

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 11 NOVEMBER 1885

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LEGISLATIVE ASSEMBLY.*Wednesday, 11 November, 1885.*

Survey of Route to Port Douglas.—Error in “Votes and Proceedings.”—Appropriation Bill No. 2.—Telegraphic Rates.—Justices Bill—consideration in committee.—Appropriation Bill No. 2.—Adjournment.

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

SURVEY OF ROUTE TO PORT DOUGLAS.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: Mr. Speaker,—In accordance with a promise made yesterday, I beg to lay on the table the correspondence between Mr. Amos and the department in reference to the survey of the railway route to Port Douglas. In justice to Mr. Amos I may say that only one telegram was received from him, asking whether he should report on the survey; the other telegrams were from the people in Port Douglas, who had arranged with Mr. Amos to do the work.

The HON. SIR T. McILWRAITH said: The hon. gentleman must not forget that, in stating that he received the telegrams from Mr. Amos, he also founded a charge against Mr. Amos of having conducted business in an underhand way. It seems now that that charge falls to the ground, because he did not receive them from Mr. Amos after all. I understand that Mr. Amos never sent the telegrams the hon. member supposed he sent, and on which he grounded the charge against him of being untrue to his position as a public servant and having misled the department.

The MINISTER FOR LANDS said: The telegrams were sent asking that Mr. Amos should do certain work he had already done, and could only have been sent with the knowledge of Mr. Amos as well as the people with whom he was acting in concert. I was wrong in what I stated yesterday, inasmuch as the first telegram came from the people of Port Douglas and not from Mr. Amos; but it was evidently arranged between them and Mr. Amos what he was to be asked to do.

The HON. SIR T. McILWRAITH: Did the hon. member move that the correspondence be printed?

The MINISTER FOR LANDS: I move that the paper be printed.

Question put and passed.

ERROR IN “VOTES AND PROCEEDINGS.”

The SPEAKER said: I have to call attention to an error in the business paper circulated this afternoon. Order of the Day No. 1 is put down—“Appropriation Bill No. 2: to be considered in committee;” it should be—“Appropriation Bill No. 2: second reading.” Also, in the proceedings of last evening it is stated—“Bill then, or motion of Mr. Dickson, read a second time;” but the motion was—“That the second reading of the Bill stand an Order of the Day for tomorrow.” I desire to inform the House that when the Orders of the Day are called the Clerk will read the corrected Order of the Day No. 1.

APPROPRIATION BILL No. 2.

The COLONIAL TREASURER (Hon. J. R. Dickson) moved that the Bill be now read a second time.

Question put and passed.

On the motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into Committee of the Whole to consider the Bill.

The COLONIAL TREASURER moved that the preamble be postponed.

The HON. SIR T. McILWRAITH said there was a subject on which he had questioned the Premier in a previous part of the session—namely, the charges on European telegrams. At that time the Premier had very little information to give, but since then a great deal of information had been given in the Press, both by telegrams and ordinary news. He (Sir T. McIlwraith) had refrained from bringing the matter forward last night while the Postmaster-General's estimate was under discussion, because he wanted the Appropriation Bill to go through. He did not want to stop the Appropriation Bill now by discussing the matter, but he would direct the attention of the House to it if there was time when they got through the ordinary business. His object now was to see the Appropriation Bill through, so that it might go to another place.

Clauses 1 to 5 passed as printed.

On the preamble—

The HON. SIR T. McILWRAITH asked what the Colonial Treasurer intended to do about the mistakes in clause 1?

The COLONIAL TREASURER: Recommend the Bill.

The HON. SIR T. McILWRAITH said there was an error in subsection 1, and another in subsection 6.

The COLONIAL TREASURER said if hon. members would turn to the Estimates they would find that the total amount passed for the Executive and Legislative was £25,718. The figures in the Bill were correct, but "thirty-five" had been printed instead of "twenty-five." Then for the Department of Public Lands the amount voted was £134,159. In the Bill the figures were again given correctly, but by some error "one hundred and forty-nine" was printed instead of "one hundred and fifty-nine." The figures were right in both cases.

The HON. SIR T. McILWRAITH said that if the addition of the figures was correct the printed words were wrong.

The COLONIAL TREASURER said he had himself checked the figures, and the error in the printed matter had escaped his notice.

Preamble passed as printed.

The House resumed; and the CHAIRMAN reported the Bill without amendments.

On the motion of the COLONIAL TREASURER, the Bill was recommitted for the purpose of correcting errors in subsection 1 and subsection 6 of clause 1.

In subsection 1 the word "twenty" was substituted for the word "thirty," and in subsection 6 the word "fifty" for the word "forty."

The House resumed; the CHAIRMAN reported the Bill with amendments, and the report was adopted.

On the motion of the COLONIAL TREASURER, the Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council by message in the usual form.

TELEGRAPHIC RATES.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—Before the next Order of the Day is proceeded with I want to direct the attention of the House to the position we are in with regard to the Telegraph Conference at home. When I brought the question before the House on a previous occasion the Government were not in a position to give any information, but there is a great deal of information that has appeared in the newspapers lately, and other information has come

out by telegraph, which is very material to this colony. In fact, more information has appeared lately with regard to the English and colonial telegraph system than has ever been put before the public before. Have the Government had any information since I spoke last? Has the Agent-General posted them up with regard to the matter? I look upon this as one of the most important subjects that can come before this House. The House has always interested itself in it intensely, and I think that it is a scandal to civilisation that we pay 10s. 10d. to send a single word through to London when the work can be profitably done for 2s. 6d. a word. Indeed I look forward to the day when we shall be able to send messages at the rate of 1s. a word. But before I say anything more I want to know what position the Government are in, and whether they have further information?

The PREMIER: No.

The HON. SIR T. McILWRAITH: Well, I think we ought to have been represented at Berlin, and it is a pity the Government are not better posted up by the Agent-General. He ought to have had someone in the neighbourhood of Berlin to represent Queensland, especially because this colony has taken a keen interest in the matter, being one of the colonies that is likely to be the terminus of a cable line from England. In discussing this matter the Colonial Press has always been kept religiously in the dark as to how this 10s. 10d. is distributed among the different colonies. We have never been able to get that information before; but in a letter that appeared in the *Weekly Times*, of September 20th, there appears a letter from the Berlin correspondent, which gives a large amount of very valuable information to us, and which shows the ground upon which we stand at the present time. That is information we have often tried to get, and, so far as it goes, it goes undoubtedly to prove that were the colonies joined together we should be in a position to lay down a cable of our own and reduce the rates to the amount I have mentioned—namely, 2s. 6d. a word. I have made calculations founded on this article, and it appears that the total distance from London to Adelaide is 12,729 miles; and 10s. 10d. a word is divided amongst the different companies that carry messages from London to Adelaide. There is a company called the Eastern Extension Telegraph Company in competition with the Indo-European Company; nominally, but really having a joint interest, they have agreed to continue to keep up prices and have a monopoly; the rates having been forced down a little through the competition with the Russian lines, and some indirect lines. But these two companies run the messages through to Bombay, which is a distance of 6,470 miles from London, for three francs and a-half per word. Then from Bombay to Madras there comes in a line that belongs to the Indian Government. Practically, of course, it is the British Government, because they have the control of it, but nominally it belongs to the Indian Government. That line is 650 miles long, and they charge 75 cents per word. I am now accounting for the 10s. 10d. Then commences the Eastern Extension Company, from Madras to Port Darwin. That is 3,500 miles, and they charge 7 francs per word. In addition to that we pay a royalty of 15 cents a word to the Dutch Government for the right of transmitting messages over their land line. We find all the labour; they have erected the line, and charge us, as I have said, 15 cents per word for the use of it. Then the South Australian Government comes in at Port Darwin, and for the distance between there and Adelaide they charge a franc and a-half per word,

making altogether 12'90f. This 12'90f. given by the *Times* does not make up exactly 10s. 10d., but it is near enough. Put into English and plainer language, it means this: that the Eastern Extension Telegraph Company and the Indo-European Company—the two working a joint purse—carry messages from London to Bombay at 5d. per word per 1,000 miles. I have reduced it to per 1,000 miles so that we can arrive more easily at the 10s. 10d. we pay at the present time. Then the Indian Government carry messages from Bombay to Madras at 1s. per word per 1,000 miles; the Eastern Extension Company carry them from Madras to Port Darwin, and charge, for that part of the line, 1s. 8d. per word per 1,000 miles. To the Java Government we simply pay a royalty. I will make a few remarks on that by-and-by. Then the South Australian Government, for from Port Darwin to Adelaide, charge 7½d. per word. Now, if hon. members will just reflect that under our own telegraph system we at present charge 1s. for 1,000 miles—there are plenty of places in Queensland where messages are sent over 1,000 miles—not for 1s. per word, but for the whole message of ten words, or nearly at the rate of 1d. per word, or less than that if we take the address into consideration—I think I am quite right in saying that the charge may be taken at 1d. per word for the transmission of messages throughout the colony; and I must say that when we find one of the big companies charging for joint cable and land line 5d. per word; that the Indian Government charge 1s. for every word transmitted from Bombay to Madras—one of the most extraordinary charges ever made in the history of telegraphy, I believe; that the Eastern Extension Company charge, from Madras to Port Darwin, 1s. 8d. per word; and that the South Australian Government charge 7½d. per word—while, as against those charges, we can do the work in our own colony at 1d. per word—I think we can see how we are got at by monopolies, which we should make every effort to break up if possible. That we can do it I have not the slightest doubt, and I think I am doing good service by drawing the attention of the people to the large amount they are paying for their telegraphy compared with what we charge for telegrams inside our own colony. I know that our telegraph system does not pay at the present time, but if we had a larger population—if it was, say, doubled—there is not the slightest question that at present rates our telegraph system would pay, and we are gradually creeping towards making it pay. Under our system the charge is, say, 1d. a word, and here we have monopolies in different parts of the world, which may have been at great expense in some places to get their lines constructed where they had to pay for the concession of passing through countries which they could only get through in that way; but on the other hand we must consider that they are much nearer England and can therefore construct their lines more cheaply than we can. I say, if we look at these facts and then at the price we are paying—10s. 10d. per word—it will be seen at once that the amount is actually preposterous. If we look into the various charges made by the different companies we see at once the value of competition to Australia, and that by getting rid of this monopoly we should get our telegrams at a moderate price. For instance, where there is competition among different lines we secure a message being brought actually half-way for 3½ francs. The whole distance between London and Bombay is done for 3½ francs, or, roughly, say about 3s. per word, and the rest is made up by the monopolies that come afterwards. If we look at the rates I have given, we shall see at once the effect

this want of competition has had upon them. The Indian Government, for instance, have a monopoly of rates, and they have the conscience to charge 1s. for every word that passes over their territory, from Bombay to Madras. We do that work profitably in Australia at 1d., and yet we are charged 1s. per word. To me, who have had some experience of the English Government in postal matters, that is just a sample of the autocratic style in which the London Post Office conducts business. They look simply at their own purse and very little to the consideration of their customers. At all events hon. members will see at once that the Indian Government have no right whatever to mulct the population of the colonies of Australia in 1s. a word when the same work is done in Queensland and all round the colonies at 1d. per word. Then we have a similar result from the monopoly between Madras and Port Darwin. They have the conscience to charge for 3,500 miles of sea cable 1s. 8d. a word for every 1,000 miles,—the most unconscionable charge that exists in the world, either by cable or land line. There is no other part of the world where we could be subjected to a charge of this kind. It will not stand reasoning for a moment, and I hope the Australian Governments will combine together to resist this monopoly. Then we come to the South Australian Government. They charge 7½d. a word per 1,000 miles for transmitting messages over their portion of the line. That I think, at the present time, is a very unconscionable charge. I have great sympathy with the South Australian Government. The plucky way in which they carried out the land line to Port Darwin is greatly to their credit. They were in advance of the Australian colonies at that time, and I think we ought to give them all reasonable consideration; but at the same time, if we look at the position of the telegraph system and see that they charge about 15d. for every word they transmit, I think it is time that we considered the matter and joined with the other colonies in endeavouring to effect a reduction in the price of their telegrams. What all this points to is this: That it is perfectly plain that we are suffering from a monopoly, the greatest aggressor in which is the Eastern Extension Telegraph Company, from Madras to Port Darwin, which charges 1s. 8d. per word per 1,000 miles. That is an extreme price, which is quite unjustifiable, and the only reason why we pay it is that it is the only line, and the company can charge what they like. The next worst feature in the monopoly is the Indian Government, which has the conscience to charge at the rate of 1s. per every 1,000 miles. The Java Government charge 75 cents, or about 6½d. per word, for the right of going over their portion of the line. That I hold to be an unconscionable charge that they have not the slightest right to make. It is more than twice as much, considering the distance, as the South Australian Government charge for the passage of messages over the line from Port Darwin to Adelaide. Considering the cost of the telegraph line in India, and that particularly expensive line from Port Darwin to Adelaide, I think there is no comparison at all, and if there were any difference in the cost it certainly ought to have been a great deal more for the Australian portion than for the Indian portion. Instead of that we find that the Indian Government are charging twice as much, reckoning the distance, as the South Australian Government are. I am sorry that Queensland did not take some part in this conference at Berlin; and I am more sorry still to find, from the telegram I have read, that the whole thing has fallen through, so far as the public are concerned, and that, whilst these monopolising companies have joined

together and given a reduction to the Press, they have refused a proportionate reduction to other people in the colonies. The matter, I have no doubt, will never be settled satisfactorily for the public, except by the Government taking it up. There is no question about that. It is the Government that must show that they oppose the monopoly that exists at the present time to Australia. I believe that Queensland is under essentially favourable conditions for encouraging a competing line, and in that direction she will have the support of the other colonies. It may be said, of course, that there has been so much capital employed in the construction of those lines that the companies will sink millions of money before they will allow a competing line to take any portion of the trade. I consider that their strength is their weakness, because, if it is a fact that we can construct a line between Queensland and England, and, by charging 2s. 6d. for messages, make a profit that will pay interest, it is perfectly plain that the other companies will not gain any strength by having put in such an enormous amount of capital that they require to charge 10s. 10d. per word before they can give a similar dividend to their shareholders. The fact that they have launched so much capital is no reason why we should be backward in going in for an improved system. I do not wish to go into the matter of routes, because that is a matter for the Government to consider, and is too long a question to enter into now. It is a question in which I take a considerable amount of interest, and one which ought to have been brought forward again by the different colonies, seeing that the Berlin Conference, so far as I can understand, has resulted in the public actually gaining no concession at all. The large companies seem to have refused to grant any concession, for a reason which injures us very much. They say that while the Indian Government charges such a monstrous sum as 1s. per word per 1,000 miles, they will not make any concession until the Indian Government does. That is a very good reason, perhaps, for them, but a very bad one for us, because all the time they refuse to make a concession on account of the Indian Government not having made a similar one, we are being made to pay the extraordinary rate of 10s. 10d. per word for our telegrams. I hope the matter will receive the very close scrutiny of the Premier—that he will direct his attention to it, and see what Queensland can do in the matter. I believe that Queensland can do a great deal without crippling her resources at all; and, at all events, if the world knew that we were prepared to take upon ourselves the responsibility, or a certain amount of it, of laying a cable from England, I believe that capital would be forthcoming, and we would get what we ought to have, and what we are bound to have—cheap telegrams from the old country to the Australian colonies. I beg to move the adjournment of the House.

The PREMIER said: Mr. Speaker,—The Government have not received any further information upon the subject since the last occasion when it was mentioned in the House, beyond what I have seen in the public Press, and to which the hon. gentleman has referred. I have often wondered myself how the amount of 10s. 10d. to Queensland and 10s. 6d. to Adelaide was divided amongst the different countries. That has been pointed out by the special correspondent of the *Times* at Berlin. Now I do not think that we have very much control over the matter at the present time. There is only one route from here to Madras; but between England and Bombay there are several. The Indo-European Company has one, and the Eastern Extension

Company has another, and besides these there are lines through Russia. I do not see how we can hope to reduce the rates from Europe to India to less than the amount now charged, which is about 4½ francs. The place where we may hope to reduce the rates is between Madras and here, and that can only be done by competition. I entirely agree as to the evil of monopoly, of which I have often spoken in this House. Of course it is a very bad thing, but I do not despair of coming to some better terms. The great difficulty is the enormous charge of 7 francs between India and Port Darwin, besides 1½ francs, or 1s. 3d. per word, from Port Darwin to Adelaide. That is very high. But the South Australian Government have been at great expense in building that line; but even at this high tariff it does not pay them, and is a heavy burden; so that although we might much like to have our messages carried cheaper we cannot wonder at their insisting upon charging such a rate as even now does not quite pay them, but prevents them from sustaining a very heavy loss. The monopoly of the cable can only of course be removed by constructing another, and as long as that is the only one the company will be able to maintain that charge. A suggestion was made the other day, that we should join the overland line from Port Darwin by a line from Normanton to Port Darwin, which would divide the land traffic in Australia; but it would make more secure the monopoly of the cable communication between Port Darwin and India. The difficulty in the way is that the Eastern Extension Company have got the Governments of New South Wales, Victoria, and South Australia to give them a guarantee or subsidy for twenty years. While they are paying that subsidy those colonies do not feel inclined to subsidise another line. Here, then, is a case of a very bad monopoly. For a remedy the only alternatives are to get a company to lay another cable from Australia to India or elsewhere, or to do it ourselves. When I say "ourselves," I do not mean Queensland alone, as I do not think this colony ought to enter on telegraph construction beyond its own borders. I mean that the Australian Governments generally will either have to lay a cable or to guarantee a sufficient sum to induce another company to undertake the work. I believe a good deal may be done in inducing the other colonies to join us in this matter. As yet I have had no opportunity of communicating with the other Governments on the subject, the time at my disposal having been occupied with subjects of a more pressing nature. I hope, however, to have the opportunity of bringing the matter under the notice of the other Governments before long; and I may add that this a matter that can be done better by personal communication than by writing. As to the charge made by the Eastern Extension Telegraph Company from India to Port Darwin, I should think they might reduce it to one-half, or even less. Still I do not see how we can get the full charge down to half-a-crown, as the leader of the Opposition so sanguinely hopes. We could not do that unless we had control over the line from here to England. As to the Telegraph Conference at Berlin, the hon. member has asked why we were not represented? The answer is that we were not invited to send a delegate. I do not know that it would have been any use if we had sent a delegate to take part in the proceedings. As we know, the Conference came to nothing, and we are now in possession of all the information.

The HON. SIR T. McILWRAITH: Was Mr. Henniker Heaton invited?

The PREMIER: I cannot say. I have not the slightest doubt that, the whole question having now been mooted in England and Europe generally, something will come of it, and that we shall not have much longer to pay the present preposterous rate. If we could induce the other colonies to join with us we might arrange for a rate of 5s. or 6s. per word, and I believe it would pay the companies. What the other colonies have attempted in the past has been to secure a reduction of the price by continuing the monopoly. That we decline to do; and we say better go on paying 10s. 10d. a little longer until a competition springs up, than by giving a guarantee secure that no competition shall spring up. I hope that no Government of this colony shall ever assist in maintaining the present monopoly.

The Hon. Sir T. McILWRAITH said: Mr. Speaker,—I do not altogether agree with the Premier as to the uselessness of sending a delegate to the Berlin Conference. I rather think that Mr. Henniker Heaton, when there, was doing good work for Australia. I have already drawn attention to the letter of the Berlin correspondent of the *Times*. In it are stated some remarkable facts that ought to further induce the Australian Governments to try to obtain very much better terms. The writer says:—

“The income from the Australian traffic is a splendid one and is increasing to an unparalleled extent. The official returns show that it has doubled in ten years. In 1883 the revenue was £251,277, and to this must be added the £30,000 annual subsidy given by the Australian Government to the Eastern Extension Company. In the year 1883 the number of messages at the present high rate despatched to Australia from Europe was 21,563, and the number received was 21,771, so that the average cost of every message exceeded £6—or say 150f. This year the income will be considerably more than £300,000. The Eastern Extension Company's dividend is usually 7 per cent., with a splendid reserve fund exceeding half-a-million. The Australian case is a good one. One of the delegates, Mr. Henniker Heaton, strongly advocates a reduction to the public to 5s. per word, because, he asserts, the present rates are prohibitory, excepting to large merchants. He has been urging the British and Australian Governments to construct an alternative cable from England, *via* the Cape of Good Hope and Mauritius, to Australia, and thence up to India. In the event of war the Mediterranean and Red Sea cable might be severed and communications with the British colonies and India cut off. The enormous saving of time (six weeks) would also mean an immense saving of money, if cheap cable communication were effected with those distant, wealthy, and progressive colonies. With regard to the question of a reduction of charges there is some conflict of evidence. Mr. Jodd, who represents South Australia, insists that the delegates had a distinct promise that rates were to be reduced by half-a-crown per word, and he telegraphed to his Government to this effect. That statement was also published in *The Times*. Mr. John Pender however, asserts that this promise was conditional on the European tariff not hitting the Eastern Telegraph Company too hard. It now appears that it did hit too hard, and Australia is consequently to suffer. Some of the Australian delegates protested against good customers having to suffer for the sins of the bad ones, but in vain. There is no opposition beyond India. The latest compromise was effected on Saturday last. The Companies said that the rate of the reduction must be 2s., and not 2s. 6d., and Mr. Jodd, on behalf of South Australia, consented to this.

India, however, declined to make any reduction, and in reply to a joint telegram, sent by Messrs. Jodd, Cracknell, Henniker Heaton, and Murray Smith, the Australian delegates, Lord Dufferin replied that India could not reduce, and advised the delegates to get the reduction from the cable companies. It should be mentioned that of the projected reduction of 2s., or 2f. 50c., India's proportion is only 25c. The cable companies refuse to remove a two-pound weight from Australia because India will not remove her two ounces. This is the difficulty, and the President, Herr von Stephan, tried to bring about an understanding. It is alleged that the Eastern Extension Company is only using the action of India in refusing to reduce by 2½d. as an excuse for not reducing 1s. 6d.

“An attempt was made in the commission to-day by Mr. Henniker Heaton to get the Eastern Extension Company to give the main reduction, whether the Indian reduction was made or not. In this Mr. Heaton was supported by the representatives of Germany, Italy, Austria, and India, but without avail. The companies allege that they are withholding their reduction to use as a lever against India. India pointed out that the action of the companies would not influence her decision one way or the other.”

And so on. Those are the principal facts connected with this very interesting case—interesting to us in a pecuniary sense. I can see from this that I was wrong in censuring the Agent-General for not being present, for it seems that only delegates from the contributing colonies were invited to attend; therefore, anything I said against the representative of Queensland for not being present, I withdraw. At all events Queensland is in this very strong position: she does not belong to the subsidising colonies, and I do not think she ever will, but she has the full benefit of the subsidy—not from any generosity of the contributing Governments or the company, but simply because they cannot help it. If they were able to charge so much on our telegrams in order to pay our contribution to the subsidy no doubt they would; but they cannot. If we were to start a line of our own we would be competing with a great big company with watered stock amounting to millions of money. We would be contending against a monopoly that of course will keep up the prices as long as they can. I believe that if the Government will think over the matter they will find it quite practicable for the colony of Queensland to carry out the scheme by which we can get a through cable to England without any loss to the colony. It will have the effect at least of bringing the price of telegrams to one-half the present rates, and I believe the cable could be worked at a profit by charging one-fourth of the present rates.

Question put and negatived.

JUSTICES BILL—CONSIDERATION IN COMMITTEE.

The ATTORNEY-GENERAL (Hon. A. Rutledge) moved that the Speaker leave the chair, and the House resolve itself into Committee of the Whole, to consider this Bill in detail.

The Hon. Sir T. McILWRAITH said: Mr. Speaker,—Of course the hon. member knows that if we go on with this Bill it will simply be a weary debate for nothing, for there is no intention of passing the Bill this year. I have said everything I have to say upon that before. It is not a fair thing to ask the House to do. There is very interesting work going on in another place. I am sorry to say my duties so often confine me to this House that I very seldom have been able to get the time to attend elsewhere, and I should like very much to get that time now. It is a treat I may not have again for many years. Let us do as we have always done—let us adjourn till a time when we may reasonably expect a message from the other Chamber. What is the use of talking time away by considering a Bill that, no matter what its merits are, is not likely to pass this year—that it would not be a fair thing to pass this year? What took the Government so long to concoct—what took Chief Justice Cockle so long to put into form very imperfectly, and took this Government years to complete—surely it is not expected that that will pass this House after the Appropriation Bill.

The PREMIER said: Mr. Speaker,—I must correct a mistake the hon. member has fallen into. He has more than once spoken of the

time this Bill took Chief Justice Cockle to prepare. Whatever time it took him, he finished it before he went home in 1878. I understood that he finished it many years before that—in 1868 I think it was. As to its having taken this Government years to prepare, that also is a mistake, because the Government did not take it up till this year during the recess, so that the Bill did not take so very long. As to not going on with business after the Appropriation Bill, it is not usual to go on with business after the Appropriation Bill, because usually when the Appropriation Bill has passed this House the session is practically at an end. We have been informed that at any rate the Appropriation Bill will not pass to-day, and as we are to be here to-day and to-morrow we have actually two clear days before us, and we have work that under ordinary circumstances would not take longer than that to do. Having two days at our disposal, I certainly fail to see that the interesting nature of a debate elsewhere is sufficient reason for declining to do this. What the hon. member proposes is that we should remain about the premises all to-day and to-morrow, practically doing no work. I think we might possibly do without the hon. member if he is anxious to go; he could leave good lieutenants behind him.

THE HON. SIR T. McILWRAITH said: Mr. Speaker,—I made no suggestion as to what other hon. members might do; I gave a hint as to what I would like to do myself. If the Justices Bill is going on I shall be here. With regard to the time it took Chief Justice Cockle to concoct this Bill, when I said it took him years I was going on information the hon. gentleman who introduced the Bill gave us when he moved the second reading.

THE PREMIER: That was a mistake which was corrected at the time.

THE ATTORNEY-GENERAL: I said he employed his leisure at it.

THE HON. SIR T. McILWRAITH said: Of course he employed his leisure. Do you expect he was to do it while he was giving decisions on the bench? It was the work of his leisure for years; the hon. gentleman knows that perfectly well. It took him years to do, and it would take any man years. As to how long it took the Government I do not know, nor do I care very much. At any rate, if they have taken two years to ponder over it I do not see why we need be in a hurry about it now. Let them go round their own benches and see if one member has read the Bill; I think I can answer for my side of the House. Under those circumstances, is it a fair thing to talk about going on with a Bill of 250 clauses? It is preposterous. As to hanging about the Chamber, I made no such suggestion. The Government can ascertain when we are likely to be wanted for business, and intimate that to the House. By attempting to proceed with the Bill we shall be virtually waiting here for what is done in another place, and I do not see why we should.

THE PREMIER: The Government have done their best, at any rate, to press on this useful legislation; but hon. members on the other side have intimated that they will not allow it to go further, and under those circumstances we have no alternative but to withdraw it, leaving with them the responsibility of preventing the Bill from becoming law. I will therefore ask my hon. friend to withdraw the motion.

THE ATTORNEY-GENERAL: With the permission of the House I beg to withdraw the motion.

Motion withdrawn accordingly.

THE SPEAKER: I shall resume the chair at five minutes to 6 o'clock.

On the House resuming—

THE PREMIER said: Mr. Speaker,—I would suggest that you resume the chair at half-past 8. I think that in all probability about that time we may have some business before us.

THE SPEAKER: I will resume the chair at half-past 8.

The House resumed at ten minutes to 10 o'clock.

APPROPRIATION BILL No. 2.

THE SPEAKER announced the receipt of a message from the Legislative Council, forwarding the Appropriation Bill No. 2, to which the Council had agreed, with certain amendments contained in an accompanying schedule, and in which they asked the concurrence of the Legislative Assembly.

THE SPEAKER, thereupon, said: I think it my duty as guardian of the rights and privileges of the House to call its attention to the message which I have just read. It is the first time in the history of responsible government in Queensland that an attempt has been made on the part of the Upper Chamber to amend an Appropriation Bill. In the session of 1884, on the 11th December, I considered it my duty to call attention to amendments which had been made by the Upper Chamber in the Crown Lands Alienation Bill, and which distinctly infringed upon the privileges of this House. And in this session, on the 22nd September, I called attention to amendments made by the Upper Chamber in the Local Government Act of 1878 Amendment Bill. On that occasion I again felt it to be my duty to call the attention of the House to amendments by which I thought the privileges of this Chamber were decidedly invaded and infringed upon. But the amendment in the Appropriation Bill is of a much graver character, and in calling the attention of this House to the amendment which has been made it will be my duty at once to disclaim anything in the nature of a political contention. My desire is simply to call the attention of the House to the grave constitutional question which is involved in the amendment of the Appropriation Bill. If it is admitted that the Upper Chamber possesses co-ordinate powers with the representative branch of the Legislature, then responsible government in Queensland is entirely at an end—

HONOURABLE MEMBERS: Hear, hear!

THE SPEAKER: Because the claim to amend a money Bill, if admitted, must undoubtedly extend to the amendment of taxation Bills, and thus the public policy of the country could be entirely thwarted and overruled by a Chamber which is responsible to no one. The voice of the public outside would be entirely ignored, and the opinions and will of the majority in this House would also be entirely set on one side. This is therefore, as I said before, a matter of very great importance indeed, and one which I think this House should take proper time to consider before it arrives at a decision. I should not like, on the present occasion, to trouble the House with any long extracts from the different constitutional writers who have written upon this question, but there is one extract from "Hatsell's Precedents" which I consider it my duty to read, because it is one upon which the House of Commons has acted from the time it was delivered up to the present moment; and I may say, further, that the House of Lords has from that time to this acquiesced in it. It is probably one of the most ancient claims set up by the House of Commons, and will probably,

on that account, be the more entitled to our consideration and respect. The occasion when this opinion was given was on the 9th May, 1689, when the Lords amended the Poll Bill by adding a clause for appointing commissioners to rate themselves. To this the Commons disagreed, and on the 15th May the Commons appointed a committee to draw up reasons, and report them to the House, and this was one of the reasons :—

“All money, aids, and taxes to be raised or charged upon the subjects in Parliament are the gift and grant of the Commons in Parliament; and are, and always have been and ought to be, by the Constitution, and ancient course and laws of Parliament, and by the ancient and undoubted rights of the Commons of England, the sole and entire gift, grant, and present of the Commons in Parliament; and to be laid, rated, raised, collected, paid, levied, and returned for the Public Service and use of the Government, as the Commons shall direct, limit, appoint, and modify the same. And the Lords are not to alter such gift, grant, limitation, appointment, or modification of the Commons in any part or circumstance, or otherwise to interpose in such Bills, than to pass or reject the same for the whole, without any alteration or amendment though in case of the subjects.”

From the time that was delivered in 1689 up to the present time, and including the ninety-one instances collected by Hatsell where the Lords interfered with Supply Bills, and where the Commons insisted upon their rights, and where the Lords have almost invariably acquiesced in them except in some minor details, the reasons I have read to the House have been invariably acted upon. It is, therefore, for the House to take into its most serious consideration the important matter which is brought before them by the Legislative Council's message. I discharge my duty in calling the attention of the House to the gravity of the question. It is one of extraordinary importance because, as I said before, it is the first time in the history of parliamentary government in this colony that the Upper Chamber has attempted to amend the Appropriation Bill, and their claim to possess co-ordinate powers with the representative Chamber is of such a character that I believe, if it is acceded to, the whole of the policy of the Government, as expressed by the people, can be revolutionised and entirely set on one side by the other Chamber.

HONOURABLE MEMBERS : Hear, hear !

The SPEAKER : I think I have discharged my duty now by calling the attention of the House to this matter. It is for the House itself to decide upon what course it will take in view of the extreme gravity of the present circumstance.

The PREMIER said : Mr. Speaker,—I rise to move that the message of the Legislative Council be taken into consideration to-morrow. I believe I should be following the practice of Parliaments in all parts of the world if I were at once to move that this Bill be laid aside, for the proceedings of the Legislative Council, as pointed out by you, are entirely unprecedented, and entirely unwarranted by anything that has ever happened in the history of any country where constitutional government has been established. I am, sir, very reluctant to believe that the Legislative Council could have taken this step with a full knowledge of the consequences of their action. I am unwilling to believe that any body of sensible men—any body of men who can be entrusted with a share in the government of this country—could have, with a full knowledge of their position and the consequences of their action, proposed an amendment in an Appropriation Bill of this kind; I am reluctant to believe that. I think it unwise to proceed to

discuss this matter to-night, and I am not willing to take the extreme step of moving that the Bill be laid aside at the present moment. I therefore move that the message of the Legislative Council be taken into consideration to-morrow, and we will take it before any other business. I shall be prepared then to offer reasons to the Legislative Council—for I cannot believe, Mr. Speaker, that this could have occurred in any way but from inadvertence or a misapprehension of their proper position. I think, considering the extreme gravity of the position, we ought to approach the Legislative Council and remonstrate with them on their extraordinary conduct in amending an Appropriation Bill, and in order that we may have an opportunity of doing that calmly and coolly I think it desirable to move that the matter be taken into consideration to-morrow.

The HON. SIR T. McILWRAITH said : Mr. Speaker,—I am quite agreeable that the hon. member should give himself time to get cool and quiet before taking any action in this matter. The hon. gentleman might, perhaps, have gone a little further, and addressed a word or two of kindly advice to yourself. You, sir, have disclaimed this as being a matter of political contention; but at the same time I have never heard a stronger political speech delivered in the House.

HONOURABLE MEMBERS : No, no !

The HON. SIR T. McILWRAITH : I say I have never heard a stronger political speech delivered in this House than that made by the Speaker himself on this subject.

The MINISTER FOR WORKS : Order !

The HON. SIR T. McILWRAITH : Who called me to order ?

The MINISTER FOR WORKS : I called you to order.

The HON. SIR T. McILWRAITH : Mr. Speaker,—You have told us that this is the first time that an attempt of this kind has been made in any of the Australian colonies.

The SPEAKER : The hon. member misquotes me. I said this is the first attempt of the kind that has been made in the history of responsible government in Queensland.

The HON. SIR T. McILWRAITH : I take the correction, sir. What you say is quite right. You said that this is the first time in the history of Queensland that an attempt has been made by the Legislative Council to amend an Appropriation Bill sent up from the Legislative Assembly. The answer to that is very plain. This is the first time that occasion has been given to the Council to amend a Bill of that kind, and they, no doubt, will be prepared to give reasons for their action. You quoted a precedent so far back as 1689, from “Hatsell,” showing the terms and conditions on which grants were made by the Commons. I am sure it must have struck hon. members in this House, who have considered the matter for one moment, that the point on which the other Chamber differs from ourselves is not as to the terms or conditions of the grants and gifts. When the House of Commons differed from the House of Lords at the date you referred to—namely, 1689—they claimed to be the right branch of Parliament to appropriate the money of the people, and to appropriate it for the public good. But this is a different case altogether. The other Chamber objected to certain portions of the Bill because we, pretending to represent the people specially in this matter,

appropriate money to ourselves for services that we have actually performed. As to the action of the Council being an unprecedented proceeding, it is no doubt unprecedented here, for the reason that I have given—namely, that the occasion has never arisen before for their taking such a course. As to the action that the other Chamber has taken, no doubt when the course that the Government propose to take in opposition to it is brought before us we shall be prepared to criticise that; but up to the present time we have nothing before us for discussion. What I rose to object to was the strong political speech made by yourself, sir, and the very heated speech made by the Premier, who in the same breath told us that we should wait until to-morrow, till we were cool, before we discussed the matter. We are quite prepared to wait until to-morrow, until we have considered the subject, and see what course the Government propose. I tell them now, as plainly as I have told them all along, that the action the Council has taken has been invited by the conduct of the Government. If it does not suit them so much the worse for the Government.

The MINISTER FOR PUBLIC INSTRUCTION: We will see to it.

The HON. SIR T. McILWRAITH: The Minister for Public Instruction does not speak very often, but when he does speak I should like to hear what he says. I quite agree with the Premier that we should leave the matter until cooler moments, and I have no doubt that he will be able to propose some remedy by which he will get out of the difficulty in which he has landed himself.

The COLONIAL TREASURER said: Mr. Speaker,—I do not think we should allow the imputation to pass that you have made a political speech. I am sure that anyone who listened dispassionately to your remarks must feel that you have only discharged the duties of your high office in calling attention to the nature of the amendments made in the Appropriation Bill by the Legislative Council. Your speech was perfectly exempt from any tinge of political colouring, and I think you are entitled to the thanks of the House for having first entered your protest against the unwarrantable attack on the privileges of this Chamber. I am surprised and grieved that the leader of the Opposition has taken the stand that he has, instead of joining with the leader of the Government in vindicating the privileges of this House. The hon. member has offered himself as the apologist and champion of the other Chamber. I do not intend to enter into the question of the constitutional rights which I say have been grossly infringed this evening—that will be a subject of debate to-morrow; but I do think it would have been more becoming if the hon. gentleman had, in conjunction with my hon. friend, the Premier, sustained you in vindicating the rights of the popular branch of the Legislature, which has always been considered to be entrusted with the administration of the revenue of the colony, which imposes taxation, and which, consequently, has a right to deal with the taxation so levied. I do not, as I have said, intend to make a long speech on the subject, but I maintain that you are justly entitled to the thanks of this Chamber for having early called our attention to the important question involved in these amendments. I only wish the leader of the Opposition had followed in your steps and vindicated our rights and privileges.

Mr. KATES said: Mr. Speaker,—I hope the Premier will take a decided stand against the other Chamber. If he does I am sure he will

have the sympathy and support of all the members on this side of the House; and not only of a majority of the House, but also of the great majority of the people of the colony of Queensland.

Mr. BROOKES said: Mr. Speaker,—I do not think I should be representing my constituency unless I, in a word or two, approved of what you have told us, and expressed also my own opinion that had you done less you might fairly have been considered to have failed in your duty. I quite agree with what fell from the Colonial Treasurer, that it is a sad thing to see the leader of the Opposition fail in his duty, as it is certainly his bounden duty to defend the privileges of this House. It is a new light in which to regard the leader of the Opposition, and I am sorry that the hon. gentleman has forced me to look at him in that light—that he allows the privileges of this House to be quietly shelved. That is what it amounts to. It is clear that whoever was heated he was heated, because the words that he spoke were words that would never fall from that hon. gentleman in his calmer and dispassionate moments. I appeal to the House whether anything could be more temperate or more tranquil than what fell from the Premier? The hon. gentleman absolutely disclaimed any wish to enter into the matter at all this evening on the ground that it would be better to allow an interval to elapse, in order that we might have time to consider the position and be prepared to go into it deliberately to-morrow. The position, then, is this, as far as I am concerned: that you, sir, deserve the thanks of the House and of the colony for having spoken so plainly on this matter, and anyone who reads the words you have said in to-morrow's *Hansard* or the newspapers will see that you have done nothing less than you might fairly be expected to do in the discharge of your high functions. What you did was very well done, and you deserve the thanks of the House and the country. I take my seat feeling great regret that the leader of the Opposition should have resigned, in this very important instance, his functions as leader of the Opposition. This is a matter on which the leader of the Opposition and the Premier should be at one; it is a matter on which both sides of the House should be at one; and I will not believe that the hon. gentlemen who sit on that side will follow their leader—the leader of the Opposition—in this invasion of the undoubted ancient and unquestioned rights and privileges of this Assembly.

Mr. NORTON said: Mr. Speaker,—After the remarks we have just heard from the hon. gentleman who has just sat down I feel that I ought to apologise for saying anything with regard to what has taken place, because we know that the hon. gentleman lays down the law with such a dictum of authority that, generally, when he sits down nobody ventures to speak; but I must say that I think the House ought to be grateful to you for the action you have taken. I used to be under the impression that it was part of the Speaker's duty to give his ruling when a point of order was raised by this House, but I confess that before to-night you have led me to suppose that your opinion was that there was no need for the Speaker to wait until he was asked. Now, this matter is of so much importance that it could scarcely escape the attention of hon. members even had you not referred to it, but it occurred to me that there might possibly be occasion to ask your ruling. Hon. members must be relieved, however, to find at this early stage what your opinion is, and that it will be quite unnecessary to refer to you hereafter.

Question put and passed.

ADJOURNMENT.

The PREMIER said: I beg to move that this House do now adjourn. I intend to have circulated to-morrow morning a draft of the reasons we propose to offer for disagreeing to the Council's amendment.

Question put and passed.

The House adjourned at thirteen minutes past 10 o'clock.