Queensland

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[Hansard]

Legislative Council

THURSDAY, 29 SEPTEMBER 1887

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LEGISLATIVE COUNCIL.

Thursday, 29 *September*, 1887.

Refreshment Rooms Committee's Report.—Divisional Boards Bill—third reading.—Bundaberg School of Arts Land Sale Bill—third reading.—Valuation Bill—Consideration in Committee of Legislative Assembly's Message.—Queensland Fisheries Bill—second reading.—Local Government Act of 1878 Amendment Bill—committee.—Immigration Act Amendment Bill—second reading.—Message from the Legislative Assembly.

The PRESIDENT took the chair at 4 o'clock.

REFRESHMENT ROOMS COMMITTEE'S REPORT.

The HON. W. GRAHAM said: Hon. gentlemen,—In moving—

That the report from the Joint Parliamentary Refreshment Rooms Committee, laid upon the table of this House on the 22nd instant, be now adopted—

I may be permitted to say a few words. I dare say the report is in the hands of hon. gentlemen, and they will see that paragraph 1 recommends that the caterer's salary and allowance for servants remain as at present. No. 2 provides that the caterer shall be authorised to charge 1s. 6d. for luncheon and 2s. 6d. for dinner; any arrangements for breakfast to be made with the caterer. I may say I have always considered it a rather degrading thing that members of this House and the other House should go to the Refreshment Rooms and get a good meal at 1s. a head. Even before there was any payment of members, that was a species of payment in what I consider a very measly style. But now that there is payment of members, I consider that some amendments should be made in the rules. Considering the square sort of meal that members get down in the Refreshment Rooms, I think they can well afford to pay 2s. 6d. a head. Of course, the old-fashioned idea comes in that wealth and the power of expending a great deal of money on meals, or anything else, does not mean ability and intelligence, and that consequently the working man's representative ought to get his victuals cheap. That is all very well, but now the working man's representative gets about £200 a year, and I think he can very well afford, for four months out of the year, to pay a respectable price for his grub, and in a time like this, when retrenchment is necessary, I think this is a very sound and good way to begin. I think it is better to begin with ourselves than to begin by sacking clerks from the different offices. When we go in for retrenchment I believe in beginning at the heads of departments first. This Government, I regret to say, does not believe in that; they believe in coming at the small-salaried men, and they have not the slightest intention of depriving themselves of any privileges, or reducing their own salaries. There is one clause in the report which I do not altogether believe in. The Refreshment Rooms during the recess are to be closed on Sundays; I do not see why they should be. Then again, during recess, meals can only be had by special arrangements with the caterer; I believe that is a very good rule. No. 7 provides that the committee undertake the responsibility of posting in the dining and smoking rooms the names of parties, submitted to them by the caterer, whose accounts have not been paid during the preceding month. Well, that is rather severe, making one month the limit. But I know from my own knowledge that it is not a question of the preceding month with some members; it is a question of the preceeding six months, and any sensible man can well understand that the caterer feels a little afraid in posting up those names himself. He might find things made unpleasant for him by any member who was in arrears, and I think it was quite within our bounds and duties to take that responsibility upon ourselves. I beg to move the motion standing in my name.

The HON. W. H. WALSH said: Hon. gentlemen,—This is the first time I have seen the report, or have heard any description given of it. Of course it is a very unpleasant one for us to have to criticise in any way, or even to affirm; but still that does not justify us in disregarding entirely the terms of the report, and the reasons which have been adduced this afternoon for adopting it. I call hon. members' attention to paragraph No. 6, which says:—

"That during recess meals can only be had by special arrangements with the caterer."

Well, I entirely object to such an arrangement. If I am not mistaken—I do not know exactly the terms under which the caterer holds any contract or agreement with the Joint Refreshment Rooms Committee of Parliament—but, if I am not mistaken, the caterer is in receipt of an annual salary. He has the

occupancy of a Government building as a private residence, and he has certain other advantages which do not accrue or extend to any other caterer, probably, in the colonies. He is the recipient of various privileges; he has pay, place, power, and position. He is a public officer really, and, while he is such, I am very glad to say the license is extended to him of taking advantage of the opportunities, which his position as an excellent caterer place him in, of catering for events that occur actually outside the Parliamentary buildings. But what I do object to is that hon. members of this House, or the other Chamber, who may be studious, who may come here during the recess to work laboriously for hours and hours, weeks and weeks, and months and months, urged on by desire and duty towards acquiring information and doing their duty to their country in the position in which they have found themselves placed, are debarred from the privilege of using the Refreshment Rooms, except by special arrangement with the caterer. I say that those gentlemen who come here to work in this building will not be able, if this report is adopted, to get a little sustenance, a glass of wine or a crust of bread, without making special arrangements with the caterer. Supposing the caterer does not choose to make special arrangements, what then? They must provide for themselves outside the building. This is the first time I have ever known arrangements made by the Refreshment Rooms Committee, in which they have fallen prostrate, as it were, before the caterer. I call hon. gentlemen's attention to the fact that the Committee have absolutely fallen prostrate before this individual who now has charge of the catering department. Hon. members should bear in mind that we have rights to maintain as members of Parliament. The Refreshment Room is provided by the country for us, and I am now demanding nothing more than that we should have the free use of it. I have not one word to say against our caterer; we know the value of that person—we know it well. I am perfectly sure that he must have had this forced upon him rather than have suggested such a provision. I do hope hon. gentlemen will see that this is overdoing it in the way of retrenchment. It is not retrenchment, because it would be much better during the recess to shut up the Refreshment Rooms altogether, and stop the payment entirely to the caterer, and save all the household expenses. I do not believe in this half-hearted economy which the Refreshment Rooms Committee now propose to indulge in. As I have said, members of both Houses come here during the recess as often to seek information as during the period when Parliament is sitting.

The HON. W. GRAHAM: No.

The HON. W. H. WALSH: I say that is the case, but I wish it to be recorded that it is impossible for us to be better served than we are by our present caterer. We have, however, a duty to perform to ourselves and to the country. In our great desire to please the caterer, or ingratiate ourselves with him, whatever might have been the spirit which urged the committee to make such a recommendation, I hardly think we can go as far as this. I am a frequenter of this place during the recess, and if I come here and can only get a little refreshment by the permission of the caterer, and place myself under an obligation to him, I would rather go to any public-house in town. I do not desire, hon. gentlemen, for one moment to reflect upon the action of the Refreshment Rooms Committee, but I think it has been done inadvertently, and I trust that there will be no attempt to force this recommendation upon us.

The PRESIDENT said: Hon. gentlemen,—As chairman of the Refreshment Rooms Committee, who signed this report, and knowing how carefully it has been considered by the committee before it was laid before hon. members, I feel it my duty to reply to what has fallen from the hon. member who last spoke. He has asserted that it is in order to ingratiate themselves with the caterer that the committee have brought up this report. Well, I do not know whether the hon. gentleman considers that a compliment to the committee, but I consider it a downright insult to every member—a downright insult. This committee was appointed, hon. gentlemen, for the purpose of showing how the expenses of management of the Refreshment Rooms could be reduced. The committee went very carefully into the matter, and the report which is now before you for adoption, and which I sincerely hope you will adopt, will result in a saving, as far as the committee can judge of the matter, of over £300 a year. That is a saving of a small amount, and I think the charges imposed are as fair as they can be made. So far as the Refreshment Rooms being kept open during the recess is concerned, the committee have found that very few members attend during the recess, but in order to enable the caterer to keep the rooms open he had an allowance from the Government of £1 a week. We considered that so much money thrown away and we struck it out. The attendances here, so far as we could judge, were remarkably few indeed. They were hardly worth while taking into consideration, but the servants had to be there no matter who came. On many occasions only one person attended, and he was a Minister of the Crown. On Sundays hardly anybody was ever there, and if I could have carried my own views I would have closed the Refreshment Rooms on Sundays altogether. But the committee did not consider it was desirable to close the rooms at all during the months that Parliament sat, and they agreed that they should be kept open on Sundays. It has come within my own knowledge that during last recess, although it was understood from the committee that the cook should not be required to attend on Sundays, yet as the caterer had not got formal notice from the committee that the cook would not be required, he had come there Sunday after Sunday to cook nothing. The only object the committee had in bringing up this report was to reduce the expenses, and, as my hon. friend Mr. Graham said in moving the adoption of the report, we should begin at the beginning and show that reduction can be made in small expenses if not in great. £300 a year is not much certainly, and will not go far towards covering the expenses of the country, but still this is a beginning, and a beginning in the right direction. If members of this House will agree to cut down a few pounds in the expenditure, we may hope that the large sums will be taken next. That the committee had for one moment in their minds the idea of benefiting the caterer, I absolutely deny. The caterer's position is a very good one, I consider, and I think he considers it so himself. He met the committee in the fairest way possible, and said he was ready to submit to anything the committee might decide upon. He gave us a return showing the average cost, taken from the preceding week, of preparing a dinner, and showed from that that there was a clear loss on every dinner he provided, and that that was only made up by the lunches on the following day and the feeding of the servants. He put the whole matter before us fairly, and he neither attempted to take any advantage of the committee, nor did the committee take his position into consideration in any one way or another.

The HON. G. KING said: Hon. gentlemen,—With the general scope of the report I entirely agree. I think it is very right that the Refresh-

ment Rooms should be closed during the recess on Sundays, and that during the recess meals can only be obtained by special arrangements with the caterer. That is no more than fair and right. I do not agree with my hon. friend Mr. Walsh on one point. I have been here during the recess on many occasions, and I have never yet seen those diligent members—cormorants on the tree of knowledge—who sought to extend their information during the recess. If I had seen a great number of those gentlemen seeking for information, and studying here to acquire knowledge to fit themselves for the arduous duties of Parliament, I might have thought otherwise, but I have sought them in vain. I think the report a very good one and that it ought to be adopted.

The HON. W. GRAHAM said: Hon. gentlemen,—I have very little to say in reply. I made one or two notes of what I was going to say, but it has been much more forcibly and better said by the President. I deny that there has been any attempt on the part of the committee to make things pleasant for the caterer. The committee was a Joint Refreshment Rooms Committee, and our simple intention was to try and save the country a little money. That was all. I do not believe the Hon. Mr. Walsh can understand that. It is something staggering to him, but it is the actual fact of the matter. That is all I have got to say. We did our best, and we went pretty carefully into details, and thought we would be able to economise. If everybody else connected with the Government and with all Government institutions tried to do the same the saving no doubt would be a very big one.

Question—That the report be now adopted—put and passed.

DIVISIONAL BOARDS BILL.

THIRD READING.

On the motion of the POSTMASTER-GENERAL (Hon. W. Horatio Wilson), this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly by message in the usual form.

BUNDABERG SCHOOL OF ARTS LAND SALE BILL.

THIRD READING.

On motion of the Hon. P. MACPHERSON, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly by message in the usual form.

VALUATION BILL.

CONSIDERATION IN COMMITTEE OF LEGISLATIVE ASSEMBLY'S MESSAGE.

On the motion of the POSTMASTER-GENERAL, the House went into committee to consider the Legislative Assembly's message relative to the amendment made by the Legislative Council in this Bill.

On the 2nd schedule—

The POSTMASTER-GENERAL said the amendment proposed by the Legislative Assembly was the insertion of a column in the schedule providing for the description of the land, whether town, or suburban, or country land, or pastoral lease or license, and in the case of town and suburban land, whether occupied or improved or not. That appeared in the schedule of the Bill as it appeared before that Committee before, but it was accidentally omitted. There was also another slight amendment made by the Assembly by which the words "situation and area of land" were inserted instead of "description and situation of land." That was merely a formal amendment. He moved that the amendments of the Legislative Assembly be agreed to.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the House resumed, and the CHAIRMAN reported that the House in committee had agreed to the Legislative Assembly's amendments.

The report was adopted, and the Bill ordered to be returned to the Legislative Assembly, with the following message:—

"MR. SPEAKER,—

"The Legislative Council having had under their consideration the message of the Legislative Assembly relative to the amendment made by the Legislative Council in the Valuation Bill, beg now to intimate that they agree to the amendments made by the Legislative Assembly on their amendment.

"A. H. PALMER,
"President."

QUEENSLAND FISHERIES BILL.

SECOND READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—It has been found desirable to make provision for the preservation of fish in Queensland waters, and for the encouragement and regulation of our fisheries generally. Last season we passed a Bill for the encouragement of our oyster fisheries, and this Bill is an extension to a great extent of the legislation of last session, in order to encourage our fisheries all over the colony. This matter has for some time past been under the consideration of Captain Heath and the late Colonial Treasurer. During the last year or two they were taking great interest in the question, and obtained all the information possible from all quarters in order to see in what way the fisheries could be improved. There have been very many complaints of the operation of the present Act, and the result of Captain Fison's inquiries has shown that there is a wholesale destruction of young fish taking place all over the colony. The Chinese appear to be the principal offenders in this respect, and they catch in nets authorised and allowed under the present Fisheries Act large quantities of young fish which they use for curing as sardines, and for manure, and in other ways entirely unauthorised. The nets as at present required under the Fisheries Act are too small, and that gives these people an opportunity for doing things which it is thought quite time to put a stop to. Captain Heath has during the last year caused circulars to be printed, and forwarded to thirty-six different stations held by harbour-masters and lighthouse superintendents, and from their replies it appears that the fish generally spawn in quiet bays and shallow places like Swan Bay, Noosa, the Great Sandy Straits, and other inland waters. Vast numbers of fish are destroyed at certain seasons by the use of nets, such as the Chinese use, with too small a mesh; and the fish-supply in many of our rivers is thus seriously diminished. At different times individuals have been found by inspectors with nets of illegal size; but their nets had to be returned, as no fish were actually seen caught in them. The law relating to our fisheries, as it at present exists, is to be found in the Queensland Fisheries Act of 1877, which, hon. gentlemen will find is repealed by section 3 of this Bill; but its most important clauses are re-enacted in the Bill before hon. gentlemen, and to those clauses I will refer later on. The main object of the Bill is to regulate the size of the mesh of the nets used, that is the space between the threads; and by section 4 of the Bill it is provided that no person shall take fish with a net having a mesh of less

dimensions, except as subsequently stated, than 3½ inches from knot to knot. Under the present Act the dimensions of the mesh are stated at 2½ inches, so that it is to be enlarged under the Bill. It is proposed further, by the same section, that—

"For the purpose of taking whiting it shall be lawful to use a net, not exceeding one hundred fathoms in length, having meshes or dimensions not less than two inches and a-quarter of an inch from knot to knot."

And for the purpose of taking garfish or flat-tailed mullet it shall be lawful to use a net having a mesh of not less than 1¼ inch from knot to knot. By the Act of 1877 the mesh of the net for taking garfish and prawns was only nine-sixteenths of an inch; so that, on the whole, it will be seen that the Bill provides for nets of larger mesh than are provided for under the existing law. I wish to draw hon. gentlemen's attention more particularly to the whiting net, because there is a difference of opinion as to its proper size. According to the Bill the dimensions are not to be less than 2¼ inches from knot to knot; but it has been represented to me by a deputation of fishermen, who waited upon me in in connection with the Bill, that the dimensions proposed in the Bill as it at first came before the Legislative Assembly—namely 1¾ inch from knot to knot—are the proper size, for several reasons, the principal of which are these: That as the garfish net, being a small one, may possibly be proclaimed as not to be used in certain waters, it would leave the net of 2¼-inch mesh as the smallest that could be used in such places, and that would be of no use for garfish or small fish. They think 1¾-inch mesh, as at first proposed, is the best. In connection with this matter I will refer hon. gentlemen to the report of Captain Fison, laid on the table of the House some time ago. In that report he carefully goes into the whole question, and he proposes, as the result of his inquiries, that the largest net should have a mesh of 3½ inches, the whiting net a mesh of 1¾ inch, and that for taking garfish and flat-tailed mullet 1⅛ inch. It will be for hon. members to decide this question, and that is the reason I mention it now, in order that when we get into committee on the Bill any suggestions or alterations that may be found necessary may be made. I will refer now to the clauses of the Bill which are new. Clause 6 states that—

"No net shall be staked, fixed, or otherwise set, nor shall any stakes be placed across the mouth of any creek or tidal stream, and no net having meshes of less dimensions than four inches from knot to knot shall be staked, fixed, or otherwise set in any Queensland waters."

That is a very necessary provision, and will prevent a great deal of destruction of fish which goes on now by nets being placed across the mouths of streams. By section 8 unmarketable prawns are dealt with, and it is provided that—

"Every person who takes prawns shall, in order to separate the marketable from the unmarketable prawns, riddle them in the water where they are taken in such a manner as to allow the small prawns to escape."

It appears that the practice has been to catch garfish and prawns in a prawn-net, and consequently very great and unnecessary destruction goes on. An important change in this respect is also provided for in clause 4, in which it is stated that for the purpose of taking prawns it shall not be lawful to use a drag-net or any net but a scoop-net used with the hand. Clause 18 is a very important provision, empowering the Governor in Council to prohibit or restrict fishing in certain seasons of the year in any Queensland waters, by such means as are prescribed in the proclamation; and hon. members will see by the interpretation clause that the term "Queensland waters" includes all salt and fresh waters which are not upon land which is the property of a private person. The object of this clause is that the Governor in Council should have power to proclaim a close season for different kinds of fish. It has been pointed out to me since the Bill was placed in my hands that it would be as well to include in the close season the dugong and turtle, which, it appears, are practically disappearing from Moreton Bay, principally because we have not at present the power to declare a close season. This is an important matter, upon which I invite the consideration of hon. gentlemen. Clause 21 is also of importance, and it provides that—

"Any fish, net, or tackle, seized and forfeited under the provisions of this Act, may be disposed of in accordance with any general or special directions of the Treasurer."

The object of the clause is that the Treasurer might have the power to deal with any particular case of this kind. The Governor in Council is given the power to make regulations for the effectual execution of the Act by the 22nd clause. The schedule of the Bill raises the weights of the fish mentioned in some cases. Those weights have been very carefully considered, and the changes in this respect from the present law are the following:—The weight of rock-cod is raised from 6 oz. to 16 oz.; whiting, from 3 oz. to 4 oz.; flathead, 6 oz. to 8 oz.; sea mullet, 8 oz. to 16 oz.; garfish, from ¾ oz. to 1½ oz.; jewfish, from 8 oz. to 16 oz.; pumba or tailor fish, from 6 oz. to 8 oz. The weights of the other fish mentioned are the same as under the present law, with the exception of the polynemus, which is a new fish that has been added to the schedule, and the weight of which is fixed at 16 oz. The 5th, 7th, 9th, 10th, 12th, 13th, 15th, 16th, 17th, and 21st clauses are, with the exception of a few verbal alterations, the same as the Act at present in force. While we are remedying existing defects in the present law and endeavouring to prevent the destruction of small fish which is going on not only in Brisbane, but in all parts of the colony, for we have had complaints from Mackay and other places—it will, I think, be found that there are no provisions in the Bill which will in any way hamper fishermen who legitimately follow their calling. Their views have been asked for and have been given expression to in this Bill, and I think there can be no doubt that when it becomes law a great impetus will be given to the fishing industry of this colony. No doubt legislation in this direction has been urgently required, and I am very glad to have the opportunity of moving the second reading of this Bill.

The HON. A. J. THYNNE said: Hon. gentlemen,—I am very glad to see this Fisheries Bill introduced, and it is undoubtedly a step in the right direction. The complaints to which the Postmaster-General has referred about the destruction of young fish have been made for a long time, and many people have almost despaired of having the cause of those complaints remedied. I have, times out of number, seen as many as fifteen or twenty boats manned by Chinese, working every little hole and corner of the Brisbane River between the city and the entrance to the Bay. It is utterly impossible that the supply of fish can be kept up while the fishermen are working the river in that way. I have watched them carefully and seen them cast their nets time after time, and bring up perhaps two or three small fish, and no doubt the Chinese thought themselves well paid for their trouble when they brought up a few little fish, where a few years ago there was ample fishing to be got with rod and line. The fish on the banks near the Hamilton have almost disappeared in consequence

of the constant working of the river by the Chinese with nets. The same thing happened years ago in Tasmania, when the flounder beds at Launceston were absolutely ruined, until the Government there introduced a Bill preventing fishing for flounder with nets in parts of the river. This had the effect of restoring the beds somewhat, and they became as fertile as they used to be years before. At Hobart in the same way they had to prohibit the use of any net in the river Derwent above the city of Hobart; the consequence is that now that river is full of fish, and any party going out for fishing may expect ample sport. I trust when this Bill gets into force, as no doubt it will, prompt steps will be taken to prevent the wholesale destruction of fish which is now going on. The Postmaster-General referred to the dugong and the turtle, and stated that the dugong was supposed to be disappearing from Moreton Bay. I think we are in deep ignorance of the habits and natural history generally of the bulk of our fishes, and it is only when we take the trouble to investigate the mode of life of the different kinds of fish that we will be able to administer our fishery laws satisfactorily. I have been informed by a person who has some knowledge of the habits of the dugong that it is not to be got in Moreton Bay except when it is with young, and, in fact, they come to Moreton Bay merely for the sake of breeding. Their ordinary run is further north, and they come to Moreton Bay at certain times of the year for the purpose of producing their young. That is a question which can only be decided by careful investigation of the habits of the fish, and it is one of the points that ought to be settled, because if there is any reason to believe that the information of my informant is correct, the taking of dugong ought to be prevented in Moreton Bay altogether, and in any case I think there ought to be a close season established. The question of the size of a whiting-net is of considerable importance. I understand that in Sydney harbour the size of the mesh prescribed for the whiting-net is the same as that prescribed in this Bill. But then it is stated that the size of the whiting in Moreton Bay is smaller than the size of the whiting in Sydney harbour, and that the quantity of fish that would be taken in a mesh of $2\frac{1}{4}$ inches, as prescribed by this Bill, would be so small that the fishermen would have to abandon any attempt to catch them. A $2\frac{1}{4}$-inch mesh would undoubtedly allow pretty fair-sized whiting to get through—in fact, I think it is very seldom we see whiting of a size that would not get through a $2\frac{1}{4}$-inch mesh. These fishermen say that a $1\frac{3}{4}$-inch mesh would be a fair and proper size to prescribe, and that would really be adding half-an-inch to the size of the mesh that has been prescribed up to the present time. Under the Act of 1877, as the Postmaster-General stated, the size of the mesh was to be $1\frac{1}{4}$ inch. Now, hon. gentlemen, on the question of fisheries we are very much behind all the other colonies. We are behind America and all the other countries of the world in regard to our knowledge and investigation of our fishing resources, and we have really on this coast large quantities of fish that are waiting to be discovered and investigated, and waiting a proper method of fishing to make them a payable source of industry. I have had very great satisfaction and pleasure in reading a chance volume of the report of the United States Commission on Fisheries. It is a large volume, quite as large as one of our *Hansards*, and I think anyone who takes the slightest interest in this subject would begin at the beginning of the volume and read it through, statistics included, from cover to cover, and feel very well satisfied that he had done so. It is one of the most instructive reports that I have ever come across, and I would suggest that complete copies of these reports should be placed in the hands of those who administer our fishing laws. Not only does this volume deal with the subject of fishing, but also with that of oyster culture, and upon those subjects all the information which it is possible to acquire in any part of the world has been embodied in the United States Commission report. I have endeavoured to find those reports in our library, but they are not there, and I sent privately to America, but have not been able to get them through a bookseller, and I have suggested to our Parliamentary Librarian that he should get them, but I believe the process of obtaining them is somewhat slow. It may be that the Government have copies in some of their departments. If that is so, I think they should be placed in the hands of those who have to administer our fishing laws. In the same way the Tasmanian people have made a thorough investigation of their fisheries. They have made a scientific catalogue of all the known fishes, together with a record of their habits and modes of living, and they are able, by that means and by their regulations, to prescribe the time when fishing may be indulged in and when it ought to be stopped. Their fisheries are very successful, and occupy a large number of people, and there is no reason why we should not do the same. As I have said, I shall be very glad to see this Bill pass through, and will welcome it as an instalment of our fishing laws. There is one omission which I observe, and that is that no provision has been made for the establishment of fish markets—for their proper establishment and control. We have nothing of the kind here, and the consequence is that the fishermen and the public are at the mercy of the fish-dealers. Fish are caught, and if they happen to be plentiful they are wasted rather than sold to the inhabitants of the city at a reasonable price. Furthermore, bad fish are very frequently passed into consumption, and that is a thing which certainly ought not to be allowed. In other places no fish is allowed to be sold until it has first been inspected, and the inspection has the double effect of seeing that the fish are not below the regulation size, and, secondly, that they are not unfit for human food. I do not know whether it would be within our province to add a provision for inspection, but I trust that it will be considered before the Bill gets into committee, and also whether we can make some provision for protecting the fishermen and the public in the way I have suggested. I think there are one or two clauses of the Bill which want a little careful consideration. For instance, clause 17 says :—

> "Any person who puts, places, fixes, drives, or otherwise fastens any stake, stick, pole, or other thing of a like kind, in any place where the same may be covered by the tide at high water, and by reason thereof any damage is done to any fishing net, shall, on conviction, be liable to a penalty not exceeding twenty pounds, and may further be ordered to make good to the owner of the net the amount of the damage done."

I think that the oyster beds in Moreton Bay are marked off by stakes, and there are other people who put down stakes as marks, and it would be very severe if the penalty of £20 should be imposed because a fisherman might carelessly happen to drag his net over a pole of that kind. I quite understand a heavy penalty being imposed upon anyone who drives a stake into a fishing bed for the malicious purpose of tearing the nets; but it must be remembered that oyster beds are held under lease, and it ought to be provided that the oyster culturist should be protected from trespass on his beds by fishermen.

The HON. A. C. GREGORY said: Hon. gentlemen,—I think that this Bill is one that we may fairly pass, but at the same time there

are one or two items that will require attention. As has already been stated, the mesh for whiting-nets is proposed to be increased from 1¼ inch, as it is now, according to the present law, to 2¼ inches, as it is in the Bill. The misapprehension in regard to the 1¼-inch mesh is that the Bill was introduced in another place, providing for a 1¾-inch mesh, but the present Bill provides for a 2¼-inch mesh. Now, sundry fishermen have spoken to me on the subject, and while they say they are quite contented to accept the 1¾-inch mesh as a reasonable mesh, they complain that if it is to be enlarged to 2¼ inches, all the average full-sized whiting will go through. I can endorse their statements from my own knowledge of the subject. The Bill contains some important provisions in regard to the protection of the ground to be fished upon, and I may point out that it has come to my knowledge, by following out investigations, that the decrease of fish does not depend so much upon the fish actually caught or the fish destroyed by the hauling of the nets, but it depends more upon the destruction of the weeds that grow upon the banks on which the nets are hauled, and that if it is desired to protect the fish, so that there may be a fair supply, it would be necessary to set apart certain beds where the weeds may be allowed to grow, and then the fish would find food. The weed that grows upon these banks is full of small prawns and shrimps and small water insects, and they constitute the food of the class of fish that we have brought to market. If we destroy their food we reduce the quantity of fish; but the reduction of fish in our rivers and estuaries and on our coast is more attendant upon the destruction of the food than upon the actual number of fish caught and destroyed in hauling the nets to shore. Now, that will be a matter for administration which the Bill seems to me to provide for, and I only mention it as being one of the subjects which may assist in illustrating the condition of our fisheries. No doubt it is very desirable that there should be close seasons for certain fish, and also that the laws relating to fishing should extend up into the fresh waters as well as to the salt. There is one time of the year especially, when what appear to be mangrove mullet go up all the fresh-water streams in order to spawn, and they may be caught in thousands and thousands; in fact they may be taken out of the water by one's hand when they are rushing up with the tide into the fresh-water creeks. In that respect the provisions of this Bill which provide for the protection of fish in the fresh water as well as the salt is judicious. With reference to clause 17, in regard to persons putting down stakes or poles, which may cause damage to nets: upon reading it I think it will at once be seen that it is not the fact of putting in a stake or pole which would be above high-water mark which would constitute an offence, but it is the fact of putting in a pole, the top of which would be so low that it might be covered by high water, which would be objected to. If a pole is put within the limits of high water, and the top of the pole is below high-water mark, then the party placing it there would be liable to a penalty for damage to nets, but if the pole is above high-water mark then the party who put the pole there would not be liable to pay for any damage. I think that the clause requires just a little careful reading in order to see what its actual meaning is, and it is one that without careful reading may be mistaken. With the exception of the size of the mesh for whiting-nets, there is nothing very important to deal with, unless it is perhaps with regard to defining the depth of the water in which the small fish shall be turned adrift after hauling the nets; because if there is only half-an-inch of water a great number of the fish would be destroyed. On the whole, I think, there will be no objection to the Bill, subject to the amendment that I have suggested.

The HON. E. B. FORREST said: Hon. gentlemen,—I have much pleasure in supporting the second reading of this Bill. I have read it most carefully, and I think it will be a most useful addition to our Statutes. In legislation such as this, no doubt it is difficult sometimes to avoid treading on somebody's corns; but I think, paying every regard to the interests of fishermen, and also to the interests of the public, a fair thing has been done in passing this Bill. When it gets into committee I will certainly move, if nobody else does, an amendment to clause 4, 1st section, which provides for the taking of whiting. It provides:—

> "For the purpose of taking whiting it shall be lawful to use a net, not exceeding one hundred fathoms in length, having meshes of dimensions not less than two inches and a-quarter of an inch from knot to knot."

Now, in my judgment, if that is passed I do not hesitate to say that out of every twenty bushels of whiting that will find their way into a net of that size, at the very outside one bushel only will be landed. The original size of the mesh as fixed in the Bill when first introduced was 1¾ inch, and so far as I can recollect in this part of the world that has been the mesh used for whiting. There can be no doubt that a mistake was made in altering it to 2¼ inches, and I hope before the Bill leaves this House the mesh will be reduced again to 1¾ inch. Except as regards that I really do not think there is much to complain of. This is one of the most decent styles of Bill I have seen come here, and the fishermen and the public will have every reason to be satisfied with it if it passes into law with the amendment that I speak of.

The HON. W. D. BOX said: Hon. gentlemen,—I am very glad indeed to find that the Government have introduced a Bill to regulate fisheries in Queensland waters. It certainly is a step in the right direction; the Bill has been badly wanted, and I trust the effect of it will be all I anticipate. I cannot help thinking, with my hon. friend Mr. Forrest, that the mesh for whiting fishing is too large, and that the Committee will do well to alter it. There is another matter which I hope will be attended to. I think the depth of water should be described in some way so that the practice of hauling fish right up on to sandbanks shall be discontinued. The fishermen are very apt to do that, and their contention is that fishing with a rising tide, as they usually do, the small fish will be saved as the tide comes up. I trust the Committee will take some steps to insist upon the nets not being emptied in water under a certain depth, and thus see that the little fish which are not useful for market purposes should have some chance of getting off. Clause 6 refers to fishing with staked nets. In my experience on the Gippsland Lakes the utmost damage has been done by allowing fishermen to use stakes that are too short or too weak, and I think a proper stake of correct dimensions should be described. The stake should show high above the water so as to prevent injury to passing boats. On the Gippsland Lakes, stakes have been placed by the fishermen without any regard to safety, and simply to suit their own convenience. In a short time these poles rot just above the water line, the parts under water remaining sound, and they are a source of the greatest danger to passing boats. If we can possibly protect Queensland waters against such danger we ought to do so. I trust that this Bill will become the law of the land.

The HON. W. F. TAYLOR said: Hon. gentlemen,—I have very much pleasure in supporting this Bill, because I think it is very necessary indeed. There is no doubt, as has been already stated, that our fisheries have suffered very great mischief from the indiscriminate and reckless way in which the young fish have been destroyed by Chinese fishermen and others. A Bill of this kind is highly necessary in order to put a stop to such proceedings. With regard to the size of the whiting mesh, which has been referred to, that no doubt will be altered in committee. There is one point I should like to draw the attention of hon. gentlemen to, and that is that clause 5 is exactly word for word identical with clause 3 of the original Act, and appears to me to be quite superfluous. Clause 3 of the original Act says:—

"No person shall drag or draw on to the dry land any net containing fish, but all nets containing fish shall be emptied in the water.

"Any person offending against, or assisting any person offending against, the provisions of this section, shall be liable to a penalty not exceeding five pounds."

That appears to have been an omission made when section 5 was introduced, and it appears to me that that section is therefore superfluous. In every other respect, so far as I can judge, the Bill appears to be a very good one, and I hope it will pass.

The HON. A. HERON WILSON said: Hon. gentlemen,—I think this is a very good and proper Bill, but it is a Bill brought in to serve a certain portion of the public who are, to a great extent, illiterate and not well versed in technical terms. I notice that all through this Bill the phrase "engaged in taking fish for sale" is used, and with these people it might be construed to mean taking fish about the town and not catching fish. I merely draw attention to this now so that if necessary we may explain in the interpretation clause the meaning of "engaged in taking fish for sale."

Question—That the Bill be now read a second time—put and passed.

On the motion of the POSTMASTER-GENERAL, the committal of the Bill was made an Order of the Day for Wednesday next.

LOCAL GOVERNMENT ACT OF 1878 AMENDMENT BILL.

COMMITTEE.

On the motion of the POSTMASTER-GENERAL, the President left the chair, and the House went into committee to consider this Bill.

Preamble postponed.

Clauses 1 to 5, inclusive, passed as printed.

On clause 6, as follows:—

"So much of the two hundred and twenty-third section of the Local Government Act of 1878 as is contained in the words—

> 'And the council shall be forbidden to proceed further with such loan if the number of votes recorded against the loan forms one-third of the total number of votes for which voters are recorded on the voters' roll of the municipality

hereby repealed, and the following enactment is substituted therefor, that is to say—

"If the number of votes given against the loan is greater than the number of votes given in favour of the loan, the council shall be forbidden to proceed further with the loan."

The HON. A. C. GREGORY said the practical change was that the Council should be forbidden to raise a proposed loan if the number of votes recorded against the loan formed more than one-half of the total votes recorded against it. Under the present law it was provided that the council should be forbidden to raise the loan if the number of votes recorded against it amounted to one-third of the votes on the voters' roll. About two-thirds of the voters upon the roll usually voted, and one-half of those voting would be much the same as one-third of the voters. Although he thought it better that the basis to be taken should be the number of votes recorded, and not the number of voters on the roll, and therefore did not object to the form of the clause, he considered it would be better to alter the latter part of the clause, and he proposed to move, as an amendment, the insertion of the words "one-half of" after the word "that" in the last paragraph of the clause, so that that paragraph would read, if amended as he proposed—

> If the number of votes given against the loan is greater than one-half of the number of votes given in favour of the loan, the council shall be forbidden to proceed further with the loan.

His reason for proposing the amendment was that it was far better to put special restrictions upon a loan being granted, as if a loan were rejected there would always be an opportunity to take further action in respect of it, and it might be subsequently obtained, but if the loan was once obtained those who were opposed to it would not be able to take any further action to prevent it.

The POSTMASTER-GENERAL said they had already read the Divisional Boards Bill a third time, and in clause 256 of that Bill, as they had agreed to it, there would be found a clause similar to section 6 of the Bill before them. The clause to which he referred read as follows:—

> "If upon such poll being taken the number of votes given against the loan is greater than the number of votes given in favour of the loan, the board shall not proceed to borrow the money."

He thoroughly believed in the decision being arrived at by the majority. It must be decided in some way, and he did not know of any way discovered up to the present time better than that of decision by majority. The clause before them proposed to carry out that manner of deciding the question, and it was pretty well identical with the clause in the Divisional Boards Bill they had just passed. They were trying all they could to assimilate the laws relating to local government, and he thought it would be very inconvenient to have one law for municipalities and another for divisional boards. He could not see why there should be any difference between the manner of deciding a loan applied for on behalf of a municipality and a loan applied for on behalf of a divisional board. There should certainly be no difference, and he trusted that members of the Committee would see their way to pass the clause in its present shape.

The HON. W. F. TAYLOR said it appeared to him that, notwithstanding the powerful arguments of the Hon. Mr. Gregory, it would be far simpler to decide the matter by the majority of those voting. As the Act stood formerly one-third of the votes on the roll would be capable of defeating any proposal to borrow money. That was, of course, very faulty, because they might have a number of persons on the voters' list who might no longer reside in the district, and might not take any interest in property within it at all. The present proposal appeared to him to meet all the requirements of the case. If the ratepayers had not sufficient

interest in the affairs of their municipality, to vote either for or against a proposal of that sort those who did take an interest in the affairs of the municipality and took the trouble to vote, should have the power of deciding the question by a majority. The proposal of the Hon. Mr. A. C. Gregory would tend to hamper a decision of that sort and might render borrowing where it was absolutely necessary a very difficult matter.

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

Preamble put and passed.

On the motion of the POSTMASTER-GENERAL, the House resumed and the CHAIRMAN reported the Bill with an amendment; the report was adopted and the third reading of the Bill made an Order of the Day for Wednesday next.

IMMIGRATION ACT AMENDMENT BILL.

SECOND READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—This is a very short Bill, and is introduced for the purpose of amending the Immigration Act of 1882. The object of it is very simple. It is to raise the rates of nominated and assisted passages payable by persons desirous of coming out to the colony and to render persons fraudulently procuring passages liable to a penalty for so doing. In the last report of the Agent-General it will be found that that gentleman strongly recommended that an increase to the rates should be authorised by Parliament. The present system involves a loss to the Government, and it has been considered that these rates should at the present time be raised. I have no doubt that hon. gentlemen will agree with me that they can with advantage be raised, and the revenue will probably derive benefit from raising the rates to the extent of some £20,000, and it is not expected that this course will in any way decrease the number of immigrants, but will be likely to encourage a better class of immigrants to come out to this colony. I may say, however, that the Bill will not in any way affect persons at present nominated for passages to the colony, of which, I believe, there are a great number. By section 2 it will be seen that the amounts payable to the Agent-General in respect of assisted passages shall be those set forth in Schedule G to this Bill instead of those set forth in Schedule A to the principal Act, and, of course, Schedule A of the principal Act is repealed by this Bill. By section 3 it is provided that—

"The amounts payable by persons desiring to provide a passage to the colony for a friend or relative in Europe under the provisions of the ninth section of the principal Act shall be those set forth in Schedule H to this Act, instead of those set forth in Schedule D to the principal Act. And the said Schedule D is hereby repealed."

Section 4 is an important section, to which I will refer. It is to the effect that—

"Any person who arrives in the colony under the provisions of the seventeenth section of the principal Act, or as a free, assisted, or nominated immigrant, having previously resided in any of the Australian colonies, shall be liable on summary conviction to a penalty not exceeding fifty pounds, with or without imprisonment for any period not exceeding twelve months."

It is provided also by this clause that—

"In any prosecution under this section the averment in the information that any person named therein arrived in the colony under the provisions of the seventeenth section of the principal Act, or as a free, nominated, or assisted immigrant, shall, upon proof of his actual arrival in the colony, be sufficient evidence of the fact that he arrived under the provisions of the aforesaid section, or as a free, nominated, or assisted immigrant, as the case may be, until the contrary be shown."

That, of course, is intended to deal with persons who have, to a great extent, committed frauds on the Immigration Office, and have, in fact, come out here under false pretences. I believe some persons have done so on several occasions, and it is well known that it is a very difficult thing to obtain convictions in cases of that kind, on account of the difficulty of obtaining the necessary evidence. For these reasons, I think the section it is proposed to introduce is a valuable one, and one that will put an end in the future to those frauds that have been committed. There is nothing further in the Bill to which I think I need draw the attention of hon. gentlemen. The two schedules of the Bill raise the scale of payment for assisted and nominated passages from the amounts that are stated in the schedules of the present Act to the amounts provided for in the present Bill. They are increased, as I have said, to some extent, but not in any way to interfere with immigration to this colony. I beg to move the second reading of the Bill.

The HON. A. C. GREGORY said: Hon. gentlemen,—In my consideration of the Bill, I will begin at the end, and point out a certain thing which seems singular to me. The last clause of the Bill says—"This Act shall commence and take effect on and from the 14th day of September, one thousand eight hundred and eighty-seven." That is a day that is past, so that, practically, it is a retrospective Bill. These things are not only inconvenient, but there may be some doubt as to their legality. However, when we come to consider the Bill in committee we can look into this matter carefully. Clause 4 contains provisions which are, I think, good ones for preventing any person who has previously arrived in the colony as a free, nominated, or assisted immigrant, being allowed to come out a second time under the same advantageous circumstances. I would like to see this proposal extended a little further to the case of land orders which have been re-established. It might interest hon. members if I gave an illustration of what I mean. When our present Minister for Lands was returning to the colony, after having fulfilled his duties as immigration agent, he was able to obtain land-orders for himself and his family as an immigrant. As the law stood at the time he was quite right to take what he could get. I am not in any way criticising what he did, because I believe I would have done the same thing myself if I were in the same position. On the other hand, I do not approve of a law which admitted of such a thing. There seems also to be a little doubt with regard to the precise wording of the latter part of the clause. That, however, is a matter for the critical examination of words, as to what shall be sufficient evidence of the fact that a person charged under the section arrived under the provisions of the aforesaid section, and it can better be dealt with in committee. On the whole, I think it is desirable that some greater amount of care and restriction should be exercised in regard to immigrants than has hitherto been the case. There has evidently been a great amount of carelessness with regard to the selection of immigrants for this colony, for, of my own knowledge I have known tradesmen coming out as agricultural labourers. I actually heard of a man who was a carpenter rushing on shore with his bag of tools, in order that he might fulfil the conditions of being an agricultura labourer. I shall not oppose the second readin of the Bill.

The HON. W. F. TAYLOR said: Hon. gentlemen,—I have a word or two to say upon this Bill, about which we have heard a good deal. In my estimation it hardly goes far enough. There is no doubt that a Bill of this sort, raising as it does the amount necessary to be paid by assisted and nominated passengers, will have a tendency to give us a better class of immigrants. That that object is a very desirable one all those who have taken any interest in immigration for the last few years must bear witness to. During the three voyages which I made in the last few years in charge of immigrants I had a fair opportunity of observing the class of immigrants who came out to this colony, and I was certainly not favourably impressed with them. As a rule they are people wanting in physique, and as far as their morals are concerned I shall say nothing about that. They were people, however, who where not fit to come out to a new country like this and assist, as we expect them to do, in building up the community. I think the records of our hospitals show also that a large number of those people get sick almost immediately on their arrival, and numbers of them die. The first vessel I came out in the passengers were nearly all nominated passengers, and they were certainly a very inferior lot. They were, most of them, very weak, and were people gathered chiefly from the large cities, and not the class of people to assist in building up a community here or elsewhere. They were, as a rule, quite helpless people, and though they had been engaged in occupations in the old country and elsewhere, they were certainly quite unfit to be successful colonists. Most of these nominated passengers were soon found by their friends, who had nominated them, instead of being an advantage to them, a great disadvantage and a great nuisance, and they shove them off the best way they can shortly after they arrive. I know a number of instances of people living here for a few years and thinking they would like to get their friends out. The amount required is very small, and they have sent home for their friends; but, in a few months after their arrival, they became a burden and a nuisance to them, they send them adrift to become inmates of Dunwich and other charitable institutions in the colony. So that I think Schedule H might very beneficially be altered, and the sums required to be paid might be made double what the schedule provides for. For every male under twelve years, instead of making the payment £2 it should be £4, because, as a rule, the children who come out here are very weakly; a large number of them die on the voyage, and those who are landed here are landed in a bad state of health. The Government have to pay half the adult passage-money for those children, and it costs the country a large sum of money in the aggregate. A great number of them die within a few months of their arrival here, so that I think the Government should get as much as they possibly can for the passages of these children. I see the amount for females under twelve years is £1, and why that distinction should be made I do not know, and I can see no reason for it. The amounts for persons between the ages of twelve and forty should, I think, be doubled, because if people living in this colony wish to get their friends out they should be made to pay for them. In fact, I think they should be made to pay the full passage money, for I think the time has come when we should do away with assisted immigration in every form. It has, I consider, done a great deal to injure the colony by the introduction of a population not suited for work here — people who remain about the large centres of population, and who are entirely unsuited to develop the resources of the interior. I have had an opportunity of judging of the sort of people who come out here, and in one vessel of which I had charge the greater number of young men, of whom I think there were 175, were clerks, drapers' assistants, and men of that sort. If assisted immigration were done away with, in the course of a few years we would get a much better class of immigrants than the young and puny children and weakly adults that are arriving here. There is another point which I think might be mentioned in connection with this Bill, and that is the fact that a sufficient medical examination is not, in my opinion, made of all intending passengers. As hon. gentlemen are aware, doubtless, the surgeon-superintendent in charge of a vessel is paid so much a head for every passenger landed. While I will not say that that has any direct effect in introducing people who are not fit to come out to the colony, yet there is no doubt that in the short time allowed to surgeon-superintendents—a few hours in the morning before the emigrants embark—it is impossible for them to examine properly everyone who comes before them. The examination is very cursory, and confined altogether to finding out whether each individual has been vaccinated and if they are suffering from any serious disease. It can be easily understood how very cursory it must be when I state that I have in one day examined 500 people. There is a very great difficulty in rejecting emigrants, because, unless there is some tangible ailment, the Home authorities do not like passengers to be rejected on account of the trouble it gives them. I think if a better system were adopted at home by giving surgeon-superintendents a longer time to examine intending passengers, or if an officer was appointed to examine them thoroughly, not nearly so many inmates of lunatic asylums and hospitals would come out here. It is a very difficult matter to tell whether a person has sufficient eyesight to enable him out here to follow any ordinary occupation. The eyes may appear perfectly right on a cursory observation, but on proper examination they may be found to be affected. A case of that kind came under my own observation recently. A man came to me a few weeks after his arrival here with an affection of the eyes, and for some months after his sight continued to fail. He has since gone to the hospital, but he will never leave it except to go to Dunwich. That is only one case that may be cited, but I think the country may be saved the introduction of a great many people who certainly are not fit to form a portion of the population if a proper medical examination were insisted upon before emigrants are allowed to embark.

Question—That the Bill be now read a second time—put and passed, and the committal of the Bill made an Order of the Day for Wednesday next.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

The PRESIDENT announced the receipt of a message from the Legislative Assembly, requesting that leave be given to the Hon. J. S. Turner to attend and be examined before the committee appointed to inquire into the Lady Bowen Lying-in Hospital Land Sale Bill.

On the motion of the POSTMASTER-GENERAL, it was ordered that a message be returned to the Legislative Assembly, intimating that leave had been granted to the Hon. J. S. Turner to attend and be examined if he thought fit.

The House adjourned at seven minutes past 6 o'clock.