor-General upon the subject, and after getting the opinion of the Surveyor-General he had decided on the plan he mentioned. He thought at first that a perambulating survey would be better as it would be much cheaper, but when the Surveyor-General pointed out to him that a perambulating survey was unreliable for measurement he abandoned it. He then proposed another measurement, which he called "by cir-

cumferential chain," and which he believed was fairly accurate, and was at the same time cheap; and that method was the one adopted.

Mr. MOREHEAD said he must express his deep regret that the tone, temper, and spirit of his remarks did not suit the hon. Minister for Lands. If the hon. gentleman would be kind enough to tell him and other hon. members on that side of the Committee in what way they were to speak of him and of his actions he might save a good deal of unnecessary debate and a good deal of temper on the part of the hon. member himself. He was the first Minister of that House who had ever come up whining like a whipped cur and complaining of the tone, temper, and spirit of the remarks used about him. He (Mr. Morehead) said, "Let the galled jade wince"; and let the hon. member wince, though he did not appear to like it. He (Mr. Morehead) would say the truth that was in him, as he had elected to do, so long as he remained within the boundaries of decorum in debate. If he exceeded that he would look to the Chairman to check him, not to the hon. Minister for Lands; because a more ill-tempered Minister—a more ill-conditioned Minister he felt inclined to call him, and he believed the term was classical—he never saw in the House. If the hon. gentleman tried to put him down by gibes he would probably fail, because he (Mr. Morehead) thought he was quite as good a master of the English language, and could annoy quite as much by using the English language, as the Minister himself. When the hon. gentleman objected to arguments brought against him because they were not couched in the language he preferred, but gave way at once when the same arguments were put in other language, it only showed that the hon. gentleman's hide was too thin for the position he occupied. He did not think the hon. gentleman had grasped the arguments brought against his contention with regard to the fees to licensed surveyors. The hon. gentleman seemed entirely to ignore the fact that they were dealing with grazing farms that were to be held for a period of thirty years, that must necessarily be largely improved, and were comparatively limited in area as compared with agricultural areas; and that unless the surveys were almost as accurately made as in the case of agricultural holdings tremendous conflicts might arise about disputed boundaries. Disputes were likely to arise in consequence of imperfectly accurate surveys when the question of improvements came in. The hon. gentleman accused him of raising objections because he did not wish to see the land settled; but he would like the hon. gentleman to show anything in his (Mr. Morehead's) career, either in the House or out of it, where he had attempted to prevent settlement. He would say this—that he would rather not see settlement on the land than settlement in such an imperfect way as would lead to quarrels, squabbles, dissensions, and lawsuits, such as might result from imperfect surveys made under the proposition set forth by the Minister for Lands. Even under existing circumstances, where enormous areas were held, there were continual quarrels between neighbouring squatters with regard to boundaries; and how much more would there be quarrels if the system adopted by the Survey Department was imperfect, as admitted by the Minister for Lands! The hon. gentleman, with the large following behind him, thought he gained an advantage over anyone who criticised his scheme—though he did not believe the hon. member knew any more about surveys than a child unborn—he was as ignorant about that as about most matters relating to his office—by saying that his critic was opposed to the settlement of the people on the lands of the colony.

The MINISTER FOR LANDS said he did not think anyone had ever heard him whining before the hon. gentleman; the hon. gentleman would never find him shrink before him either in the House or out of it. Ever since he had been in the House he had never heard the hon. gentleman come forward with a single idea to assist a measure that was going through the House; he simply carried his criticisms to the abuse of those whom he disliked personally. He (the Minister for Lands) had managed to exercise a great deal more forbearance towards the hon. gentleman than he had thought it possible for any one man to exercise towards another. He had listened to the representations of professional men that the survey would not be accurate; but he contended that it was accurate enough to prevent any difficulties arising hereafter. The corners had to be marked with permanent posts, and it would be the interest of the landholders to preserve those posts intact, as showing what were actually the boundaries of their land. Even if the land were submitted afterwards to more accurate measurement by chain or tape, the land within those four posts would be the land the lessee held from the Crown. The great object of reducing the cost of those surveys was thought to deserve the primary attention of the Government. When men were starting first, if they had to pay a heavy survey fee, it often told very seriously against them, and to make the land as accessible to them as possible was one of the great objects he (the Minister for Lands) had always kept before him. That, he believed, had been done with such accuracy as would prevent any difficulty arising hereafter.

Mr. MOREHEAD said perhaps the Minister for Lands would tell him how those holdings would be described in the lease?

Mr. BLACK said he certainly thought the explanation the Minister for Lands had just given, that the lessee was to be satisfied with four posts as a boundary, must take the Committee somewhat by surprise. He supposed the Minister for Lands understood that 20,000 acres contained something like 31 square miles; that meant a block about 4 miles by 8 miles. Hon. members would remember that within three years of the application those lands had to be fenced, and in the meantime the lessee only held them under license. To tell the licensee he was to fence between two posts 8 miles apart was somewhat vague, and he could not imagine that was what the hon. the Minister for Lands really meant. There surely must be some other checks between those two corner posts. He regretted very much that the hon. gentleman had allowed himself to become so irritated; he (Mr. Black) heard nothing said that could give rise to it. He was under the impression that the estimate would be allowed to go through in a most amicable manner, for the general feeling of the majority of hon. members was that it was hardly fair to kick a man while he was down. By that he meant that the land system introduced by the hon. member was proving such an utter failure that all they could do was to give him that time which he had so often pleaded for. It was a matter of very sincere regret to everybody that the administration of the land was turning out so unsatisfactorily. Up to the present time, although the Act had been in force seven months, the results had been comparatively nil. When the House met they were told that all the system required was more time. Month after month had elapsed, and they found that no settlement was taking place—that the agricultural selector was unable to get the land that he had been in the habit of getting. He knew of his own knowledge that the demand or agricultural settlement still continued. But

as far as grazing settlement was concerned he did not believe that, even if grazing areas were available, people would be found, after the very serious experience of the last two years, to take up the land as the hon. gentleman had anticipated. In some highly favoured localities people might be found who could make a living on 2,500 up to 7,000 acres; but after the serious vicissitudes of climate to which Queensland was subject, people had come to the conclusion, both here and in the other colonies, that a grazing farm of 20,000 acres in the interior was about the highest road to ruin on which any man could travel. The Minister for Lands anticipated last year that he would receive £10,000—and that was considered a very small amount—as land revenue under the new Act. He certainly did not quite achieve that result, for he only got £696. But, however small that amount might be as compared with the amount anticipated, the subsequent return was still smaller. The amount the hon. gentleman estimated to receive for the whole of the current year was £30,000 under the Act of 1884, but the amount received during the quarter ended on the 30th September was only £380 0s. 9d. Unless there was going to be some radical change, either in the seasons or in the dispositions of people to select land and settle upon it, it seemed to him that the expenditure of £50,000 for surveys was almost certain to be a dead loss of that amount. The Land Act was likely to lead the colony into a most serious position, and it was only fair that the hon. gentleman who had been the father of it should accept the responsibility, and at the same time he must be prepared to accept any criticisms that hon. members chose to make on the administration of a department which was certain to necessitate very heavy additional taxation next year.

Mr. PALMER asked why the only reduction in the vote was in the item of allowance to staff surveyors in the extreme northern and western parts of the colony?

The HON. SIR T. MCILWRAITH said the hon. member for Burke must excuse him, but the question immediately under discussion was too important to be broken in upon by the introduction of foreign matter. What the Minister for Lands had said about the surveys of agricultural and grazing farms had taken him by surprise. When the Act was passed there was not the slightest difference made with regard to the surveys for the two classes of farms. The survey was to be an accurate survey, as was practised in the Survey Department. There was to be no distinction between what was a survey for an agricultural farm and what was to be a survey for a grazing farm. Now the hon. gentleman brought in a distinction, and told them coolly that for grazing farms it did not matter about the accuracy of the survey. Did the hon. member remember the Act which he helped to pass last year? It was an Act that gave grazing leases for thirty years, and leases that were likely to become permanent. It was a matter of the utmost importance that the survey should be full and complete. What did the Act itself say?—

"Before any land is so proclaimed open for selection it shall be surveyed under the direction of the Surveyor-General and divided into lots of convenient area for selection, with proper roads and reserves for public purposes, and such lots shall be marked on the ground by posts not less than three feet in height at the corners of the lots."

If they were to go to the expense of a survey which was to be a permanent survey, and on which all the roads and reserves in the district were to be defined, surely they ought not to throw away money on a survey which was only temporary and could be altered. No doubt the

hon. gentleman had been turned from the right path by the consideration that the cost would be so great that it would take several years' rents before the survey fees were repaid. That was one of the defects of the Bill that was pointed out while it was going through. What they objected to was this: They were asked to vote £50,000 for surveys. The greater part of that sum was being expended in what were admitted to be temporary surveys, which could not possibly lead to confusion in regard to roads and selections. The selectors who were affected by those surveys were not temporary holders; they were thirty years' holders, with the prospect of perpetuity, and they were asked to spend money on their selections, to put up boundaries on the surveys and so on, and after all they might find years afterwards that the survey had been slummed very much in the same way as other surveys had been slummed in the colony, where it had been found that the points were half-a-mile from where they ought to have been. He did not think the hon. gentleman had considered for a moment the effect of what he was doing. He was trying to make his Land Act less intelligible than it otherwise would be, and in order to disguise the fact he was hiding himself under a survey that was neither legal, nor right, nor expedient.

The MINISTER FOR LANDS said the hon. gentleman had stated that if the present surveys were carried on the lines would probably be found somewhat out of position, and that they should be deferred until they could be defined with absolute accuracy. But he would point out that when the trigonometrical survey was brought down to Brisbane it might be found that Queen street ought to have been at Kangaroo Point, and he had no doubt that that would be found to be the case. He was satisfied that a great many places would be found to be not exactly at the proper point, but how would that affect anyone holding property? Not one particle. They would remain in the same position that they were in at present, just as if the survey was correct in every particular. He did not attach the least importance to the objection the hon. gentleman raised. No doubt the circumferential survey would be fairly correct, and as other surveys were being made out west which would enable the surveys referred to to be checked and determined with accuracy, as far as it could be obtained by any survey, he thought they should be proceeded with.

The HON. SIR T. MCILWRAITH said the hon. gentleman had used an argument which was purely and entirely hair-splitting. He (Sir T. McIlwraith) did not urge at all that the land out west should not be leased as grazing farms, but what he did advocate was that the surveys should be the ordinary surveys of the colony—surveys of the ordinary accuracy that could be obtained by the use of instruments that surveyors generally employed. By that means they could obtain a survey sufficiently accurate for all practical purposes, and that was all they wanted. But circumferential surveys were made by men who knew that accuracy was not expected, and it did not matter to them if twenty years hence their surveys were found to be incorrect; but it was a matter of considerable importance that proper surveys should be made of what were practically permanent leases. He believed that the Government were making a great mistake in order to hide a grave fault in the Land Act—namely, that the cost of surveying would actually come to a great deal more than the money they were going to get from leases for a long time, so that practically they would get no rental at all. If the hon. gentleman wanted to effect a reform in that he should bring in

another amendment of the Act. In taking their present course the Government were avoiding the spirit of the Act; they were bringing in a false "Bruumagen" survey to take the place of the survey contemplated by the Act. A circumferential survey was never contemplated—if it had been it would have been mentioned—and they were evading the intention of the Act, he believed, for financial considerations.

The PREMIER said: What did all that lead to? It led simply to this—that the Opposition said the Land Act was a failure, and that there was no settlement under it; and in order to prove the accuracy of their prophecy they said there should be no settlement under it so long as they could prevent it. For their argument the less settlement there was the better; and the longer they could prevent any settlement the sooner they would be able to prove that the Act was a failure. The hon. gentleman objected to the leasing of land in the grazing areas until a perfectly accurate survey was made. What was the object of the survey that was made in those places? That it might be known what land might be taken up; that it might be divided in a rational manner; that one man might not be able to take up both sides of a watercourse or the whole of a watershed—in fact, to pick the eyes out of the country. So far as the welfare of the colony was concerned, of what practical importance was it—so long as the people knew what land could be taken up and it was marked by well defined boundaries—whether they were at perfect right angles or not? What had it to do with the general welfare of the colony, either at present or in the future, whether two roads crossed each other at exact right angles—whether they were one or even two degrees out? What effect would that have upon those who had taken up the land? The land they had taken up would be marked out by metes and bounds, and what did it matter if they did not know the exact length of the lines, or that they were a yard or two out? It might result in the country getting a shilling or two less rent per annum, but really no harm was done in any way. He supposed that in days when there was not so much civilisation as there was at present people bought and sold land and did not bother about the precise length of boundaries or the compass bearings. Land was subdivided and measured long before the compass was invented, and he supposed it would be again if they lost the use of it. What they had to do was to deal with the land practically—to deal with it in such a way as to make use of it; and if they were to wait until a trigonometrical survey was made of grazing farms, of course the extension of settlement throughout the country would be indefinitely postponed, and consequently the failure of the Act would be made manifest.

The HON. SIR T. MCILWRAITH said no one had proposed that the surveys should be stopped in the outside districts until the trigonometrical survey was completed; nor was it necessary for that purpose that a trigonometrical survey should be made in the colony at all. The hon. gentleman was perfectly wrong in saying that it did not matter whether the lines were at right angles or not, and that it would be sufficient if they were approximately correct. The difficulty was not that the lines were supposed to be at right angles when they were not at right angles, but when they came to be properly surveyed afterwards those lines would be found to be far from straight and would have to be corrected. The hon. gentleman seemed to consider this a temporary survey.

The PREMIER: All surveys are more or less temporary, except a trigonometrical survey.

The HON. SIR T. McILWRAITH said there was no survey in the world that was less permanent than a trigonometrical survey, because it was made up of the most minute subdivisions, respecting which people differed most, so that the hon. gentleman's explanation did not approximate to correctness in any way.

The PREMIER: There is no such thing as perfect accuracy in a survey.

The HON. SIR T. McILWRAITH said, at any rate, they could approximate to it; and what he complained of was that the hon. gentleman was evading the true meaning of the Act in order to avoid bringing about a very large expenditure—an expenditure so large that practically there would be no return from the rents of those lands for a long time to come. He (Sir T. McIlwraith) remembered very well, when he was surveying in Victoria nearly thirty years ago, that they found a great many lines there—in fact, that the bulk of the country had been wrongly surveyed. The practice there was to give good measure to the men who bought the land. Instead of making a chain 100 links it was made 100½ links or more, according to the liberality of the surveyor, and the result had been that they had to go to great expense to correct those surveys. The surveys they were now dealing with were quite as permanent as those which were made in Victoria thirty years ago. He wanted to see the runs cut up as quickly as possible; and so did everybody else, because the sooner it was done the sooner would it prove the value of the country. The hon. gentleman said that the present surveys being carried on would cost 50 per cent. less than a more complete survey, but he did not think he was right. He thought he would find that a survey of those Western lands by theodolite and chain would not cost 20 per cent. more.

Mr. MOREHEAD asked the Minister for Lands how the boundaries of the selections would be defined under the leases to be issued?

The HON. SIR T. McILWRAITH: The boundaries will be between four posts.

The MINISTER FOR LANDS said under the Act the four corners had to be marked, and between each post certain distances would intervene. The lessees would hold the country between those marks.

Mr. MOREHEAD said he should like to know how the leases were to be defined. How was the lease to be defined so as to give the selector an indubitable claim for thirty or fifty years, as the case might be? It was no use giving vague answers to a very important question.

The MINISTER FOR LANDS said he was not prepared to say what the form of lease would be or how it would be drawn. The land would be defined in the usual way in which definitions were inserted in leases of the Survey Department.

Mr. MOREHEAD said the answer given by the hon. gentleman was something like the answer said to have been given where a question arose as to the duties of an archdeacon. The answer was "that he was supposed to perform archdeaconal duties." The hon. gentleman said when a lease was prepared the selector would know what it contained. They wanted to know a great deal more than that. Surely the Minister for Lands, having come down with a full digested scheme of survey of divisions, should be able to tell them what they wanted to know, and he was sure it would be of great interest to the selector to know how his land was to be described in his lease—where the starting point was, and so forth.

The PREMIER said the description depended upon the starting point. The starting point and

the direction had to be described. The first thing was to identify the starting point. He remembered a case where a description consisted of "a line leading from a marked tree to another tree about ten miles distant" in a particular direction. As a matter of fact, that tree was found twenty-five miles away in another direction, but that made no difference to the land included in the lease. The two trees were identified and the boundary was found. The question of description, as he had said, was simply a question of starting point.

The HON. SIR T. McILWRAITH said the hon. gentleman knew that a question of description was not a question of starting point. It was a question of starting point, and length, and getting back to the starting point. The case referred to by the hon. member had no bearing on the question. The kind of survey referred to in a case of that kind might be right enough where only a rough survey was required; and to say that that particular tree in that particular gully was intended as the boundary, and not another tree, might answer the purpose; that was a matter of proof. But the surveys that were now being executed by the Government were the surveys by which the roads and reserves of the colony were to be identified. Matters would get into a nice state if, instead of roads running north and south, they were found to be ten or twenty degrees out, according to the temper of the surveyor or the quality of his instruments. He noticed that the next item was £2,500 for the trigonometrical survey. Last year the amount voted was £4,000, and he should like to know the reason of the reduction. He could excuse a good deal of the laxity in the other surveys if the trigonometrical survey had been pushed out to the west. He would like to know whether it was really intended to diminish the staff which was connected with the trigonometrical survey?

The MINISTER FOR LANDS said that it was intended to diminish the staff on the trigonometrical survey and to simply carry it as far as Brisbane. It was not intended to continue it in any other direction.

The HON. SIR T. McILWRAITH said that the survey was virtually to stop when it reached Brisbane?

Mr. MOREHEAD: Yes; when it is proved that Queen street is in Kangaroo Point.

The HON. SIR T. McILWRAITH said he thought that was a great error. A good deal of difficulty had been met with in making the survey, but much work had been done last year in laying down the base line; splendid work, in fact, had been done, and it ought to have been carried on to the western districts, where it would have saved the Government an enormous sum of money in the shape of survey fees. As he had said before, a certain amount of laxity might have been justified in the other surveys, if the trigonometrical survey had been carried on—which it could have been at a very little extra expense. The surveys which were admitted to be only temporary were, it appeared, to be continued, while that which was the most useful was to come to a sudden stop. The permanent work that was actually doing good, and which would save the Government large sums of money, was to be left in abeyance except so far as Brisbane was concerned. They were not particularly anxious to know the exact position of the blocks in Brisbane, and he believed himself that the principal object in pushing on the trigonometrical survey was not to put down on a map of the world every allotment in Brisbane; the object was to get a good map of the colony, and that work ought to have been proceeded with.

Instead of engrossing their attention with minute surveys in the neighbourhood of Brisbane, they should push on with the great work they had all been aiming at—namely, a reliable skeleton map of Queensland, which could then have the details filled in with accuracy.

The MINISTER FOR LANDS said he was not a surveyor, and knew nothing about the scientific aspects of the question. He said that Brisbane was one of the directions in which the survey came. If he had said that the head of the Bungil was another direction he might have been asked what the degree was, but could not have answered. All he had meant was, that the base of operations was at Toowoomba. They were not merely testing the accuracy of the previous surveys about Brisbane, but of all in the country around the base of operations. With reference to the expenditure of money on trigonometrical surveys, it might be a want of knowledge on his part, but he thought that, when they had such a great extent of land to deal with, money spent on such a survey was simply wasted. Had the money already spent been expended in the surveying of lands for selectors it would have been very much better for the colony. In other parts of the world trigonometrical surveys had been done without for centuries. They were only just completing one in England. The leader of the Opposition said in one breath that the Government had no money to spend at all, and in the next that it was their duty to spend money to test the accuracy of all surveys. No doubt that would be a good thing, but he would be very glad, if he had £6,000 or £7,000 to spare, to spend it rather on surveys to open grazing and agricultural farms.

Mr. MOREHEAD asked what would be the position of a selector who leased a grazing farm of 20,000 acres for ten years, and who was found, on a more accurate survey, to be holding 22,000 acres? Such a contingency was bound to arise, and it must be that the lease was assailable or unassailable.

The MINISTER FOR LANDS said the lessee would be able to hold the land leased to him against anybody. If a man did hold land in excess of the area supposed to have been leased to him, but which was within the description given in the lease, he (the Minister for Lands) believed he was entitled to hold it all.

Mr. MOREHEAD said he understood then that the title which a grazing farmer held was indefeasible—that it would stand good no matter what the result of any subsequent survey might be. An individual who had taken up land marked by four corner-pegs could hold that absolutely for the whole term of his lease, no matter how inaccurate the survey might have been.

The PREMIER : Of course he could.

Mr. MOREHEAD said that was what was termed selection after survey.

Mr. STEVENSON said that after the explanation given as to the effect of inaccurate surveys he thought the Government ought to save a good deal of money. Indeed, what was the use of having a survey at all? The Premier, in stating that land which might be inaccurately surveyed was held by indefeasible title, was simply making food for lawyers. If affairs were conducted in the fashion which had been indicated, what was the use of going to any expense whatever for surveys? A man on horseback, knowing how many miles his horse would walk in an hour, could, by sticking in a post here and there, do the work as well. But then came another question: Who watched the posts? Supposing they were pulled up and shifted, what would happen then? But it was absurd

going on in that fashion. A survey was either accurate or inaccurate, and it was no use unless it could be depended on.

Mr. MOREHEAD said the Act provided distinctly that the maximum size of a grazing farm should be 20,000 acres. Beyond that a grazing farmer could hold no more under the Act, but by some displacing of the posts or some rough surveying a selector might have 22,000 acres within the fences. He (Mr. Morehead), being a stickler for the law, might insist on having the land resurveyed, and might apply for the extra 2,000 acres. Could the Premier, with all his subtlety and ingenuity, show him that the lessee could still hold on to the 2,000 acres to which he was not by law entitled? How would a rough survey fit in there? The law said distinctly that A or B should not hold more than 20,000 acres under that tenure, and he could get any excess if he applied for it. The Minister for Lands said he would not, and he had not the slightest doubt he would not if the Minister for Lands could prevent him. But if he took the case into the courts of the colony he would get it. A man could not hold more than 20,000 acres, and if he had 2,000 acres in excess of that he (Mr. Morehead) could claim it. That was the spirit as well as the letter of the law. He urged, in the interests of the inspectors, the necessity of the survey being as accurate as possible. He had no doubt that the Premier would admit that he was right, and therefore, if he or anybody else discovered that any man held more than 20,000 acres, the amount in excess of that could be claimed by him or anybody else.

The PREMIER said the hon. gentleman's argument simply amounted to this: that all human institutions were liable to error. There was nothing more remarkable about there being an error in 20,000 acres than in 640 acres. It applied to every pre-emptive taken up. The area allowed was 1,280 acres, no more and no less. The question had been decided over and over again by courts of justice. It was only a question of degree. There were various kinds of surveys. A survey might be made in building a house, by measuring with a tape. When they were dealing with only two perches of land there could be almost an equal degree of accuracy. But when they came to acres, there was a greater liability to error, and in dealing with square miles there was still more liability. What the Government had to do was to get the most accurate mode of measurement practicable under the circumstances. That was what the Government proposed to do.

The HON. SIR T. MCILWRAITH said that was what the Government had not done. The real objection he had to the proposition of the Minister for Lands was that the law laid down that, when a survey took place of those lands—which were really freeholds, being leased for thirty years, and probably for ever—all roads and reserves were to be laid down in that survey. What he complained of was that the Government had gone beyond the Act. The circumferential survey was only a temporary survey, and known to be inaccurate. The Minister for Lands said it would be quite sufficient for the purpose; but he forgot that they were permanently laying down roads, and those roads would be found to be in a very different position from what they were now, when an accurate survey was made, and, in addition to that, they would have gone to the expense of the temporary survey, only to save, for a time, the expense which must in future be incurred. That was the real difficulty, and neither the Minister for Lands nor the Premier had met that difficulty. There was another question that he should like to have answered.

There was a line being measured out from Boulia to the western border of Queensland — what had become of that line, and what progress had the South Australians made?

The MINISTER FOR LANDS said the South Australian survey party were at the Georgina River, or somewhere about there. The Queensland survey party had progressed about 100 miles; but there were many difficulties in the way. There were long spaces of forty or fifty miles without water, and the surveyor had to leave gaps on his line in the hope of rain falling. He was not yet connected with the line that the South Australians were pushing forward.

The HON. SIR T. McILWRAITH asked, so far as the line had been run up to the Georgina by the South Australian Government, how much land had been taken, which was supposed to belong to Queensland, or *vice versa*?

The MINISTER FOR LANDS said he did not know exactly how much had been taken. In some cases there had been a variation of five miles or six miles. In one case there was as much as eight miles.

The HON. SIR T. McILWRAITH said he would recommend the hon. gentleman to study that question, and see whether the antediluvian remarks he made about the trigonometrical survey were altogether justified. A survey was being made at very little expense, which had showed that they had been using seven or eight miles of South Australian land, or the South Australians had been using that quantity of Queensland land, as the case might be. Permanent surveys were wonderfully saving to the colony in the end, and until the hon. gentleman had pushed that trigonometrical survey forward into the interior they would never have a correct map of the colony, and the maps they had at present were no credit to them. He had not regretted anything so much as hearing the hon. Minister for Lands say that he had come to the conclusion that at the present time it was useless to spend money on the trigonometrical survey. As a scientific man and a practical man, he ought to see the great advantage that it would be to the colony to have a good and accurate map by which they could tell, within a mile, where the towns in the interior were situated. That could not be ascertained until the trigonometrical survey had been pushed out, and he was sorry to hear that the hon. gentleman was going to stop it when it got nearer Brisbane.

The PREMIER said he agreed with what the hon. gentleman had just said, and he thought his hon. colleague, in speaking about the trigonometrical survey, rather expressed his own individual opinion than that of the Government. He (the Premier) had always taken a very warm interest in the progress of that survey, though he knew his hon. friend did not quite agree with him upon that point. He thought it would be a most valuable thing for the colony. It would not be finished during the present year, and the amount on the Estimates would be sufficient to keep it going at the present rate of expenditure.

The HON. SIR T. McILWRAITH said there was another matter in connection with the survey that he would like to hear explained by the Minister for Lands. He did not think it was originally contemplated that the positions of Surveyor-General and Under Secretary for Lands were to be distinct offices. He did not think it was intended that the Surveyor-General should have charge of the surveys of the colony and also of the pastoral branch of the Lands Department, while the Under Secretary for Lands had charge of the settled districts. He did not understand how it

could work, and would like to know how it had worked, and whether, if it had worked badly, the Minister contemplated any change? Under the old arrangement the attention of the Surveyor-General was confined exclusively to surveying. He thought the pastoral branch should be under the control of another officer altogether. If the Surveyor-General confined his attention entirely to the surveys of the colony, and performed his duties as he believed that officer would, he would be a hard-worked man.

The MINISTER FOR LANDS said he did not know what the hon. gentleman saw in the Estimates to assume that the pastoral occupation branch was under the control of the Surveyor-General. Possibly he came to that conclusion because it was under the control of that officer during the greater part of the time the hon. gentleman was in office. He (the Minister for Lands) might inform the hon. member that the pastoral occupation branch was not now under the Surveyor-General; his attention was devoted to the real duties of his office; but by virtue of his office he had necessarily a certain amount of control over the preparation of maps and plans for the pastoral occupation branch.

The HON. SIR T. McILWRAITH asked when the change was made, and when it was intimated to Parliament? The hon. gentleman stated that he did not see how it could be inferred from the Estimates that the Surveyor-General had charge of that branch, but there was no change in the Estimates.

The MINISTER FOR LANDS said he did not think it was necessary, in making a change in the arrangements of a department, for the Minister to make it known to members of the Committee. If they asked for the information, of course it would be given. The change was made about three or four months ago; he could not say exactly at what date.

The HON. SIR T. McILWRAITH said he was happy to hear now, for the first time, that the change had been made. But surely the hon. gentleman could not have thought of what he said when he stated that it was not the business of the Committee to know when a change was made.

The MINISTER FOR LANDS: I rise to a point of order. I most distinctly and emphatically object to words being put into my mouth.

The HON. SIR T. McILWRAITH: What is the point of order?

The MINISTER FOR LANDS: You misstated what I said.

The HON. SIR T. McILWRAITH: Chair! I rise to a point of order. The hon. gentleman is not addressing the Chair.

The MINISTER FOR LANDS: I shall address the Chair now.

The HON. SIR T. McILWRAITH said: I ask your ruling on the subject, Mr. Chairman.

The MINISTER FOR LANDS said the hon. gentleman had stated that he had said it was not his business to come there and inform the Committee of any changes made in his department — such as putting one branch of the department under a different officer. He (the Minister for Lands) said it was not his business to come here and do that, but it was his business to answer the question if it was asked him.

The HON. SIR T. McILWRAITH: Would the hon. gentleman sit down? The hon. gentleman was speaking to a point of order, and in explaining the point of order he had stated that it was not his business to come there and inform hon. members of any change in his

department. That was what he (Sir T. McLlwraith) wanted to say. The hon. gentleman ought to keep enough temper to have ordinary intelligence to understand what was said to him. The hon. gentleman had told them in so many words that it was not his duty as a Minister to come down to the Committee and inform them that changes had been made in the department and if hon. gentlemen wanted to know what changes were made they would have to ask. Were they to ask the Ministers every day what change had been made in their departments? Here was a change in one of the most important departments of the Government—where the business of one department was transferred to another—and no information had been given to the Committee. He (Hon. Sir T. McLlwraith) had often been confused in looking for information in the report of the Under Secretary for Lands, and afterwards had found it in the report of the Surveyor-General; and *vice versa*, when looking over information in the Surveyor-General's report, he had subsequently found it in the report of the Under Secretary for Lands. That was a grievance which he had brought before the Committee, and the Minister for Lands simply told him that it was not his business to tell the Committee what changes had been made. He (Sir T. McLlwraith) said it was his business, and it was the business of hon. members to criticise any changes made by the Government.

Mr. MOREHEAD said the leader of the Opposition was wrong. The hon. gentleman evidently forgot that he was speaking to a Liberal Minister, and that he was not dealing with a Minister of a Conservative Government. It was patent to every hon. member that there was nothing got out of the Minister for Lands unless it was dragged out, but he did not think there was very much in the hon. gentleman to be dragged out. He thought presumption had really excelled itself in the position taken up by the Minister that evening. One would think that he was a Gladstone. He (Mr. Morehead) had described him once before as a heaven-born Minister; but now the hon. gentleman posed as a Minister who would not give any information. "If you want information," the hon. gentleman said, "you must ask for it, and if I choose I may give it to you, or I may not. I am not going to give you any information. No, no, hon. gentlemen, I am too great to do that! If any change takes place in my department I may tell you, or I may not, if you ask the question." That was the most extraordinary position ever taken up by any Minister for Lands in that House. He thought it was a very good one, though, because a position of that sort very often disguised the ignorance of a Minister. He was not sure whether, if he was as ignorant as the Minister for Lands was, he would not adopt the same rôle. He recommended to hon. members who wished to become Ministers to affect ignorance, even if they had it not. But the Minister for Lands had ignorance, and therefore had a double advantage. He (Mr. Morehead) would ask the Chairman whether in his experience—and he had been a Chairman of Committees before he (Mr. Morehead) entered Parliament—he had ever heard of a Minister in charge of his Estimates who, when such an important change had taken place in his department as had been made in the Department of Public Lands, did not disclose that fact to the Committee without having it dragged out of him. He was certain that no Minister on that side except the Minister for Lands would have taken up the position he had taken up that night.

Mr. STEVENSON said he had asked the Minister for Lands a question, to which he had received no answer. He would again ask the

hon. gentleman when he proposed to make the accurate survey of holdings under the new Land Act? The Minister for Lands had informed the Committee that though he would not volunteer information he was willing to answer questions; and perhaps he would now answer that question?

The MINISTER FOR LANDS said he did not rise to answer the hon. gentleman who had just sat down, because the question had already been answered more than once. In answer to the charge of not giving information, made by the leader of the Opposition, he might say that whenever anything connected with a Government department was done, if it was a matter of interest to the public, it was usually made known to the public through the medium of the *Government Gazette*, so that the information was available, not only to the hon. gentleman, but to every other hon. member. Therefore the hon. gentleman should not have pleaded ignorance on the ground that he (the Minister for Lands) had not informed hon. members of the change, though he might have questioned the prudence of the change.

The Hon. Sir T. McILWRAITH said he might inform the hon. gentleman that the *Government Gazette* was a document which sometimes he did not study from one year's end to the other. The hon. gentleman himself did not know that the notice appeared in the *Gazette* till he was informed by one of the officers of the department present.

Mr. STEVENSON said that though the Minister for Lands had stated that he would not answer the question, he would ask it again. When did the hon. gentleman intend that an accurate survey should be made? When were people to know whether land, on which they had probably erected improvements, belonged to them or not?

The MINISTER FOR LANDS said that whatever survey was made, that would be taken to be correct.

Mr. MOREHEAD said he understood that; but supposing he represented to the Government that there was an area of 2,000, 3,000, or 4,000 acres included in an incorrectly surveyed grazing farm, he assumed the Government would take the same steps as they did now with regard to surveying runs; that was to say, if they found that a larger area was included in a run than the area for which rent had been paid, the extra rent was demanded? That raised another question. What course would the Government pursue on finding that a man had held a selection for four or five years which he believed to be correctly surveyed, but which contained an excess of 3,000 or 4,000 acres, not through any fault of the selector but through the fault of the Government, or the rough mode of surveying they proposed to adopt? Was the selector to be called upon to pay back rent for the area in excess of the area he should hold? Those defects would crop up, and he would ask how the Government proposed to deal with them. No doubt it would be said that they would be dealt with when the question arose, but it would be a very serious thing if a man under such circumstances were called upon to pay back rent, after occupying a holding for fifteen or twenty years, if it should be found to be 3,000 or 4,000 acres in excess of the area he was supposed to hold. If the Government decided not to demand back rent, then the selector had been enjoying property which he had no right to enjoy. Under the Act of 1869, if the area of a run was found to be greater than the area for which rent had been paid for years and years, all the back rent had to be paid by the lessee who held the run at the time the mistake was discovered. Was that system to

prevail with regard to the farms in question? All those things would happen unless there was one accurate system of survey, and no provision appeared to be made to meet those cases; in fact the Minister for Lands seemed to have adopted a scheme which would lead to all the troubles to which he had alluded.

The PREMIER said the hon. gentleman had made that speech several times, and the same explanation had been given several times. The hon. gentleman made a speech, and, after waiting for about twenty minutes or half-an-hour, got up and made it again. He (the Premier) had already pointed out that the case to which the hon. gentleman referred was common to all human systems of measurement. There was no perfectly accurate system of measurement. There might be an error of 10 or 20 acres, or more, in measuring a selection under the present system. It was possible to have an error of 100 acres; in fact, he knew of a mistake of 500 acres in one deed of grant for a piece of land in the neighbourhood of Brisbane. It was possible that there might be mistakes under the system proposed, but the matter could be settled between the selector and the department, and he was sure that Parliament would step in if the matter could not be adjusted between the Government and the lessee. The hon. gentleman might as well ask what would be the consequence if a man had to pay duty on so many tons of goods, and there was a mistake in the weighing-machine? An accurate survey was theoretically possible, but it was practically impossible. If mistakes were made, they would be corrected as well as it was possible to correct them.

Mr. MOREHEAD said the hon. member had not yet answered the question raised by the leader of the Opposition early in the evening. He was sorry to irritate the hon. gentleman, but the hon. gentleman was there, he supposed, to perform a public duty, and so was he, and he intended to perform it so far as he could. The leader of the Opposition had pointed out that the word "survey" was not used in any differential way in the Act. He objected, and he believed many hon. members on both sides objected, to a differential system of surveying being adopted. It must lead to tremendous confusion in the future, and to any amount of litigation; and that might be the direction in which the Premier and Attorney-General wished the alteration would tend.

Mr. STEVENSON said it was the fault of the Minister for Lands that the discussion was prolonged. The hon. gentleman had volunteered the information that that cheap and nasty system of surveying was bound to be inaccurate. Who was going to pay for the second survey when it was made? The selector had to pay for the first; and if it was found to be incorrect, was he to pay for the second?

The PREMIER: No.

Mr. STEVENSON: Is the Government to pay for it?

The PREMIER: The selector pays his survey fee when he makes his application.

The MINISTER FOR LANDS said it was not intended to carry out any more accurate surveys than the one proposed.

Mr. BLACK said that if the Minister for Lands had given that information in the first instance they would not have had the discussion they had had for the last hour and a-half. If the hon. member had stated before that the one survey made was to be a permanent survey, he would have saved all the delay that had taken place.

Question put and passed.

The MINISTER FOR LANDS moved that the sum of £2,500 be granted for the Trigonometrical Survey.

Question put and passed.

The MINISTER FOR LANDS, in moving that the sum of £850 be granted for Miscellaneous Services, said that the items for Colonial Botanist, destruction of Bathurst burr, and botanical library were the same as last year. There was nothing set down this year for forest nurseries, collector of indigenous timbers, or inquiry into diseases in animals and plants. There had been no results from the expenditure upon forest nurseries to justify that expenditure. To do any real good it must be carried out on a much more extensive scale than was possible with the amount set down. The collection of indigenous timbers was carried out last year as far as the vote permitted, and for all practical purposes they had got as many specimens of indigenous timber as could be required. An amount for inquiry into diseases of animals and plants had been placed upon the Estimates for a good many years; but he had never heard of any good having come of it, and he therefore thought it would not be required.

Mr. MOREHEAD said he would like to ask how the amount set down for the destruction of Bathurst burr was expended.

The Hon. Sir T. McILWRAITH: And, by the way, how is the Bathurst burr getting on?

The MINISTER FOR LANDS said that the money was expended in the same way as he had explained it was expended last year. There was a good deal of Bathurst burr on Crown lands in the settled and unsettled districts, and in the North. Where the divisional boards undertook to cut it off Crown lands the Government defrayed the expense, and when the divisional boards sent in vouchers properly certifying the performance of the work the department paid for it. The work was undertaken in several cases by the divisional boards.

Mr. PALMER said it was getting late in the evening now, and the discussion had taken so long on previous items that he had not much time to devote to the subject in which he had been interested and the urgency of which he had endeavoured once or twice before to impress upon the Minister for Lands. It seemed, however, that that hon. gentleman turned a deaf ear to him, and while he was Minister for Lands he did not expect that there would be any change in regard to the matter. However, as long as he had a seat in the House, he would jog the hon. gentleman's memory about it every year. The matter he referred to was the conservation of timber. The remarks which the hon. gentleman made about nurseries just now—saying that he considered the amount set down for them a perfect waste of money—only proved the incompetency of the persons in charge of them. In the other colonies the money so expended was not proved to have been utterly wasted. They had been a great success, as was proved by the report on the woods and forests of South Australia. The department in South Australia had proved to be a paying department. The expenses for nine years for that department was £52,752, and the revenue amounted to £50,000. Within the last year they had distributed about 400,000 trees to the farmers, at a cost of less than a halfpenny each. They were doing a national work, and if the hon. member had introduced a woods and forests conservancy of that sort he would have done a great deal more good than he had done by the introduction of his celebrated Land Act, and certainly the

return to the colony would have been greater. He had called for a return the other day for reserves for timber and State forests, but the information given was very inaccurate when compared with the report of the Commissioner for Lands. The report said that no revenue was being derived from the reserves, but he found that there had been a considerable return from some reserves, and if they had been properly managed the return would have been much larger. The present system was a very wasteful one. All the timber of the colony was being used, and no steps were being taken to recover the lands; because the Minister for Lands was perfectly apathetic. Other countries had benefited by the system, and this colony would one day see the mistake that had been made in not taking it up.

The MINISTER FOR LANDS said the hon. member often talked about things he knew nothing about, and he certainly knew nothing about that. He said that he (the Minister for Lands) took no interest in that matter. He undertook to say that no previous Minister for Lands had ever done as much as he had towards preserving the timber of the country. The hon. member said no attempt was being made to foster the growth of young timber. That was being done, though not perhaps to the extent it might be done if they were prepared to incur very heavy expense. To go through the form of putting £500 on the Estimates was only to affect to do what could not be done with such an absurdly small sum. The only thing that could be done, unless they spent a large sum of money, was to supervise the removal of timber from the timber reserves and see that the young trees were not destroyed.

Mr. NORTON said he did not see that the hon. member for Burke had said anything at which the Minister for Lands need have taken offence. The hon. member for Burke knew more, perhaps, about timber conservation than any member in the Committee. It was a subject he had been studying for years. The Minister for Lands spoke of the hon. member as continually talking about what he knew nothing about. Certainly most hon. members would agree that the hon. member for Burke was one of the most painstaking members of the House, and though they might not all agree with his conclusions, yet the remarks of the Minister for Lands were quite uncalled for. He (Mr. Norton) disagreed with the actions of the Minister for Lands quite as much as the hon. member for Burke did. All the money that had been spent on forest nurseries was to be wasted, because the Minister did not think the trees which had been planted were worth looking after; but thought the only thing to do was to keep the timber-getters out of the scrubs. He would advise the Minister for Lands, if he wanted information on the subject, to apply to a gentleman in his own department, Mr. McDowall, who was an enthusiast on the subject of the conservation of timber, and knew more about it than most people. The forest nurseries had been coming on well, though, of course, lately not much had been done because of the drought; and now, by leaving off the vote, they were getting rid of all the good that had been done. At some future time another Minister for Lands would replace the sum on the Estimates, and the work would all have to be done over again. If the Minister would look at the papers the hon. member for Burke had referred to he would see that in South Australia places that had been absolutely destitute of timber were now surrounded with forests planted during the last few years. What had been done there was an index to what might

be done in this colony if they would only face the subject instead of saying it was no good doing anything. Over and over again the Minister for Lands had told them of the great waste of timber, and that it would all one day be used up; and it was to be regretted that he would not continue the provision for protecting young plants and extending their cultivation. Last year £200 was put down for collecting indigenous timbers. The collection, he supposed, was that made by the Colonial Botanist and kept in the Museum. A collection of timbers had been made for the Colonial Exhibition, and if the Minister for Lands had not seen it it was quite worth his while to go and see it.

Mr. PALMER said the Minister for Lands thought it would take an enormous sum of money to carry out the system of propagation of the plants. £300 was the most ever devoted to that purpose in South Australia, with the result that they had distributed hundreds of thousands of plants, 95 per cent. of which thrive, at a cost of less than a halfpenny each. The commercial value of the timber growing up was of immense importance. One place—Jamestown—was formerly notorious for ophthalmia and sandy blight, but since it had been timbered the sandy blight had disappeared and the place had become quite a garden. The whole nature of the place was altered just by planting a few trees provided in that way by the department. He liked the way the Minister for Lands talked about ignorance, after the great knowledge he had displayed of his own department. The hon. gentleman had done nothing but ride his own hobby since he had been in the House, but his enthusiasm did not give him enough insight into his own department even to pilot his Estimates through.

Question put and passed.

The COLONIAL TREASURER moved that the Chairman leave the chair, report progress, and ask leave to sit again.

Mr. MOREHEAD said that before the motion was put he would express a hope that the next Estimates would be got through more expeditiously, and that the Minister in charge of them would be better informed upon them, and would have more knowledge about them to impart to the Committee than had been the case with the Minister for Lands.

The PREMIER said he hoped they would not again witness the spectacle of two members coming there after an absence of several weeks for the special purpose of badgering and insulting a Minister in charge of Estimates.

The Hon. Sir T. McILWRAITH said that no members had done anything of the sort. The Minister for Lands had not been badgered, and certainly he had not got anything like the castigation he deserved for the utter ignorance he had displayed as to the working of his own department.

Question put and passed, and leave given to sit again to-morrow.

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, said he did not know whether the private business on the paper would occupy much time or not, but if it did not, and the House, after private business, was disposed to go into Government business, they would go on with Committee of Supply.

The House adjourned at eighteen minutes to 11 o'clock.