

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 10 AUGUST 1887

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LEGISLATIVE ASSEMBLY.

Wednesday, 10 August, 1887.

Petition for the Establishment of Provincial Councils.—
Message from His Excellency the Governor—
Estimates.—Question.—Formal Motion.—Adjournment.—Financial Statement.—Divisional Boards Bill—committee.—Adjournment.

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

PETITION FOR THE ESTABLISHMENT OF PROVINCIAL COUNCILS.

The SPEAKER said: As the hon. member for Blackall is in his place, I would like to direct his attention and the attention of the House to the petition presented to the House yesterday by the hon. member from the residents of the Central district. The first sheet of the petition with the signatures attached to it is perfectly in accordance with the Standing Orders; but unfortunately the whole of the other signatures are irregular and contrary to the Standing Orders, as they are all attached to printed forms. I call hon. members' attention to this because the promoters of these petitions should bear in mind that it is contrary to the Standing Orders of the House to have the signatures attached to printed forms. As I have said, the first portion of the petition is in order, and the hon. member will understand that the Printing Committee will be able to deal only with the first sheet and the signatures attached to it; the whole of the rest of the signatures unfortunately being irregular will have to be omitted.

Mr. PATTISON said: Mr. Speaker,—With the permission of the House I will withdraw the petition.

The SPEAKER: The front part of the petition is perfectly in order; it is only the printed forms with the signatures attached that are irregular.

Mr. PATTISON: I would like to say there are upwards of 1,500 signatures attached to the petition, and with the permission of the House I will withdraw it and bring it up in a fresh form.

The PREMIER (Hon. Sir S. W. Griffith) said: Mr. Speaker,—I think it would be a pity if the names of the petitioners who sent in this petition were not to be counted. I should not think it desirable to move that the order for the reception of the petition be rescinded, unless the hon. member had himself suggested that I should do so, and I may therefore be permitted to move without notice that the order for the reception of the petition be rescinded, the object being to enable the hon. member to make the necessary corrections.

The SPEAKER: Does the House consent to the motion being put without notice?

HONOURABLE MEMBERS: Hear, hear!

Mr. NORTON said: Mr. Speaker,—I would point out that the printed forms are mere copies of the petition, and are signed with the intention of signing the original petition.

Question put and passed.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

ESTIMATES

The SPEAKER announced the receipt of a message from His Excellency the Governor transmitting the Estimates-in-Chief for the year ending 30th June, 1888.

On the motion of the PREMIER, the Estimates were ordered to be printed and referred to Committee of Supply.

QUESTION.

Mr. WAKEFIELD asked the Minister for Works—

Will the plans of the extension of the Sandgate Railway towards Shorncliffe be laid on the table of the House during the present session?

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

The question submitted by the hon. member will be considered at an early date, and as soon as a decision is arrived at the House will be duly informed.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. BAILEY—

That there be laid upon the table of the House a Return showing,—

1. Number of sidings from main railway lines to coal-mines;
2. Length of each siding;
3. Freight charges for coal on each siding per ton or truck and per mile;
4. Freight charges for coal on each line from colliery to place of shipment, including wharf charges with mileage in each case.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—Last evening in moving the adjournment of the House I intimated that I intended to ask the permission of the House this afternoon to move, without notice, that the House at its rising to-morrow adjourn until Wednesday next. I believe there is no private business for Friday, and I do not think it will be convenient to meet on Tuesday. Some hon. members will be engaged elsewhere till late in the afternoon, and it will be scarcely worth while to meet under the circumstances. I therefore ask permission of the House to move that this House, at its rising to-morrow, adjourn until Wednesday next.

Mr. MOREHEAD said: Mr. Speaker,—I have no intention of opposing this motion. I think it is very much better for the House to adjourn over Tuesday next than to follow the practice which has obtained for the last year or two of meeting at 7 o'clock on the opening day of the Exhibition. No business of importance is done on such occasions, and I think it is very much better to make the day a whole holiday than half a holiday.

Question put and passed.

FINANCIAL STATEMENT.

The PREMIER said: Mr. Speaker,—I may inform the House that I intend to ask hon. members who have private business of a debatable character on the paper for to-morrow to allow Government business to take precedence on that day. I believe the matter to be introduced by the hon. member for Cook, Mr. Lumley Hill, is likely to give rise to some discussion. I have not been able to consult the hon. member on the subject, but, as I have intimated, I intend to ask hon. members to postpone business of a contentious character or upon which there may be any discussion, in order that the Financial Statement may be made as arranged.

Mr. MOREHEAD: At what hour do you propose to adjourn to-morrow?

The PREMIER: Six o'clock, I suppose. I may add that I hope by that means we shall be able to conclude the business to-morrow by 6 o'clock or thereabouts.

DIVISIONAL BOARDS BILL.

COMMITTEE.

On the Order of the Day being read, the Speaker left the chair, and the House went into committee to further consider the Bill.

On clause 221—"Endowment"—

The PREMIER said that the question of endowment involved large questions affecting the revenue on which he had a good deal to say, and he thought it would be more convenient if what he had to say on the subject should be said when dealing with the finances of the colony generally. He therefore moved that Part XIV. of the Bill be postponed.

Question put and passed.

Clause 227—"Books of account and inspection by persons entrusted"—passed as printed.

On clause 228, as follows:—

"Half-yearly statements, showing the financial position of the division as at the end of December and June respectively, shall be prepared by the clerk and laid before the board at its first ordinary meetings after the months of January and July, respectively. Such statements shall be examined and certified by the auditors, and shall contain an account of all moneys received and moneys paid by the board during the preceding half-year, and a statement of all rates made and contracts entered into during such half-year, and of all assets and liabilities of the division."

Mr. MELLOR said it was sometimes found impossible for clerks of divisional boards to prepare their financial statements by the time required by that clause, as it often happened that the board met on the first day of the month, but according to that provision it must be done. Perhaps some amendment could be inserted to meet that difficulty.

The PREMIER said the clause only required that the half-yearly statements should be prepared by the clerk by the end of January and July; it did not require that they should be audited so soon.

Clause put and passed.

Clauses 229 to 240, inclusive, passed as printed.

On clause 241—"Loans for waterworks; discretionary extension of borrowing powers"—

The PREMIER said the clause was adopted last year with respect to municipalities, and he was sure it was desirable that it should be adopted also in respect to divisional boards.

Clause put and passed.

Clauses 242 to 248, inclusive, passed as printed.

Clause 249 passed with a verbal amendment.

Clause 250 passed as printed.

On clause 251, as follows:—

"At any time within one month after the last publication of the notice of a proposition to borrow money, not being a proposition to borrow money to liquidate a loan lawfully incurred by the board under the provisions of this Act, or the said repealed Acts, any twenty ratepayers of the division or subdivision or other part of the division for whose special benefit the money is proposed to be borrowed, as the case may be, may make application to the Minister that the question whether the money shall be borrowed shall be submitted to the vote of the ratepayers of the division or subdivision, or such other part of the division, as the case may be."

Mr. MELLOR said he thought too much power was given to the board in certain cases to borrow money without the consent of the ratepayers. If the majority of the ratepayers were opposed to the borrowing of money, the board should be prohibited from borrowing; it should not be left either to the board or to the Minister. He thought the provision in the Local Govern-

ment Act was a much better one. It was possible that a divisional board might at some time abuse its power of borrowing money in spite of the majority of the ratepayers.

The PREMIER said it was thought convenient, in order not to encumber the Act with the different forms of ballot-papers to be used according to the circumstances of the various divisions, to allow the Minister to fix the form which was most suitable. On that point, of course, some reference to the Government was necessary, and he did not see any objection to the reference also of the question whether a poll should be taken. It might be that the application would be a purely frivolous one, and that the Government would be justified in refusing to give assent to it.

Mr. WHITE said he did not like the boards to have power to borrow money for works, and roads particularly. Closely settled districts did not want any debt at all; if they did it was a bad look-out. They should look forward to the time when the endowments would be withdrawn, as in that case, if closely settled localities were burdened with debt, they would not be able to relieve themselves. The money that was now pretended to be spent on roads was wasted in a great measure, and if the people had local control of the expenditure half the money would do the work that was done now. The boards did not pretend to have control over the money that was spent. They sent an overseer to report upon a locality where money was to be spent; he was perhaps two days going to see it; then, upon his report, they called for tenders, and he saw the work no more till it was finished and application was made for payment. Then when he went to look at it to give his sanction for the payment of the money the work was done, and he could not see whether it had been done efficiently. The money was positively wasted. They would put a culvert down and fill up the edges with every description of rubbish.

Mr. PATTISON: I rise to a point of order, Mr. Fraser. What has this to do with the question?

Mr. WHITE: I am showing that it is impolitic for money to be lent to divisional boards to spend on roads.

Mr. MOREHEAD: Speaking on the point of order, I think if the hon. member wished to discuss that he should have done so on the previous clauses.

The PREMIER: I understand that the hon. member for Stanley is pointing out reasons why facilities should be given to ratepayers to prevent the boards from borrowing money.

The CHAIRMAN: The hon. member is in order.

Mr. WHITE said that if the difficulty did not arise now it would arise in the near future. When the endowment was being reduced or attempted to be taken off, the divisional boards would be found wanting altogether; and the whole country would be thrown into a disorganised state, particularly where there was close settlement. Small farmers or settlers had a difficulty in getting money, but they could do the work on the roads themselves without involving any debt. They could do the work at less than half what it cost when the money was borrowed. They were a hard-working class, and those they employed had to work for their money. They would send their horses and carts and do the work near their own places instead of paying the rates. Their rates would be reduced by their doing a portion of the work themselves, as they did in the old country where he (Mr. White) came from. The roads were all made by

the farmers in the parish. The books were kept by one of the farmers, who took the overseership over a small area of country for one year without any pay whatever. Most of the work was done by their own teams, and they kept a man or two going; in that way they reduced the rates. Therefore they obtained a good road without being beholden to the Government. Under the present system if those closely settled places were allowed to borrow they had to pay interest and principal, and became involved in considerable hardship and difficulty, and he did not see that provision was made to enable them to get clear of their difficulty. At the present time, if people were aggrieved and wanted separation, they could not get it, because they had to obtain the sanction of the board, and very few of them cared to see their divisions cut up; and the difficulty would only arise when the endowment was taken away. He was very jealous about small communities being saddled with loans for the purpose of road-making.

Mr. MELLOR said he should certainly like to see some alteration in the clause, because it appeared to him that the boards possessed too great power. The majority of the electors in a district ought to say whether they should be saddled with a loan or not. Under the clause the Governor in Council might, "if he thought fit," direct that a poll be demanded, but it was not imperative. The board could ask for a loan, but if the ratepayers protested the Minister might tell them that they did not know anything about it, and the money would be lent without their authority.

The PREMIER said he had no objection to make it compulsory that the ratepayers might demand a poll. He thought probably that that would be better. He did not appreciate loans very much, as they were likely to be piled up rather too heavily. He, therefore, moved that in the 46th line the word "make" be omitted with a view of inserting "by."

Amendment agreed to.

On the motion of the PREMIER, the clause was further amended by the insertion of the word "require" at the end of the same line.

Clause, as amended, put and passed.

On clause 252, as follows:—

"When such an application is made the Governor in Council may, if he thinks fit, direct that a poll be taken of the ratepayers of the division or subdivision, or such other part of the division, in such one of the modes prescribed in Parts V. and VI. of this Act as is in use in the division or subdivision or such part as aforesaid, and may prescribe the form of ballot-paper or voting-paper to be used, and may give such other directions as may be necessary for taking the poll."

On the motion of the PREMIER, the clause was amended by the omission of the words "Governor in Council may, if he thinks fit," and the insertion of the words "Minister shall," and by the substitution of the word "shall" for "may" in lines 3 and 4 in page 54.

Clause, as amended, put and passed.

On clause 253, as follows:—

"If upon such poll being taken the number of votes given against the loan is equal to or greater than one-third of the whole number of votes which all the ratepayers entitled to vote are entitled to give, the board shall not proceed to borrow the money."

"Each ratepayer shall be entitled to give as many votes as he is entitled to give in other cases."

Mr. MACFARLANE said the clause was, in principle, the same as the corresponding clause in the Municipalities Act, and his experience of the working of that clause was not favourable to its being reproduced in the present measure. One-third of the whole of the ratepayers in a division

was much too large a number to enable a loan to be vetoed, and the rule did not work well. So many people did not care to take the trouble to go out to vote, that a divisional board or municipality was sure to get its loan although an actual majority of the ratepayers might be opposed to it. A far better system would be to require one-third of the total number of ratepayers to vote in favour of a loan before it was granted, because under it a much larger number of the ratepayers would be represented. It might in many cases be the ratepayers' own fault that they did not go out to vote on such occasions, but it must also be remembered that in sparsely populated divisions the distances were so great that people could not always spare the time to go and register their votes against a proposed loan, even although they were of opinion that it ought not to be borrowed. He trusted the Premier would devise some better way of representing the ratepayers opposed to a loan; and he considered that the system he had suggested would be an improvement upon the one proposed in the clause.

The PREMIER said the system of forbidding a loan was an interference with the principle of local government, the boards being assumed to be the representatives of the ratepayers. The number was fixed at one-third, because it was thought that a considerable number of ratepayers would not be able to vote, and that if one-third of the whole voted against a loan there would be substantially a majority against it; or rather, that with so large a majority against it the loan ought not to be allowed to be incurred. Two other systems might have been adopted. One, as suggested by the hon. member, Mr. Macfarlane, was that one-third of the ratepayers should be invited to vote in favour of the loan. But that system might enable a minority to stop a loan, because in some divisions a third of the whole number of ratepayers entitled to vote might not be able to vote in favour of it. He knew of one instance—the hon. member for Bulimba might recollect it also—where a question arose of getting a petition for a municipality, and not more than a third of the ratepayers could be found in the colony. And there were other divisions where the ratepayers were widely scattered, to say nothing of those who happened not to be in the colony or were far away, and practically could not be got at to vote—certainly not if the voting were by ballot. Another principle would be the ordinary one of a majority of the actual voters, and that probably would, on the whole, be the fairest. It would certainly be better than the one suggested by the hon. member.

Mr. CHUBB said that under the clause as it stood it would work in this way: In a division in which there were 900 votes, it would require a vote of 300 to negative a loan, while 100 ratepayers, or any less number, could carry it if the negative vote was less than 300.

Mr. STEVENS said it was generally supposed that a board had the confidence of the ratepayers, and that whatever they did was done in the interests of the ratepayers. Consequently, if any objection was taken to their proposed loan the persons who objected to it should take the trouble to prevent the loan, and not cast the trouble upon those who were in favour of it.

Mr. MELLOR said he was of opinion that the best system to go upon would be to settle the question by a majority of those voting. The voting should be for or against the loan, and the majority should carry the day. Under the proposed system it would be almost impossible to get one-third of the entire ratepayers of a district to vote one way. It was virtually

more than a majority, because there were many absentees, and many more would not take the trouble to vote at all. He was strongly of opinion, as he had said, that the question ought to be decided by the majority of the votes recorded.

The PREMIER said he was quite of the opinion of the hon. member for Wide Bay, but he wished that hon. members who had had municipal experience would say what they thought about it. He was obliged to the hon. member for Ipswich for his suggestion, but he should like to hear something from the other side.

Mr. MOREHEAD said there was a great deal in what had fallen from the hon. member for Wide Bay, Mr. Mellor—that one-third was too great a proportion, because in every election there was always a large number of people who were absent from the electorate, whether municipal, divisional, or parliamentary, at the time the poll was taken. Therefore he thought the proportion should be lessened, and that a quarter would be sufficient instead of one-third.

Mr. BUCKLAND said he thought the clause as it stood a very good one.

Mr. MOREHEAD: I do not.

Mr. BUCKLAND: Under the clause the ratepayers had lots of protection, because ample notice was required by clause 250 to be given in the *Gazette* and in papers circulating in the district. Besides that, the ratepayers were generally pretty well posted up in the affairs of the board, and knew very well, even if they did not see the advertisement, that it was proposed to borrow money. He thought that when the ratepayers returned members in whom they had confidence they were the best persons to carry out public works by borrowed money.

Mr. MELLOR said he would like to see elections of that kind conducted with secrecy, as people who would vote against a loan were sometimes intimidated, because if they gave a vote at all under the clause it was known that they were voting against the loan. He thought it would be much better to have such matters decided in the ordinary way by ballot, so that the votes of ratepayers for and against should not be known.

Mr. FOOTE said they could not possibly do that under the clause, because it provided that if a board wanted to borrow money they must issue an advertisement to that effect, and persons who were opposed to the borrowing of the money were called upon to vote against it on a certain day. It was not a vote taken *pro* and *con*. There were no two sides to the question, nor could there be unless the clause was very differently worded from what it was now.

Mr. MOREHEAD said the difficulty might be met by giving two-thirds of the ratepayers entitled to vote the right to borrow money. That would be something definite. If over one-third of the voters were opposed to the borrowing, then their objection would be sustained. That, he thought, would meet the point raised by the hon. member for Wide Bay, Mr. Mellor. Then, if people did not choose to attend and defend their own opinions upon the question when placed definitely before them, let them suffer.

The PREMIER said that was very different from governing by majority.

Mr. MOREHEAD: So it is.

The PREMIER said the principle of one-third was fixed, not because it was supposed that there was any magic in one-third, but because probably that would represent a majority of the possible effective votes. Whatever rule was laid

down was purely arbitrary, and the question was which was most convenient. He had no knowledge of the working of the rule in municipalities, and there had not been sufficient light thrown upon the matter yet to enable him to form any definite conclusion other than that embodied in the clause.

Mr. MOREHEAD said he would suggest that the clause should be modified in this way: If a petition were sent in by one-fifth of the ratepayers, or whatever number might be fixed, to the Minister asking that the question should be put to the vote, then it should be decided by the majority. He agreed with the Premier that the minority should not have power to veto. The majority should rule as it did in almost every country in which they had representative institutions.

Mr. GRIMES said he thought it was best to assume that the decision of the council or board was that of the ratepayers. Until the contrary was shown he did not think they should insist upon those who were perfectly satisfied with the decision of their representatives to ask for a loan spending their time in attending to vote. If one-third of the ratepayers could show that it was not the voice of the people that the loan should be voted, let it be vetoed; otherwise he thought it was unfair to those who were satisfied with the decision of their representatives that they should have to lose a day to go and vote. In thickly populated divisions the trouble would not be so great, but in large and sparsely populated divisions it would involve the loss of a day to go and vote, and he thought the ratepayers should not be put to that expense unless there was some necessity for it.

Mr. MOREHEAD said, as a matter of fact, the hon. gentleman must know that it was only thickly populated divisions that went in for borrowing.

Mr. GRIMES: Oh, no!

Mr. MOREHEAD: Oh, yes! The hon. gentleman could not show him any thinly populated divisions that had gone in for borrowing; and he certainly thought it was not a sound reason that because inconvenience would be caused to boards therefore injustice should be done to the ratepayers.

Mr. MACFARLANE said he was quite of opinion that the fairest way to the ratepayers would be a majority vote either for or against. If that system were adopted he believed it would be a saving to the country, because he knew that persons in employment, or anxious to find employment, would not attend and vote at present and give offence to those in power. Again, by a majority vote those who were anxious for the money to be spent in the district would go and vote for it, and if they allowed themselves to be in a minority they must take the consequences.

Mr. MELLOR said he thought the arrangement proposed in the clause would be an injustice to those who protested against a loan. He had known of cases where men would have gone to vote, and have voted against a loan, but for the knowledge that the parties by whom they were employed were in favour of the loan. He had known cases where men had been discharged for doing so. There should be secrecy in the matter, and he did not see why one party should be called upon to show that they were against a proposed loan while the other party kept away. The matter should be settled by a majority.

Mr. MOREHEAD said that, with regard to secrecy in voting, he hoped the Premier would introduce a short Bill instituting voting by ballot

in Parliament, so that the names of those who voted would not be disclosed. He thought that would be carrying out the theory to its ultimate end.

Mr. FOOTE said there was a great deal in the argument advanced by the hon. member for Ipswich, Mr. Macfarlane, that an entire vote should be taken. It should be decided by ballot whether a council should borrow money or not. That would also meet the views of the hon. member for Wide Bay, and would be the best and fairest way, and a proper test as to whether or not the district was in favour of borrowing money. He hoped the Premier would see his way to amend the clause in that direction.

The PREMIER said on the whole he thought that was the best thing to do. In the case of a tie the board would have had the casting vote. He proposed to omit the words "equal to or" in the 2nd line of the clause.

Amendment agreed to.

On the motion of the PREMIER, the words "the number of votes given in favour of the loan" were substituted for the words "one-third of the whole number of votes which all the ratepayers entitled to vote are entitled to give," in the 2nd and 3rd lines.

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

On clause 254, as follows:—

"The Minister may, on the application of a board, or on a petition signed by not less than one-fifth of the whole number of the ratepayers in a division, order an inspector to examine any work and report thereon to the Minister; or order such work to be carried out under the supervision of an inspector, subject to the provisions hereinbefore contained with respect to works carried out by means of money raised by loan so far as such provisions are applicable to such work."

Mr. CHUBB said he thought the number, one-fifth, was too many; twenty would be quite sufficient.

The PREMIER said he quite agreed with the hon. gentleman. He moved the omission of the words "not less than one-fifth of the whole number of the," with a view of inserting the word "twenty."

Amendment agreed to.

The PREMIER moved that the words "of the" be substituted for the words "in a" in the 3rd line.

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

On clause 255, as follows:—

"The powers conferred by this part of this Act shall be exercised by the board upon petition signed as hereinafter provided.

"A petition must be signed by such number of the ratepayers of the division rated in respect of the land situated within the watershed as represents a majority of all the votes of the ratepayers rated in respect of such land, and must be addressed to the board praying them to exercise the powers by this part of this Act conferred in respect of draining the watershed."

The PREMIER said that various suggestions had been made to him with respect to that part of the Bill. One of them was that the owners only should be entitled to petition, and he was inclined to think that should be so. He did not know that the occupier should be allowed to petition, because the rates imposed under that part of the Bill were entirely payable by the owners, and that was the reason urged why the owners only should have the right to petition. Another suggestion made to him was that only a majority of the owners within the colony ought to be required to petition, and he was disposed to agree to that suggestion also. Another amendment suggested was that where there were only two ratepayers the smaller should be entitled, against

the wish of the larger, to move the board to take action under the clause, but he thought that where there were only two concerned they had better settle the matter between themselves, and not go to the board with it. Another proposal was to allow a minority to interfere in certain cases, but he thought that part of the Act had not been sufficiently long in operation to enable them to alter it to say that a minority should have such power. He proposed to adopt the first two suggestions named, and he therefore would propose to amend the clause by providing that only those rated as owners and within the colony might take action under the clause.

Mr. MOREHEAD said it was hardly fair to members of the Committee to ask them to deal with such a material amendment as was proposed in the first clause of that part of the Bill without previous notice. Those amendments could not have been evolved out of the inner consciousness of the Premier that afternoon, and in fact he had told the Committee they were the result of suggestions made to him by other people. They should have all such important amendments placed in their hands for consideration.

The PREMIER: They are not important.

Mr. MOREHEAD said he thought they were. They proposed to give the power to the owner as against the occupier, though he did not say whether it was right or wrong. The Opposition side of the Committee had dealt with the hon. gentleman that afternoon with considerable leniency and courtesy when he proposed to postpone the endowment clauses. They had not pressed their consideration, for the reason given by the hon. gentleman, and because they knew he had a difficult matter to perform in the delivery of the Financial Statement. They had treated him with consideration because of the unusual position of the Government, and because they recognised the extra trouble cast upon him by reason of the accidents which had occurred. He was told it was not the last accident that had occurred in the team the hon. gentleman was driving, or attempting to drive, as he was informed that the hon. gentleman's off-side leader was also to be dispensed with. That at any rate was the report spread about the city. If the hon. member thought the clause required alteration—and possibly he was right—the most convenient thing to do would be to postpone all the clauses requiring alteration, and all he was not prepared to hold to in their present state, until the measure was recommitted, and they could then deal with them all together. He thought that course would commend itself to every member of the Committee who was desirous, as he was, to make the measure as good as they possibly could.

The PREMIER said he thought the hon. member had not paid him the compliment of listening to what he said, or else he could not have read that part of the Bill. That part of the Bill provided for special rates for the purposes of drainage, and the burden of the rates was imposed upon the owners of the lands within the watershed, and in proportion to the benefit done by the drainage. As the Bill stood at the present time the board could exercise their authority under the clause on petition from the ratepayers within the watershed, but as the whole of the burden fell upon the owners of the land only, he thought that they should be the only persons who should be entitled to petition. He thought that the matter was self-evident, and that it was the right thing to do, and if any other member of the Committee had made the same suggestion it would have been accepted without a word. He did not, under the circumstances, think it necessary to give notice of an amendment of that

kind. It was clearly the right thing to do. He had mentioned some other matters, which the hon. member appeared to have confused with that, as serious questions which he was not disposed to raise at the present time.

Mr. MOREHEAD said that all he could say in reply to the hon. gentleman was that the Bill had been carefully considered by both branches of the Legislature last session, and it was a very strange thing that the discovery the hon. member had referred to was not made until they got into committee that afternoon. The hon. gentleman was continually pointing out that his explanations were so clear that anyone could understand them. He misunderstood the hon. gentleman very often; whether it was due to the complicated way in which the hon. gentleman expressed an explanation or whether it was due to his own want of understanding he did not know. With regard to the present complication, which the hon. member said was so simple as to be self-evident, he would only ask how it was that it had not been noticed during all the time the Bill had been under consideration in both branches of the Legislature?

The PREMIER: That I cannot say.

Mr. MOREHEAD: Nor can I.

The PREMIER moved the insertion of the words "as owners" after the word "rated" in the 4th line of the clause, the word "or" before the word "rated" in the 5th line, and the omission of the words "in respect of such land" with a view of inserting the words "who are within the colony" in the 6th line of the clause.

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

Clauses 256 to 266, inclusive, passed as printed.

On clause 267—"Recovery of rates"—

The PREMIER said the 2nd paragraph of the clause, which provided that an occupier who was not the owner of the land should not be liable to pay the special drainage rate, was new. The occupier ought not to bear the burden in that particular case, although he did ordinarily.

Clause put and passed.

On clause 268—"No endowment"—

Mr. CHUBB said he would suggest that when the Bill was recommitted the word "agricultural" should be taken out of the heading of that part of the measure, as there was not one word in the Bill referring to agricultural lands. No doubt those provisions were intended to cover agricultural lands, but they might refer to pastoral lands.

The PREMIER said there was no especial reference to agricultural lands, but he did not think that pastoral lands were ever drained. This was a re-enactment of an Act on the Statute-book called the Agricultural Drainage Act, and it was thought convenient to continue the name.

Clause put and passed.

Clauses 269 and 270 passed as printed.

On clause 271, as follows:—

"When a portion of a division is severed, and is constituted a municipality, or included in a municipality, or a division or municipality is constituted by the union of parts of the districts of two or more divisions, or parts of a division and a municipality, the Governor in Council shall, by Order in Council, apportion the assets and liabilities of the several local authorities affected, whether old or new, in such manner as shall appear to him just and equitable.

"If either of the local authorities affected is indebted to the Crown in respect of moneys advanced to it by way of loan, the Governor in Council may, by like Order in Council, declare and apportion the liabilities of the respective local authorities or either of them in respect of such loan, and may declare upon what part

or parts, or upon what subdivision or subdivisions, of the district of either of the local authorities any part of such loan shall, as between the several parts or subdivisions of such district, be chargeable, but so that the whole of the apportioned part of the loan shall, as between each local authority and the Crown, be chargeable to the whole of the district of the local authority.

"Every such Order in Council shall have the same effect as if it were a part of this Act, so that the rights and liabilities of the respective local authorities, or of the respective parts or subdivisions of the districts of the local authorities, shall be as declared by the Order in Council."

The PREMIER moved the omission of the word "or" after the word "authorities" in the last paragraph of the clause, with the view of inserting the words "and their respective powers, rights, and authorities in respect of their assets, and the rights and liabilities." A similar amendment was made in the 12th clause.

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

Clauses 272 to 284, inclusive, passed as printed.

On the motion of the PREMIER, the House resumed; the CHAIRMAN reported progress, and obtained leave to sit again to-morrow.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I propose now to move that this House do now adjourn, as I do not think it is convenient to bring any other matters before the House this evening. Personally, as hon. members are aware, an evening will be of great use to me. I therefore move that this House do now adjourn. To-morrow, as soon as private business is disposed of—and I hope it will not take long—we will proceed with what is to be said on the subject of finance.

Question put and passed.

The House adjourned at twenty minutes past 5 o'clock.