

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**TUESDAY, 23 NOVEMBER 1886**

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## LEGISLATIVE COUNCIL.

*Tuesday, 23 November, 1886.*

Petitions.—Cooktown to Maytown Railway.—Maryborough to Gayndah Railway.—Fortitude Valley Railway—postponement of motions.—Laidley Creek Branch Railway—withdrawal of motion.—Warwick to St. George Railway.—Central Railway Extension.—Warwick to St. George Railway—withdrawal of report.—Messages from the Legislative Assembly.—Joint Committees—Liquor Bill.—British Companies Bill No. 2—third reading.—Crown Lands Act of 1884 Amendment Bill—third reading.—Gold Fields Homestead Leases Bill—committee.—Building Societies Bill—consideration of Legislative Assembly's message.—Warwick to St. George Railway—report from select committee.—Adjournment.

The PRESIDING CHAIRMAN took the chair at 4 o'clock.

## PETITIONS.

The HON. P. MACPHERSON presented a petition from certain persons interested in companies carrying on business in the colony, praying the House to amend section 7 of the British Companies Bill now before Parliament, and to expunge or amend section 13 of the Bill; and moved that the petition and signatures be read.

Question put and passed, and petition and signatures read by the Clerk.

On motion of the HON. P. MACPHERSON, the petition was received.

The HON. G. KING presented a petition from certain residents in the neighbourhood of Laidley in favour of the construction of the proposed Laidley Creek branch railway, and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of the HON. G. KING, the petition was received.

## COOKTOWN TO MAYTOWN RAILWAY.

The POSTMASTER-GENERAL presented the report of the select committee on the proposed extension of the Cooktown to Maytown railway, section No. 3, and moved that it be printed.

Question put and passed.

## MARYBOROUGH TO GAYNDAH RAILWAY.

The POSTMASTER-GENERAL presented the report of the select committee on the proposed railway from Maryborough to Gayndah, section No. 1, and moved that it be printed.

Question put and passed.

## FORTITUDE VALLEY RAILWAY.

## POSTPONEMENT OF MOTIONS.

The POSTMASTER-GENERAL said: Hon. gentlemen,—I beg to postpone notices of motion Nos. 1 and 2, relating to the proposed railway extension from the Brisbane terminal station through Fortitude Valley to Mayne, until tomorrow.

## LAIDLAY CREEK BRANCH RAILWAY.

## WITHDRAWAL OF MOTION.

The POSTMASTER-GENERAL said : Hon. gentlemen,—I beg to withdraw the notice of motion standing in my name with reference to the proposed Laidley Creek branch railway, and I may at the same time intimate that I intend to take other action with respect to this matter.

## WARWICK TO ST. GEORGE RAILWAY.

The POSTMASTER-GENERAL presented the report of the select committee on the proposed railway from Warwick towards St. George, and moved that it be printed.

Question put and passed.

## CENTRAL RAILWAY EXTENSION.

The POSTMASTER-GENERAL moved—

That the report of the select committee on the proposed extension of the Central Railway be now adopted.

The HON. F. T. BRENTNALL said : Hon. gentlemen,—When the question of the adoption of this report was before the House a few days ago, it was stated by the hon. the Postmaster-General that it was considered advisable to postpone the motion for a little time, so that it might be looked into more carefully by those who wished to do so. There is not much to look into, so far as the report is concerned. It does not concern me at all. I confess to having expressed my intention of making some reference to the motion now before the House. We are asked to adopt a report which gives us absolutely no information. I think, at least, we might have been told what the probable cost of this line would be, what the probable traffic would be, and what the prospects of profit on the construction would be. We have no information about it at all. It is no secret that the committee appointed to inquire into the policy and prospects of that proposed Laidley branch have brought up an adverse report. That proposal has been dissented from upon certain grounds, and why on similar grounds should not some member of the committee have dissented from this proposal? I assume that, because every member of the select committee agrees with the policy of this extension. I do not say that I disagree with it myself. I have not the slightest intention of opposing the extension of this line, but I think it is due to the House, when a committee sits upon a proposal of this kind, that something should be stated in regard to the prospects of the line. It was stated here the other day by the Hon. Mr. Lambert, when speaking against the postponement of the Order of the Day, that in the first place it was desirable to go on with this line because, as the present extension was nearly completed, a large number of men were actually, or soon would be, out of employment. Now, a matter of two, or three, or four days cannot make much difference to that large number of unemployed men, and I have yet to learn that the Government are prepared to go on with this line at once, even though we adopt the plans, sections, and book of reference to-day. It has been brought on hastily, and I believe it has been brought on against the previous intention of the Government, because it has been suspected by some people that some injustice was likely to be done to the Central district by no railway proposals concerning that district being brought forward during the present session. This proposal has been brought forward out of deference to that opinion. It has been carried in the other Chamber without much debate; I have no doubt it will be carried here without much debate.

But is there really a prospect that this line is going to pay the cost of its construction and working expenses? That is one of the points upon which the select committee have given us no information whatever; they do not seem to have taken evidence in that direction at all. It has been taken for granted that this railway ought to be made, for the reason that railway works ought to be in progress in the Central district for the benefit of the squatting community. That little branch line to Laidley Creek, which would benefit agriculturists, will probably be dealt with on the judgment of the committee; but this railway, we are told by Mr. Lambert, would go into exclusively sheep country, and there would be a prospect of a large quantity of wool coming down by it. One is an extension of nearly 11 miles, and this is an extension of 66 miles. Last year, according to the Commissioner's report, the quantity of wool that came down from Belyando was a little over 20,000 bales, and the freight for live stock that came from the same station, which was then the terminus, only amounted to £28 19s. 9d. There was a good deal of inward and outward freight on account of goods; but what I want to refer to is a fact, which I think everybody knows; and that is, that in dealing with a matter of this sort it is just as well that we should bear in mind that the further this railway is extended into this pastoral country the less likely it is to pay. I am quite prepared to admit that the Central Railway last year paid perhaps as well as any railway in the colony, but the fact nevertheless meets us fairly in the face from all information obtainable, that the further the main trunk lines go the less likely are they to pay. Last year the net percentage upon our railway construction was smaller than the previous year, and this year there is every probability that it will be still smaller again. Already this year our revenue has fallen some £40,000. This Central line is a through line, and picks up no traffic for, I suppose, 200 miles, or very little. It will simply bring traffic from the Thomson River, and in order to verify what I have said I would like to point out that on the first 66 miles of that railway the freight on wool is 33s. a ton, but on the length of 66 miles that is to be completed the freight, at the rates prevailing now, will be 11s., or nearly one-third of what it is on the first 66 miles of that line. On the first 150 miles the rate is £3 10s. 10d., but in the third 150 miles it will be £1 5s., so that the further we go the lower the freight becomes. There is the same mileage to go over, the same length of haulage, and the same amount of wear and tear at very nearly one-third the cost. I believe it is admitted by those who have studied the question that these trunk lines, when they have reached some 400 miles, cease to pay, and that there will be no traffic for this line except the wool traffic and supplying goods to stations. At the same time the Committee ought to have had information. I should have had nothing to say against it if we had been supplied with information which would have justified me in giving a silent vote; but I think that to ask us to adopt a report with regard to 66 miles of a railway running into a country only fit for pastoral purposes, is asking us to do something with our eyes half-shut. At any rate I am quite satisfied that whilst the country through which the railway will pass and which it will penetrate will be benefited, I am not satisfied that the colony as a whole will be so largely benefited by it. As I said before, I am not going to oppose this line very strongly; but I did feel, and still feel, that something ought to be said—as we have these two illustrations differing so very widely, and going in directions so diverse, and amongst populations

differing so much—why one of them should be brought up here with an adverse report, and the other without any evidence at all.

The POSTMASTER-GENERAL said: Hon. gentlemen,—I am not at all sorry that the Hon. Mr. Brentnall has taken the opportunity of making the observations he has done in reference to the report now before the Committee for its adoption or otherwise, because it gives me the opportunity, which I think I am fairly entitled to, of expressing my views with respect to the proposed extension of the railway, which views I have held for many years—long before the Hon. Mr. Brentnall ever reached the colony of Queensland. I may be pardoned if in the few observations I may make I may appear to exhibit a little egotism, but I shall endeavour to avoid that. Still it may be attributed to me, because this happens to be a section of the country that I know intimately, and a section of the colony of Queensland greater in extent than the whole colony of Victoria is when compared with the extent of country affected by the railway in question. I can remember battling with Southern influence—Southern selfishness as we called it—which resulted in an attempt to have separation from the southern portion of the colony, because of the great delay in running a railway out to that country. The Hon. J. Taylor can tell the House that in the year 1866 I informed him, in Toowoomba, that there was no finer country in Australia than subsisted from Barcaldine out west, and I advised him then to invest in that country. I saw it for myself—I have known it through all its ups and downs; and notwithstanding the great drought through which the country has passed, the owners of the territory, in spite of their great losses, have still the utmost confidence in it, and with the extension of the railway now before the House, they are prepared to sink still further into debt, in order to develop the great and, I am sure, permanent resources of that vast amount of splendid pastoral land. It is the leading policy of all Liberal Governments, and has been the marked policy of what are termed Conservative Governments, to proceed with trunk lines from three great ports on the eastern coast—Townsville in the North, Rockhampton in the Central district, and Brisbane in the South. Some hon. members might remember the fight between Brisbane and Rockhampton concerning the railway to the Barcoo, and the Rockhampton people said, “You run your railways westward, and we will run ours westward”; and that was agreed to. The Land Act of 1868 was a good thing which also came out of that part of the colony. That Act came out of the brains of Messrs. Archer and Fitzgerald, with grand results for the colony; and the railway policy, so far as the Central districts are concerned, with which the other is collateral, came also out of the heads of men who were pioneering that great district. I say without hesitation that this railway, when it reaches the point to which I ask you to assent this afternoon, and reaches the Thomson River, will only have run half its distance. It will have reached the Thomson River near Maneroo Run, about 436 miles, or 402 miles as the crow flies. That was the allowance for all the sinuosities that occur from Rockhampton to that point—a very small allowance indeed—and that was principally occasioned by running south from Rockhampton to cross the Dawson River, and in order to avoid the Isaacs and the Mackenzie, and other rivers that run into the Mackenzie. There is no railway in Australia that exhibits a more direct track than the Central line. I would ask the Hon. Mr. Brentnall to have this point in view: that there are members in this Chamber who have been disciples of the policy of extending this railway for over eighteen years,

and hence it is that the report is meagre. The hon. gentleman's knowledge is of the same character. He has not the history of the colony in his hands and in his head. A generation has come and gone since this matter was started. We are dealing with a subject than which there is none more important in the whole colony, so far as railway enterprise is concerned, and I will go further and say that I shall never support any Government that is not determined to extend that Central Railway very much beyond the point to which I ask your assent this afternoon. We have only reached half the distance. It is 850 miles from Keppel Bay to the South Australian border. When we reach the Thomson River we are only half-way across the colony. Can any hon. member say what traffic will ensue when we reach that point, where there is a noble stretch of water? Until we reach the Hamilton waters, as described by Burke and Wills in their diary, there is no water. The Hamilton waters are described by those men, who perished in their great undertaking—I read the description many years ago—as able to float the “Great Eastern.” The Thomson contains the best water in the district until we reach the Hamilton, and I sincerely hope the Hamilton will be reached by the Central Railway very soon. Let hon. gentlemen consider that for 200 miles on each side there is no other means of communication, no canals, rivers, or roads, and that the railway supplies all these means of communication. What have we when we reach the Thomson River? We have the finest dépôt for the transfer of sheep, and cattle, and horses, to the east coast. Hon. gentlemen would remember that a Mr. Whitehead was here not very long since. He was seeking sheep from 65 lbs. upwards for despatch to the old country in tens of thousands, and sheep were there at three for £1, while in Victoria sheep of the same quality and in the same state as regarded wool were worth 12s. 6d. Here they were in Central Queensland in tens of thousands, and yet he could not get them to the coast to send to London. I say that the Central Railway has not reached the proper point in order to meet traffic until it reaches the Thomson River—until it has passed the inferior country. Notwithstanding that the Central Railway has passed through comparatively indifferent country all through to Barcaldine, that railway has been worked with enormous results. It was the best paying railway with the exception of the Gympie Railway until the drought overtook the largest industry of the country—the wool industry. Are we to be faint-hearted and stop our railway extension because there has been a drought? We might as well stop it because there has been a flood. Let us be of good heart; let us pierce our wilderness with the “iron horse,” as it is commonly termed, and develop our country; let us run locomotives not only from Rockhampton to the South Australian border, but from Brisbane and Townsville to the South Australian border, with a cross-country railway of a cheap description, that would enable the country in times of drought to move vast flocks of sheep and herds of cattle from the districts subject to great droughts to the districts where grass and water are plentiful. Then if we cannot save the males we can save the females, and keep in Queensland the source of its wealth. I say that if this railway had gone to the Thomson River three years ago tens of thousands of ewes would not have perished, and everybody knows what an important factor that is in country of that character, which can only be utilised for some years to come in the production of wool and fat sheep and other stock. I think the observation that fell from the Hon. Mr. Brentnall that there was no other source of traffic than this—

The Hon. F. T. BRENTNALL: I quoted the Hon. Mr. Lambert on that point.

The POSTMASTER-GENERAL: The hon. gentleman knows very well what I have said is true. There are several townships of no mean importance in that district. Tambo is a healthy village and it has a considerable business. Blackall on the same line, westerly, and Isisford also are of some importance. Then let us turn to the northern side of the line, where we come to Aramac, a very important centre. Then we have Muttaborra further on again, which is a very important centre to Western men. Further on we come to Winton, and the country about Winton, to the south and west of it, I have heard described by a gentleman well known—although not a member of either House of Parliament—as the best country ever seen in the Australian continent, and there is no man better qualified to form a judgment. I say that the traffic on this Central line will be something that hon. members will marvel at ten or fifteen years hence. What is this line after all? It is only a main trunk line, and no one could construct a quarter-chain metal road for what we can construct this railway for. Those towns I have mentioned, and the district west and in the north-west and slightly to the south-west, will reap a considerable advantage in the matter of receiving supplies and despatching their produce by the extension of the railway to the Thomson River. A great majority of the members of this House understand that it was because it was the settled and fixed policy that this railway should be extended westward that the report was so meagre, as has been properly stated by the Hon. Mr. Brentnall. There has been no doubt whatever on the part of anybody I have met during the twenty-five or twenty-six years I have been in the colony, as to the desirability of extending trunk lines westward at a moderate rate of progress from year to year. I think I have said sufficient, because I am speaking by the book; I am speaking from my own observation. I have seen the district with my own eyes, and have been identified with that part of the colony for many years, and I know very well that no safer railway scheme was ever put before the country than that embodied in the proposal now before the Chamber.

The Hon. F. T. GREGORY said: Hon. gentlemen,—After the description of the country and capabilities of the land in the western interior of Queensland, which has fallen from the lips of the Postmaster-General, I think I shall be wasting the time of the House in saying anything more about it. He has very fairly, and very fully, and lucidly put forward the true position in which the proposed railway stands; at the same time I am very much in accord with several of the remarks which fell from the Hon. Mr. Brentnall. I have maintained, and still maintain, that these railways ought never to come before the House unless they are supported in some way by personal evidence or the reports of engineers, or other competent persons, besides the mere fact of the general policy of the railway system. It is beyond all question that the railway before the House is one which ought to be constructed as fast as the financial policy of the Government will permit it, and that it will eventually pay much better than it is paying at the present time I have not the smallest doubt in my mind. It is already fairly paying, and I think we may look forward with great confidence to its being, if not the best paying line, one of the best paying lines of the colony. The policy of constructing all sorts of hole-and-corner railways just to suit the convenience of local parties, or for political purposes, I totally

dissent from. Very often a local line may be a desirable one, but I fear that it is too much the practice to carry out lines merely to suit party purposes rather than to look after the true and best interests of the country at large. My object in speaking at the present time is merely to endorse the views expressed by the Postmaster-General, with which I fully concur. I need therefore say nothing further, except that I trust that in future the Government, before they attempt to bring up any railways for the approval of this House, will seek out and provide more and better information than it has hitherto been their habit to afford the House. We are left not only to try to dig up what information we can, but frequently we find that there is nothing obtainable beyond a sort of general opinion that the railway is desirable. I do hope that the discussion we have had this evening will have a beneficial result in this direction. With regard to the railway brought forward this afternoon, I believe that force of circumstances have prevented the Government laying on the table of the House an elaborate report. There are, I understand, no officers here who have been over the country and could afford such information as we should desire. However, it so happens that there are a considerable number of members in this House, and to a certain extent I may claim to be one of them, who know so much of the country through which the proposed railway will pass that there is no reason, as far as I can see, why we should in any way dissent from the construction of the line.

The Hon. J. C. HEUSSLER said: Hon. gentlemen,—Personally I know very little about that part of the country, but I believe that with a little more acuteness on the part of the committee the report might have been made considerably better than it is. I met a surveyor only last week who could have given a great deal of evidence about this railway. The gentleman to whom I refer happened to be on a visit to my son, and he had much to say about this railway. My son had been in the part of the country where the line is to be constructed for some time, and he endorsed everything that fell from the Hon. Mr. Lambert on a previous occasion with respect to this extension, and expressed a similar opinion to that which has been given this afternoon by the Postmaster-General. I can with a good conscience vote for this railway, as I believe nearly all hon. members in this House endorse what has been said by the Postmaster-General, that we must extend these trunk lines out west. But for all that, I agree, in a great measure, with the Hon. Mr. Brentnall that this report should have contained more information than it does.

The Hon. J. TAYLOR said: Hon. gentlemen,—I simply rise to say how sorry I am for the Hon. Mr. Brentnall, on account of the language which has been addressed to him this afternoon by the Postmaster-General. I think the Postmaster-General might have been a little easier with the hon. gentleman, knowing perfectly well that the Hon. Mr. Brentnall knew nothing about the subject. I think the Postmaster-General was rather severe upon the hon. gentleman, who was talking about a thing of which he was totally ignorant, never having seen the country himself. I was much pleased with the speech of the Postmaster-General, and I may add that I can back him up in every word he said, and I trust that when the proposed extension is built he will join me in a large speculation in that part of the country.

The Hon. W. F. LAMBERT said: Hon. gentlemen,—The Hon. Mr. Brentnall referred this afternoon to the few remarks made by myself when it was proposed to postpone the considera-

tion of this proposed extension of the Central Railway. I got a hint when speaking on that occasion that I had no right to make any remarks—that to make a speech then was contrary to the forms of the House. I did, however, make a few remarks, and I do not regret that I then said a little in favour of this line. The extension of the Central Railway has been considered and reconsidered for years past. I think about seven or eight different extensions have been considered, and the object from the start was to get to the country which this proposed extension will reach. Very little, therefore, need be said in favour of the extension, except, perhaps, that further information might be desired by hon. gentlemen who have not been in the country as long as myself and other hon. members of this House. Probably the hon. gentleman has not hunted up or ascertained the facts which have been mentioned over and over again with respect to this line. When speaking on this subject previously, I pointed out that there would be a large amount of wool traffic on this line. I used the word "enormous," and I think the quantity of wool that will be carried by this railway will be enormous compared with the wool that is now sent away from other parts of the colony. I did not enlarge upon the point that considerable supplies will also be carried from the port to the Western districts, because anyone conversant with railway communication knows that large supplies are required to produce the great quantity of wool that will be sent down from that district. Supplies of all kinds must be purchased from the merchants and carried by rail to the stations, and these will form a considerable item in the traffic on the railway. There will be also towns along the line. I expect to see a town of very considerable size spring up at the proposed terminus on the Thomson River. There is a grand sheet of water there, and it is in every respect a desirable place for a town as a centre for the traffic to and from the Western districts. The Postmaster-General has said that this railway will get the traffic of that portion of the country right to the border of South Australia. I cannot just at the moment say what the mileage is to the border of South Australia, but I think it is not far short of 400 miles. No doubt parties having cattle stations in the district west of the Thomson River will send down their produce and get their supplies by the Central Railway when it is extended to the Thomson. I have, therefore, no hesitation in saying that in my humble opinion this line is a most desirable one to construct, and I do not expect there will be a single voice against it.

The Hon. A. J. THYNNE said: Hon. gentlemen,—I think the dressing down which the Hon. Mr. Brentnall has received from the Postmaster-General should rather tempt him to hide his head on future occasions of this kind.

The Hon. F. T. BRENTNALL: There is not the slightest danger.

The Hon. A. J. THYNNE: I am very glad to hear the hon. gentleman say that there is not the slightest danger that he will do so.

The Hon. F. T. BRENTNALL: I wish we were in committee now; you would then see.

The Hon. A. J. THYNNE: I sympathise very much with the feeling which prompted the hon. gentleman to speak as he has done, because I think it is not quite correct that any committee should bring up a report recommending the approval of the plans of a railway without offering a single fact or argument in support of their recommendation. I quite agree with the Hon. Mr. Brentnall that the committee should

have brought forward some evidence, and if that was not done I think the Postmaster-General, in moving the resolution now before the House, should have given us the excellent speech which he just gave in reply to the Hon. Mr. Brentnall. It is the usual practice in proposing a motion to offer reasons in its favour, and if that had been done in this case, the speech of the Hon. Mr. Brentnall would probably not have been given. I repeat that I have very great sympathy with the remarks of the hon. gentleman with respect to the point to which I am referring, and I hope that he and other members as well will oppose the adoption of such reports on every occasion until we get committees to perform their functions properly. I do not think it is right to sanction the construction of a railway unless we have some information and some good reasons advanced in favour of it; if we do, then referring railways to select committees will simply be a farce, as it has been on the present occasion.

Question put and passed.

The POSTMASTER-GENERAL moved—

1. That this House approves of the plan, section, and book of reference of the proposed extension of the Central Railway from 370 miles to 436 miles, in length 66 miles, as received by message from the Legislative Assembly on the 16th instant.

That such approval be notified to the Legislative Assembly by message in the usual form.

Question put and passed.

WARWICK TO ST. GEORGE RAILWAY.

WITHDRAWAL OF REPORT.

The POSTMASTER-GENERAL said: Hon. gentlemen,—There is a little error in the arrangements made with respect to the report of the select committee on the proposed railway from Warwick towards St. George which I laid on the table of the House this afternoon, and with the permission of the House I will withdraw the report and lay it on the table at a later hour in the evening.

Report, by leave, withdrawn.

MESSAGES FROM THE LEGISLATIVE ASSEMBLY.

JOINT COMMITTEES.

The PRESIDING CHAIRMAN: I have to announce to the House that I have received the following message from the Legislative Assembly:—

"MR. PRESIDING CHAIRMAN,

"The Legislative Assembly having this day agreed to the following resolution:—That in the opinion of this House, it is desirable that the gentlemen constituting respectively the Buildings Committee, the Refreshment Rooms Committee, and the Library Committee, should continue to control, during the recess, the several matters committed to their management as such Committees during the session, beg now to transmit the same to the Legislative Council for their concurrence.

"WILLIAM H. GROOM,

"Speaker.

"Legislative Assembly Chamber,  
"Brisbane, 23rd November, 1886."

The POSTMASTER-GERERAL moved that the following message be sent to the Legislative Assembly in reply:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's message relative to the control of the Buildings Committee, the Refreshment Rooms Committee, and the Library Committee during the recess, beg now to intimate that they concur in the resolutions contained in the said message.

The HON. A. J. THYNNE said : Hon. gentlemen,—It seems to me that there is something inaccurate in the form of the resolution which the Postmaster-General has put forward. I am not aware of any precedent for sending a message intimating a resolution to the other Chamber before that resolution has been passed by this House. The motion of the Postmaster-General is that we transmit a message to the Legislative Assembly intimating that this House has come to a resolution which has not yet been passed, and it seems to me that that is irregular.

The HON. A. C. GREGORY said : Hon. gentlemen,—I think this is a special case which has created a little misapprehension. The fact of the matter is that there is a standing committee having control of the Parliament Buildings, but as it is at present constituted it can only sit during the time Parliament is in session. The Legislative Assembly has come to the resolution that it is expedient that the committee, so far as they are concerned, should have power to sit during the recess, and they have now intimated that fact to the Council. There is really no message to consider in the ordinary use of the term, and that is, I think, the point which the hon. gentleman has omitted to notice. But now, having received that intimation, it is proposed by the Postmaster-General to come to a similar decision, and if we arrive at that decision to communicate it to the Legislative Assembly. I think that is the explanation of the position. It is an unusual matter, and as I am a member of the Buildings Committee I thought it only right that I should explain it.

Question put and passed.

#### LIQUOR BILL.

The PRESIDING CHAIRMAN : I have to announce that I have received the following message from the Legislative Assembly :—

“MR. PRESIDING CHAIRMAN,

“The Legislative Assembly have this day agreed to the amendment made by the Legislative Council in the Bill intitled ‘A Bill to amend the laws relating to the sale of intoxicating liquor and to amend the Licensing Act of 1885,’ with the following amendments, namely :—

Insert after the words ‘Provided that’ the following words, namely :—‘the provisions of the last preceding paragraph of.’

Omit the words ‘*bona fide*.’

Insert after the word ‘club’ the following words, namely :—‘with respect to which it is proved to the licensing justices upon the application for registration that it was.’

“And with the following consequential amendment, namely :—

Clause 18, subsection 3, line 34—Omit the word ‘be’; insert the words ‘have been.’

“In which amendments they invite the concurrence of the Legislative Council.

“WILLIAM H. GROOM,

“Speaker.

“Legislative Assembly Chamber,

“Brisbane, 23rd November, 1886.”

On the motion of the POSTMASTER-GENERAL, the consideration of the message was made an Order of the Day for to-morrow.

#### BRITISH COMPANIES BILL No. 2.

##### THIRD READING.

The POSTMASTER-GENERAL said : Hon. gentlemen,—I move that this Order of the Day be discharged from the paper with a view to recommit the Bill.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the Presiding Chairman left the chair, and the House resolved itself into a Committee of the Whole to further consider clauses 10 and 13.

On clause 10, as follows :—

“From and after the first day of July, one thousand eight hundred and eighty-seven, the following enactment shall have effect :—

“A British company is not, except by virtue of some Act of the Parliament of Queensland, or some Act or ordinance having the force of law in Queensland, or some Royal charter extending to and having effect in Queensland, competent to take, hold, convey, or transfer land in Queensland for an estate of freehold, unless such company has been registered in Queensland under this Act.”

The HON. W. G. POWER said it would be necessary to make an amendment in that clause consequential on the amendment made in clause 14 on his motion when the Bill was previously before the Committee. He moved that the word “July” in the 1st line be omitted with the view of inserting the word “January.”

Amendment agreed to.

The HON. W. G. POWER moved that the clause be further amended by omitting the word “seven” in the 2nd line with the view of inserting the word “eight,” so as to make it read, “the first day of January, one thousand eight hundred and eighty-eight,” etc.

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

On clause 13, as follows :—

“In the event of the winding-up of a registered British company, all land of the company within Queensland shall be applicable in the first instance in payment and discharge of the debts of the company contracted within Queensland in priority to any other debts of the company”—

The HON. P. MACPHERSON moved that the words “subject to any valid mortgage, encumbrance, or charge existing thereon” be inserted after the word “shall,” in the 4th line of the clause.

Amendment agreed to.

The HON. P. MACPHERSON said he had a consequential amendment to propose at the end of the clause. He moved that the words “except debts secured by any such mortgage, encumbrance, or charge,” be added.

Amendment agreed to.

Clause, as amended, put and passed.

On the motion of the POSTMASTER-GENERAL, the House resumed, and the CHAIRMAN reported the Bill, with further amendments.

The report was adopted, and on the motion of the POSTMASTER-GENERAL, the third reading of the Bill was made an Order of the Day for to-morrow.

#### CROWN LANDS ACT OF 1884 AMENDMENT BILL.

##### THIRD READING.

The POSTMASTER-GENERAL moved that the Order of the Day be discharged from the paper with a view of recommitting the Bill.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the Presiding Chairman left the chair, and the House went into committee to further consider the Bill.

On clause 6, as follows :—

“When, after the passing of this Act, a pastoral tenant gives notice to the minister that he elects to take advantage of the provisions of the principal Act, he may at the same time give notice that he elects to take advantage of the provisions of the last preceding section of this Act : And if he gives notice that he so elects, the provisions of that section shall apply with respect to the lease to be granted to him under the thirtieth section of the principal Act ; but if he does not give notice that he so elects, the provisions of that section shall not apply to his lease.”

The POSTMASTER-GENERAL said some delay took place in respect to the clause, and he admitted that there was certain obscurity in its language when his attention was called to it by the Hon. A. C. Gregory. He now moved that the word "that" before the word "section" in the last line but one be omitted, with the view of inserting the words "the last preceding." That would make the clause perfectly clear and intelligible.

The Hon. A. C. GREGORY said the defect to which he had drawn attention would be completely remedied by the amendment proposed by the Postmaster-General. It was only a verbal amendment, and he need say no more about it.

The Hon. W. FORREST said when clause 14 was being amended he had pointed out what appeared to be a serious defect, and he asked the Postmaster-General if he would recommit clause 14. However, since the House last met he had carefully read the principal Bill, and he saw sufficient provision in clause 54 with proper regulations to meet the whole difficulty. He had conferred with the Postmaster-General upon the subject, and they had agreed that such was the case. It was due to the House that he should explain why he asked the hon. gentleman to recommit that clause also. If hon. members would look at clause 54 they would find that there was ample provision, because a selector would not be able to receive his license until he had paid for the improvements that might be upon the land. It might have been better if that had been stated plainly, but it was not an easy thing to do, and they might do more harm than good. He was satisfied that all he wished for could be done by the Act as it at present stood, with proper regulations.

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

On the second schedule as follows:—

"Whereas A.B. is about to emigrate from Great Britain to Queensland, and to defray the cost of the passage of himself (or C.D., his wife, or as the case may be): This is to certify that the said A.B. will be entitled, upon his arrival in Queensland within eight months from this date, to receive a land order of the value of £20, available in payment of the rent upon any agricultural or grazing farm held by him, or by the said C.D., under the Crown Lands Acts, 1884 to 1896, but subject to the conditions endorsed hereon.

"Agent-General for Queensland.  
"(The conditions on which land orders are available are stated on the back hereof.)"

The POSTMASTER-GENERAL moved that the words "or as the case may be" be inserted after the word "Britain" in the 1st line. He thought it was the Hon. F. T. Gregory who drew his attention to the desirability of making an amendment extending its scope as to the country from which an emigrant might start.

Amendment agreed to.

The POSTMASTER-GENERAL moved that the words "or authorised officer" be inserted after the word "Queensland" in the 2nd paragraph of the schedule.

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

On the third schedule, the POSTMASTER-GENERAL moved that the words "or as the case may be" be inserted after the word "Britain" in the 2nd line of the schedule.

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

The POSTMASTER-GENERAL moved that the CHAIRMAN leave the chair and report the Bill with further amendments.

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The Hon. J. C. HEUSSLER said he wished to rectify a statement made in the report of a speech he made on last sitting day. He was reported to have used the words "German farmers," but he did not mention the word "German" at all: the word he used was "yeoman."

Question put and passed.

The House resumed, and the CHAIRMAN reported the Bill with further amendments.

The report was adopted, and the third reading of the Bill made an Order of the Day for to-morrow.

## GOLD FIELDS HOMESTEAD LEASES BILL.

### COMMITTEE.

On the motion of the Hon. W. HORATIO WILSON, the Presiding Chairman left the chair, and the House resolved itself into a Committee of the Whole to consider this Bill in detail.

Preamble postponed.

Clauses 1 to 3, inclusive, passed as printed.

On clause 4, as follows:—

"The Governor in Council may resume the whole or any part of a holding held under the said repealed Acts. Upon such resumption the lessee shall be entitled to compensation for any improvements upon the land which are taken or destroyed or rendered useless, and also for the value of his interest in the land, but the amount to be allowed for the value of such interest shall not exceed a sum equal to twice the amount of the fair value of the use and occupation for one year of the land so resumed."

The Hon. P. MACPHERSON moved that the clause be amended by inserting after the word "may," in the 2nd line, the words "after six months' notice to the lessee," and said he understood there was no objection to the amendment on the part of the Government. The amendment was a reasonable one, and, if adopted, the 1st paragraph of the clause would read: "The Governor in Council may, after six months' notice to the lessee, resume the whole or any part of a holding held under the said repealed Acts."

The POSTMASTER-GENERAL said he concurred in the amendment.

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

Clauses 5 and 6 passed as printed.

On clause 7, as follows:—

"No person may apply for or hold under this Act upon the same goldfield a greater area than the following, whether it is held in one holding or several holdings, that is to say—within the limits of a proclaimed township, half-an-acre; within two miles of the boundary of any such township, five acres; and beyond two miles from such boundary, forty acres.

"In cases where no township has been proclaimed on a goldfield the warden shall mark and determine the boundaries of land to be reserved for a township before he approves or recommends the issue of any lease under this Act.

"For the purposes of this section any portions of land upon a goldfield distant more than twenty miles from each other shall be deemed to form parts of different goldfields."

The Hon. A. C. GREGORY moved that the following words be added at the end of the clause:—"Provided that the proclamation of a new township, or the enlargement of an existing township, shall not affect the area which may be held under a lease subsisting at the time of such proclamation"; and said the amendment was introduced simply to make the Bill practicable. Unless some provision of that kind was inserted difficulties might arise in the working of the measure. A man might be holding one of the larger areas of land at the required distance from a township, but if the township was enlarged he might be within the limits within which he could not hold so



large an area. It might be thought necessary for the benefit of the town to cut down his area, but there was no provision in the measure for that purpose, nor did he think it was intended that such a thing should be done. The effect of the amendment proposed would be to prevent any alteration in the boundaries of townships interfering with or affecting existing holdings.

The POSTMASTER-GENERAL said he approved of the proposed amendment.

Amendment agreed to.

The HON. P. MACPHERSON moved that the following words be added after the amendment just passed, namely:—"The restrictions as to the area contained under this section shall not apply to any holding under the said repealed Acts or any subdivision thereof"; and said he understood the amendment would be accepted by the Postmaster-General. The object was to get rid of any ambiguity there might be in that clause with reference to the existing rights of lessees.

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

Clauses 8 to 21 passed as printed.

The POSTMASTER-GENERAL moved that the following new clause be inserted after clause 21:—

When a holding under this Act is taken in execution under the judgment of any court of competent jurisdiction, and sold, the sheriff or other proper officer shall execute a transfer of the lease to the purchaser at such sale; and upon production of the transfer to the warden, and payment of the prescribed fee, the lease shall be transferred to such purchaser accordingly.

Clause put and passed.

On clause 22, as follows:—

"Any lessee under this Act may, with the approval of the warden, and upon payment of the fee of ten shillings, transfer any part of the holding, not less than half an acre in extent if the holding is within the limits of a proclaimed township, and not less than two acres in extent in any other case, to any person qualified to be the lessee of a holding under this Act.

"The application must be accompanied by proper and correct plans and descriptions showing the proposed division of the holding, and certified by the mining surveyor or a licensed surveyor, and an endorsement shall be made on the original lease showing the portion of the holding so transferred."

The HON. W. G. POWER asked why was the approval of the warden necessary to the transfer by the lessee of any part of his holding?

The HON. W. APLIN said, because that was subdividing.

The POSTMASTER-GENERAL said the principal reason was that the character of the field should not be disturbed and that sanitary conditions should be observed. It might happen that a subdivision would be most detrimental to the interests of the townships and the health of the inhabitants, and that provision would give the warden control over the subdivision of leaseholds and would prevent anything of the kind occurring.

Clause put and passed.

Clauses 23 to 30, inclusive, passed as printed.

On clause 31, as follows:—

"The Governor in Council may resume the whole or any part of a holding under this Act.

"Upon any such resumption the lessee shall be entitled to compensation for any improvements upon the land which are taken, destroyed, or rendered useless; but shall not be entitled to any compensation in respect of the value of the land or the lessee's interest therein."

The HON. P. MACPHERSON moved that after the word "may," in the 2nd line, there be inserted the words "after six months' notice to the lessee," and said he understood there was no objection to the amendment.

The POSTMASTER-GENERAL: I concur in it.

Clause put and passed.

On clause 32, as follows:—

"The amount of compensation to be paid for any land resumed from lease by the Governor in Council under the provisions of this Act shall be determined in the manner prescribed by the Public Works Lands Resumption Act of 1878, for determining compensation for land taken under that Act."

The HON. W. G. POWER asked why a lessee should not be entitled to compensation in respect of the value of the land?

The POSTMASTER-GENERAL said he did not find that in the Bill at all.

The HON. W. G. POWER said the 2nd paragraph of the clause read as follows:—

"Upon any such resumption the lessee shall be entitled to compensation for any improvements upon the land which are taken, destroyed, or rendered useless; but shall not be entitled to any compensation in respect of the value of the land or the lessee's interest therein."

The POSTMASTER-GENERAL: I observe what the hon. gentleman refers to; it is simply because the land is not his land.

The HON. W. G. POWER said the lessee had paid his rent and survey fees, and why should he not have some interest in it?

The HON. A. C. GREGORY said if they looked back over the history of the goldfield homesteads they would see the reason why no compensation was allowed for the land. Originally complaint was made by the miners that although they were allowed to mine, they were not allowed to have any sort of occupation where they could go in for cultivation. There were many patches in goldfields which were not known to be auriferous, and the miners moved the Government to pass an Act giving them a little more permanency of tenure with regard to their holdings than they had under the miner's right, so that they might be allowed compensation for their buildings or cultivation or anything that might be upon the land; but it was distinctly understood, and one of the special conditions was, that the title of the land did not pass—in fact, the title of the land remained in the mining community—and any miner who wished to mine upon that ground would simply have to pay the value of the damage done to the improvements. The consequence was that the miners never had—and it was never intended that they should have—any title to the land as land, but simply for the improvements they were permitted to temporarily place thereon.

The HON. A. J. THYNNE said there was a great deal more in the clause than was generally admitted. Under clause 4 a lessee was entitled to compensation for improvements which were destroyed or rendered useless, and also for the value of his interest in the land. Certainly there was a limit placed upon it—that it should not exceed a sum equal to twice the amount of the fair value of the use and occupation for one year of the land so resumed. Many clauses of the Bill were similar to those in the Crown Lands Alienation Act. The 25th clause was one, and he had no doubt that to a great extent the principle upon which the Bill had been framed had been drawn from that Act. He could not see why favour should be shown to one class of homestead lessees under the Bill and not to another. Under clause 4 a lessee would be entitled to more compensation than would be allowed to a homestead lessee under clause 31, and he did not see where the difference came in. In the next place, he did not think it was good policy that tenants of whatever kind should not have some security or encouragement for making improvements upon the land upon which they lived. The Postmaster-General said one of the reasons for requiring the consent of the warden to the subdivision of a holding was for

sanitary purposes. But looking at clause 31, if it passed in its present shape, they might expect a great many insanitary arrangements, as has been described by a previous speaker. Hon. gentlemen should bear in mind that a great many improvements put upon homestead leases were really valuable, and it was very unjust that the tenants should be turned out after six months' notice, and not get compensation for the loss of their holdings. They received a kind of perennial lease or continuous lease until such time as the land might be required by the Government; but if men were to live upon these leases and build houses, it was very hard that they should not be entitled to the improvements which they spent a great deal of time and money in making. The mere compensation for actual buildings or fences upon the land would be very small, and he hoped that the hon. gentleman would come to the conclusion that the paragraph that the Hon. Mr. Power called attention to was one that should not meet with the support of the Committee.

The Hon. A. C. GREGORY said at the time the first Goldfields Homestead Act was passed, a similar argument to that of the Hon. Mr. Thynne was brought forward, and, of course, there was a great deal of justice in it. But the condition of things was pointed out—that some law was required under which miners might keep the surface of the land and protect the value of their improvements, but it was distinctly understood that the land was to be retained for mining purposes, as that if they were given any right to the land, it would practically prevent anything in the shape of mining being attempted upon it. The miners would erect their improvements with the full knowledge that the law gave them no right to their continued holding of the land, so that there was nothing inequitable in the arrangement. They had the conditions before them, "You may occupy the land upon such and such conditions if it please you, and if it does not please you you need not take it." Therefore, whatever conditions were imposed, they could not be unjust or inequitable, and the matter had gone on like that since the inauguration of the system. It had been pointed out that the miners would gradually begin to consider that they had acquired a pre-emptive right to the land, and there would be a difficulty. On the other hand, it had been urged that that should not be granted, as it would prevent the extension of the mining industry and the miners must take it as it stood, and if they chose to think they had acquired such a right by the effluxion of time, they must be shown that they had no right to assume such a thing. Clause 4 gave miners a great deal more than they could legally demand, and he did not see that there was anything inequitable in the clause. It would certainly not be in the public interest to give them an absolute title of any kind to the land, whatever they might do in regard to their improvements.

The Hon. A. J. THYNNE said, as he understood the Hon. Mr. Gregory, he said that the people need not take the leases if they did not like the terms of them. That was an argument which might be used in regard to every other kind of lease in the colony. He did not see that there should be any difference between lessees on goldfields and any other portion of the population. No one would think of applying that rule to selectors or pastoral tenants and making restrictions which would prevent them from making improvements upon the country. The clause would undoubtedly have a great deterrent effect upon settlement upon homesteads; and he could not understand why it should be insisted upon by the Government. He supposed their policy was

not to alienate land, but to lease it. They should, however, lease the lands upon such terms as would be good for the tenants and good for the country; but he did not think the present clause would be good for either.

The Hon. F. T. GREGORY said it appeared to him that the principal objection to the clause was that it was at variance with clause 4. What they had to guard against was giving a vested interest in the land to the lessee. At some future period he might claim a much greater amount of compensation than that which he would fairly be entitled to, and they should be very careful in wording these enactments so as not to mislead, not only the legal men, but the ordinary public, who should be able to grasp the subject fully. The closer they held to such wording as would prevent any misunderstanding of that sort on the part of the selectors the better. It would be hardly desirable to alter the clause in the direction suggested by the Hon. Mr. Thynne.

The Hon. W. FORREST said he could not agree with either the Hon. Mr. Gregory or the Hon. Mr. Thynne in regard to the clause. He did not see that clause 4 and clause 31 contradicted each other in the slightest. The present condition of affairs had sprung up under the present law, and the Government were desirous, while keeping the power to resume any land not occupied upon a goldfield, of dealing as liberally with the miners who resided there as they possibly could. Those who had residences had no legal claim, as had been explained by the Hon. A. C. Gregory. The Government said, "As you have settled there, and we want to resume the land, we will give you compensation up to a certain point. If you come under this Act you shall get compensation for any improvements, but you shall get no compensation for the value of the land." The miners only paid at the outside 5s. an acre for the land; and why should they get compensation for land which they practically paid nothing for? The value of the improvements would be allowed them under clause 31 the same as under clause 4. Then, in reply to the Hon. Mr. Thynne, he said that the selectors under the Act, or miners who were residing upon lands on goldfields, were placed in quite as good a position as if they selected land under the Act of 1884 or any previous Act. They had all the rights of that Act, as well as the advantages of this Bill, in taking up a small selection on a goldfield. They could not take up a homestead selection under the Act of 1884 because they could not reside in two places at once; but under this Bill they had power to take up a selection for residing upon, and if disturbed they got compensation for improvements, and paid practically nothing for the land; therefore, why should they pay compensation to them?

The Hon. W. G. POWER said he could not agree with the Hon. Mr. Forrest at all. The mining industry was a very good thing in the colony, and the miners contributed a great deal towards the revenue through the Custom-house, and in all sorts of ways. He really did not see why they should not have quite as good rights to the land as any selector, or anybody else. The agricultural selector did not pay 5s. per acre for his land—he paid 5d. or 6d., and got compensation if he was disturbed, and he did not see why the miners should not have the same advantages.

The Hon. W. FORREST said a miner who came under this Bill would be like a man who settled down, say, at Toowong. He could not get land at Toowong for 5s. an acre. Miners did not settle away out in the wilderness and take up land and improve it. They settled close around large townships. He believed there were

10,000 or 12,000 inhabitants around Charters Towers, and he forgot what was the population of Gympie. Where the land was valuable, and when they would be occupying a piece of land worth £500 or £600, for which they paid 1s. an acre, they had no right to ask for compensation if they were disturbed when the country required the land. The miner was allowed full value for all improvements, but not for the land.

The Hon. W. G. POWER said it seemed to him that the Hon. Mr. Forrest forgot that it was the miner who opened up places like Charters Towers, and made townships there; and the Government got a great deal of money for the land they sold in such places. He thought the Hon. Mr. Forrest had begun at the wrong end. The miner went into the bush and showed the Government the necessity for opening up townships, and accordingly the Government did so, and got a lot of money from the sale of the allotments.

The Hon. P. MACPHERSON said he agreed with the Hon. Mr. Power and the Hon. Mr. Thynne; but he had been told by the Government that any proposed amendment would be objected to; therefore, he should not propose one.

The POSTMASTER-GENERAL said hon. members would recollect that this was a Bill to amend the law relating to the occupation of Crown lands on goldfields. If hon. members would compare the clause with clause 19 of the principal Act they would see that the amending Bill did not practically affect the question to any appreciable extent. Clause 19 of the principal Act was as follows:—

"It shall be lawful for the Executive, at any time during the currency of any lease under this Act, to resume the whole or any portion of the land leased, if the same shall be required for the construction of roads, tramways, railways, drains, water-races, canals, or any other purpose of public utility or convenience, and, in case of such resumption, compensation shall be made for improvements destroyed or rendered useless, but nothing shall be allowed for the land, or the tenant's right therein, provided always that the lessee shall not be required to pay rent for any portion of land which has been resumed or rendered useless to him."

Really there need be no hesitation about passing the clause. The clause only made the terms a little more liberal.

The Hon. A. J. THYNNE said the fact that a thing existed at present was not always a justification for its continuing to exist. A man might build a house at a cost of some £300 or £400. The value of the house at the time might not be very much, and his disturbance from it might be a great deal more serious to him than the house itself. The object of their legislation should be, so far as they could, to encourage people when they settled upon the land, no matter upon what tenure, to do so as respectfully as they could.

The POSTMASTER-GENERAL said the hon. gentleman must know that it had always been the wish of the mining population to have something more than a "jumping" tenure, and nothing more was ever intended or ever expected than that which was given to facilitate that *quasi* right to land upon which they might put up something more than a humpy. It is not likely that they would put up the costly and comfortable home that would be put upon a freehold or a leasehold from the Crown or a private individual under a better tenure than that which they were now discussing. That was a tenure for the purpose of giving fair compensation for the resumption and for the disturbance of improvements existing upon the land. Gold-miners never wanted anything more. They did not encourage miners to put such improvements upon the land as would not be justified by the

tenure under which they held the land. The Act had been beneficial in improving the houses of miners. He knew that of his own knowledge, and so did everyone else. The houses were much better than they were before the passing of the Act.

The Hon. A. J. THYNNE: They might be better still.

The POSTMASTER-GENERAL said that was a matter for the judgment of the person holding a tenancy subject to resumption under the principal Act.

The Hon. W. G. POWER said he would move an amendment upon the clause, but he thought it was no use. The Government did not want the miners to be comfortable. They were only people to be kicked about anyhow.

The POSTMASTER-GENERAL: Nonsense!

The Hon. W. G. POWER said he thought so from the report that the Hon. Mr. Macpherson gave when he said that the Government would not accept any amendments upon the clause, and it was only waste of time proposing them. It was an extraordinary thing that the Government wanted to treat one class of people differently from another. He did not see why the miners should not be encouraged to settle down comfortably the same as other people.

The Hon. F. T. BRENTNALL said there would be a great deal of force in the remarks made by the Hon. Mr. Power if the Government could see their way to sell the freehold of those building sites; but inasmuch as it was considered an unwise policy to make these residence sites or homestead leases on goldfields, freeholds—unwise in the interests of gold-mining and gold-miners—he could not see very much force in his remark. There could be no possible misunderstanding as to the tenure upon which those leases were taken, and if inducements were wanting by gold-miners to put up comfortable homes, all he could say was that they had every inducement that lessees could have. They knew that, practically, they would not be disturbed except for the exigencies of the particular industry in which the majority of them were engaged, and for which the land was held by the Government and leased out. So far as some of the remarks made by the Hon. Mr. Thynne were concerned, he could not see that, because the Government refused to compensate lessees for the land which was taken from them and resumed for mining purposes—the purposes for which the land was held by the Government—therefore a hardship was done to those people. He could not see where the hardship came in; the conditions of residence were known, the conditions of occupation were known, and it might occur—it did occur in many cases—that those homestead leases were held by people who had erected business places upon them. It had been said that where men were conducting large businesses on their leaseholds and making a great deal of money, it would be a great hardship to remove those people. Possibly it would, but it must be borne in mind that if a man was turning over his £5,000 or £10,000 a year, and making a profit of 10 per cent. on that, he could have little claim for compensation for the value of the land on which he had been making enormous profits at a nominal outlay for rent. There would be some force in the arguments in favour of compensation being allowed for the land, if it had not been provided in the Bill that the fullest compensation had to be given for improvements. If a man built a cottage costing £500 upon leased land held at a rental of 5s. a year, and the Government required the land, he supposed they would pay the man £500 for his

house, or remove it to another area which would perhaps be quite as convenient to the lessee, who would have his value on the land to which the house was removed. He really did not see where the injustice came in.

The HON. A. J. THYNNE said it seemed to him that the hon. gentleman who had just spoken did not understand the class of holdings they had been discussing. The hon. member had been describing places where men were making £5,000 a year, but appeared to forget that he was referring to what were called business areas. He had quite missed the point of the discussion. The debate had reference to tenants who occupied land and lived upon it, and the Committee should give such men fair and full encouragement to make their dwellings on the land, and live there in a manner as consonant with sanitary regulations as possible. Business areas were a different matter altogether.

The HON. F. T. BRENTNALL said if he was in error he was much obliged to the hon. gentleman for setting him right. But that did not affect the whole of the argument he put forth—namely, that if a man built a cottage, to cost say £500, upon an allotment which was not used for business purposes but simply for residential purposes, and which might be worth, if put up at auction as a freehold, £100 or £200—supposing it were worth £100, and the money was reckoned at 8 per cent.—but they would take the lower rate of 5 per cent., which was the ordinary rate for land leased for building purposes—the man would have to pay £5 per annum for his Crown land; but, as a matter of fact, he only had to pay 5s.

The HON. W. APLIN: Or less.

The HON. F. T. BRENTNALL said he thought 5s. was the minimum. It was absurd to imagine that a man who paid 5s. a year rent for a piece of land which was worth £5 or £10 per annum at its fair market value, should have any right to compensation for the resumption of the land that was required for the express purpose for which the land had been retained in the possession of the Crown.

The HON. A. C. GREGORY said he thought some remedy might be provided for the difficulty which had arisen, but it might not be reasonable to introduce it in that Bill. His idea of the proper mode of meeting the cases which had been brought forward would be to amend the Gold Fields Act itself, and to allow the Government from time to time to proclaim small areas on goldfields, such as after considerable experience appeared not likely to be available for mining purposes, under some conditions similar to those under which ordinary homesteads were held outside of goldfields, but with a special reservation in reference to the minerals that might be found on them at any future time. And in giving the lessees a permanent tenure they would be able to charge a higher rent, and the plan would no doubt prove of general public benefit. He thought that if the Government would take the matter into their consideration during the recess, they would be able to formulate a measure which would enable them to withdraw small portions of land from goldfields for what they might term a species of intermediate homesteads.

Clause put and passed.

Clauses 32 to 35 inclusive, the schedules, and the preamble, passed as printed.

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

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

## BUILDING SOCIETIES BILL.

### CONSIDERATION OF LEGISLATIVE ASSEMBLY'S MESSAGE.

On the motion of the HON. W. HORATIO WILSON, the Presiding Chairman left the chair, and the House resolved itself into a Committee of the Whole to consider the Legislative Assembly's message with reference to this Bill.

On clause 25, as follows:—

"A registered society, although not empowered by its rules to buy freehold or leasehold estate, may purchase, build, hire, or take upon lease, any building in which to conduct its business, and may purchase or hold upon lease any land for the purpose only of erecting thereon a building in which to conduct the business of the society, and may sell, mortgage, exchange, or let such building or any part thereof"—

in which the Legislative Assembly proposed to omit the words "although not empowered by its rules to buy freehold or leasehold estate"—

The HON. W. HORATIO WILSON said the Legislative Assembly had agreed to the amendment of the Council which omitted subsection (d) of clause 23, and in their message had pointed out that, consequent upon that amendment, the words "although not empowered by its rules to buy freehold or leasehold estate" in clause 25 should also be omitted. He moved that the consequential amendment be agreed to.

Question put and passed.

On clause 26, as follows:—

"A registered society may receive deposits or loans, at interest, for a term not less than two months, from the members or other persons, or from any building society or friendly society, to be applied to the purposes of the society."

"Provided that the total amount received on deposit or loan, and not repaid by any society, shall not at any time, in the case of a permanent society exceed twice the amount for the time being of the existing paid-up capital or subscriptions of the society and the accumulations thereon, and shall not at any time, in the case of a terminating society, exceed three years' income on the shares for the time being in existence."

"Any deposits with, or loans to, an existing society made before its registration under this Act in accordance with its certified rules, are hereby declared to be valid and binding on the society, although such deposits or loans may exceed the limit aforesaid; but all such deposits and loans shall be taken into account in determining the amount which any such society may legally receive on deposit or loan after being registered under this Act."

"Any member or other person, or building society or friendly society, depositing or lending money with or to a registered society, shall not be bound to see to the application thereof, or to see that the society has not exceeded the limit of its borrowing powers."

The HON. W. HORATIO WILSON said the Committee had amended that clause by inserting after the word "interest" in the 1st paragraph the words "for a term not less than two months," and by omitting the words "three times" in the 2nd paragraph and substituting the word "twice." The Legislative Assembly had disagreed to those amendments because they appeared to impose unnecessary restrictions upon the conduct of the business of building societies. He trusted the Committee would see fit for the amendment in that clause to be omitted from the Bill. He did not propose to go into the arguments connected with the question, because the matter had been fully considered on a former occasion, but he would be very glad indeed if the Hon. Mr. Raff, who proposed the amendments, would see his way to make some compromise in the matter, because he would not like anything to occur, at that late period of the session, which might cause the Bill to be thrown out. The term of two months, as hon. gentlemen knew, was inserted for the purpose of preventing building societies doing savings bank business and

general banking business. The clause, as it stood now, would prevent anyone, who wished to deposit money with a building society for a fortnight or a month, from doing so. The amendment prevented small sums of money being lodged with building societies for short terms, and a larger interest obtained for them than could be obtained by investing them elsewhere. If the hon. gentleman would make the two months one month, he would be glad to agree to the amendment.

The HON. A. RAFF said he would be quite prepared to allow the second amendment—the substitution of “twice” for “three times”—to go as it was only a question of degree, but he thought that the first amendment should be insisted on, as it was a question of principle. It prevented building societies from going into banking business, receiving money to-day and being called upon, as they might be, to pay it off to-morrow, or, in other words, prevented them from receiving it for any less time than two months. He thought there was no one who would be disposed to put his money into a building society for less than two months, and he did not think it would be worth the while of a building society to accept deposits for a shorter period than that. If they did so they would become banking institutions entirely, and would require to be brought under the provisions of the Banking Act and to have a certain amount of money in hand to meet those calls. He hoped the amendment would be insisted upon, and intended to propose that they should insist upon it, “because as the Bill does not make provision that a building society coming under this Act shall keep a certain proportionate amount of unemployed capital to meet contingent liabilities, it would not be for the public interest to hazard the stability of a building society by allowing it to receive moneys on deposit or as loans on shorter terms than two months, and the Assembly’s amendment would be equivalent to authorising a building society to accept money on deposit at call as upon an open banking account, a building society not being subject to the Banking Act.”

The HON. J. SWAN said he had been a very long time connected with building societies, and he could inform hon. members that they always had money in hand to answer every application. Money came in every day; sometimes £1,000, £2,000, or £3,000, and the societies always had money on hand.

The HON. A. C. GREGORY said it must not be lost sight of that although that amendment would prevent building societies taking money at interest for less than two months, still they might take any amount of money for any time not at interest, as that would not be in any way affected by the amendment. The amendment simply prevented building societies from becoming banking institutions. He thought such societies ought not to be allowed to take loans bearing interest for a less period than two months. He believed the amendment would put building societies in a far more stable position than they were in at present in the event of some sudden calamity arising at any time. He certainly thought it was very undesirable that they should reduce the terms, and considered that three months would have been a reasonable period to fix.

The HON. W. G. POWER said he did not think they ought to recede from the position they had taken up on the last occasion when the matter was under discussion. He had carefully read the discussion that had taken place in the Assembly on their amendments, and he saw, of course, that some speculative gentlemen there would take any amount of money if they

could get it. But he also read the speech of another gentleman who had better sense, and who considered the interests of the society more than they did. As to talking about restrictions, the amendment did not, in his opinion, impose any restrictions, because building societies were started for a different object altogether from that indicated by the clause as it originally stood. If a society took a large sum of money and was called upon at the end of two months to pay it off, it was quite possible that it would not be able to do so. He remembered a case which happened in Melbourne twenty-five years ago. There was an institution called the Provident Institute, which was supposed to be in a splendid position, and had collected a great deal of money belonging to thrifty working people—servant girls among others. He was not aware that the society ever paid any dividend, but he believed it had not, and that that was caused by their taking money in the way intended by the clause before it was amended. On the last occasion when they were discussing that matter, he read the first rule of the Brisbane Permanent Building and Investment Society. He would now read the first rule of the City and Suburban Permanent Building and Investment Society, to show that building societies were never started with the intention of becoming banking institutions. The first rule stated that—

“The name of the society shall be ‘The City and Suburban Permanent Building and Investment Society, Brisbane,’ and the registered office shall be in Queen street, Brisbane. The society is established on the permanent principle, its objects being: 1st, the raising of a fund by fortnightly and other subscriptions for the purpose of making advances to members of the value of their share or shares, to enable them to erect or purchase houses or freehold estate, to redeem mortgages, and to facilitate the accumulation, the borrowing and redemption of capital for those purposes; 2nd, to afford means for the profitable investment of small savings.”

He wished to know if they were to permit any society established on such a basis as that to become bankers. He did not think they would be dealing properly with the public if they did so.

Question—That the Committee do not insist upon their first amendment in clause 26—put, and the Committee divided:—

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The Hons. W. Horatio Wilson, J. D. Macanish, J. Swan, T. Macdonald-Paterson, F. T. Brentnall, and P. Macpherson.

#### NOT-CONTENTS, 15.

The Hons. H. C. Wood, F. T. Gregory, A. C. Gregory, J. C. Heussler, A. J. Thynne, E. B. Forrest, W. Forrest, A. Heron Wilson, W. Pettigrew, W. F. Lambert, A. Raff, W. G. Power, W. Aplin, G. King, and F. H. Hart.

Question resolved in the negative.

The HON. W. HORATIO WILSON moved that the Committee do not insist upon the second amendment in the clause, providing that the total amount received on deposit should not exceed twice the amount of the paid-up capital. As the first amendment had been insisted upon, and as the societies would not now be allowed to speculate in land, he thought the second amendment should not be pressed.

The HON. W. G. POWER said it would be decidedly weak of the Committee to give in on that point. From the rules he had read, and from other matter they had heard on the subject, he thought it would be admitted that it was highly desirable that those societies should not be allowed to borrow the large amount it was proposed they should be permitted to borrow, and even twice the amount of the paid-up capital was, he thought, too much to allow them to borrow.

The HON. A. RAFF said the second amendment involved a question of degree and not one of principle, and he was consequently quite prepared to agree with the Hon. Mr. Wilson that it should not be insisted upon.

Question put and passed.

On the motion of the HON. W. HORATIO WILSON, the House resumed, and the CHAIRMAN reported that the Committee had agreed to the consequential amendment in clause 25; insisted upon the first amendment in clause 26, and did not insist upon the second amendment in that clause.

The HON. A. RAFF moved that the Bill be transmitted to the Legislative Assembly with the following message:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's message of date 19th instant, relative to the amendments made by the Legislative Council in the Building Societies Bill, beg now to intimate that they agree to the consequential amendment in clause 25. They insist on their first amendment in clause 26, because the Bill does not make provision for a building society coming under the Act keeping a proportionate amount of unemployed capital at call to meet contingent liabilities, and it would not be for the public interest to hazard the stability of a building society by allowing it to receive moneys on deposit or as loans on shorter terms than two months; and they do not insist upon their second amendment to that clause.

Question put and passed.

#### WARWICK TO ST. GEORGE RAILWAY.

##### REPORT FROM SELECT COMMITTEE.

The POSTMASTER-GENERAL laid upon the table the report of the select committee on the proposed railway from Warwick to St. George, and moved that it be printed.

Question put and passed.

#### ADJOURNMENT.

The POSTMASTER-GENERAL said: Hon. gentlemen,—I propose, without notice, to move that this House do now adjourn till to-morrow evening, at 7 o'clock, and I do so for the following reasons: There are a number of select committees to sit to-morrow, and I am, besides, slightly anxious—not over anxious—to endeavour to keep the business as much in pace with the business of the Legislative Assembly as possible. At the same time, I am completely averse to the hurrying on of any question of importance now before this Chamber. It will, however, be of great convenience to myself if we adjourn until that hour to-morrow evening, because of the committees in question, and also because of certain returns I expect to receive to-morrow, and which will require my attention for an hour or two to analyse and elaborate, with reference to a motion that comes on in the evening. I think there should be no difficulty in coming to a conclusion upon this matter for these reasons: The first three matters on the paper are purely formal. The first matter on the business paper will be the third reading of the Crown Lands Act of 1884 Amendment Bill; the second will be the third reading of the Goldfields Homestead Leases Bill; and the third matter will be the British Companies Bill, third reading, which may be, as I have promised the Hon. Mr. Macpherson, recommitted if it be found expedient so to do. The fourth matter will be the consideration of the Legislative Assembly's message relative to the amendments of the Legislative Council in the Liquor Bill. These four matters should not take more than half-an-hour, and we would then have the rest of the evening to deal with notices of motion Nos. 1 and 2, and that

would complete the business for to-morrow. Under the circumstances, I hope hon. gentlemen will agree with my suggestion that this House do now adjourn until 7 o'clock to-morrow evening. It will be a great convenience to myself, and I know it will help the business of this Chamber forward, because if I fail to get the necessary time I shall not be able to deal with certain business to-morrow which I should otherwise be able to deal with. Moreover, there is a Cabinet meeting to-morrow, as usual, and I think hon. gentlemen are aware that I have been unable to give any attention in that direction for some weeks past. There are reasons why I should be enabled to deal with some departmental business matters to-morrow that have stood over for some time. I hope the House will agree with my suggestion to adjourn until to-morrow evening, at 7 o'clock, and then proceed with the business and exhaust the paper.

The HON. F. T. GREGORY said: Hon. gentlemen,—In every instance that it is in my power to accept the Postmaster-General's suggestions for urging on the consideration of business within reasonable limits, or when it may be inconvenient to postpone any measure, I am always most happy to do so; but in the present instance I think there is a feeling opposed to deferring the meeting of the House to a later hour than usual. Under these circumstances, unless the Postmaster-General presses his motion and it is carried in his favour, I think it would be desirable that we should so far amend his motion as to postpone the more important measures, which will inevitably occupy the House for four or five hours. I am sure of that from conversations I have had with hon. gentlemen; I am sure the business to come on after the preliminary matters to which the Postmaster-General has referred will not be finished within that time. I think, as a rule, while hon. gentlemen are quite prepared to give their time to the business of this House, they are not in favour of these very late hours of sitting. For myself I may say that I could sit here till to-morrow morning if necessary, but as a rule the late sittings are considered undesirable by hon. gentlemen. I would therefore suggest to the leader of the Government in this House, that either the lengthy motion to which I have referred should be postponed to the following day or the House should meet at the usual hour to-morrow.

The POSTMASTER-GENERAL said: Hon. gentlemen,—With the permission of the House I beg to reiterate my personal wishes that the House will agree to adjourn until to-morrow evening, at half-past 6 or 7 o'clock. I do not care which it is. I know I will not be prepared to go on with the business at 4 o'clock to-morrow, and it will only be a gathering together of members to make a quorum if the House is to meet at that hour. I really have not had time with the large amount of matter of which I have been in charge during the last few months to enable me to meet the House to-morrow at 4 o'clock. I only ask for two hours, and those two hours will be devoted to committee work. Those two hours will really be devoted to facilitating the business of the Council, the business of the country, and in some degree the business of the Government and the closing of the session. If, however, hon. gentlemen determine not to give me these two hours for the purpose I have mentioned, I shall be quite satisfied with the decision of the House.

The HON. P. MACPHERSON said: Hon. gentlemen,—I think the desire of the Postmaster-General should be acceded to, and gracefully acceded to. There is no man in this country, to my knowledge, who has been worked harder the last three or four weeks than the hon. gentleman.

I think a couple of hours' indulgence to him is only reasonable, and I think it will assist us materially in doing what we have to do in this Chamber.

The HON. F. T. BRENTNALL said: Hon. gentlemen,—I am very glad to hear such remarks come from that side of the Chamber. Some of us who have been sitting on several of those select committees lately know how very closely the Postmaster-General has applied himself to the business of those committees, and it has been a surprise to me how he has managed to get through the amount of work he has managed to get through in connection with them. I think the request he now presents to this Chamber is a very reasonable one, and I strongly endorse the opinions expressed by the Hon. Mr. Macpherson. That the hon. gentleman's request should be complied with is, I think, the least this Chamber can do, especially as it has been expressly stated that the time asked for will be occupied in facilitating the business of this House.

Question—That the House adjourn until tomorrow evening at 7 o'clock—put and passed.

The House adjourned at a quarter past 9 o'clock

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