

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**FRIDAY, 7 OCTOBER 1887**

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## LEGISLATIVE ASSEMBLY.

Friday, 7 October, 1887.

Petitions—Establishment of a University.—Grant of Land to Mr. John Mackay.—Questions without Notice—Mungarr Railway. The Case of Captain Wright.—Personal Explanation—Misreporting by Newspaper.—Formal Motion.—Enoggera Branch Railway.—Claim of Mr. E. B. C. Corser.—Report of Select Committee.—Order of Business—Lady Bowen Lying-in Hospital Land Sale Bill—Cooncana Railway Bill.—Warwick to Thane's Creek Railway.—Adjournment.

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

### PETITIONS.

#### ESTABLISHMENT OF A UNIVERSITY.

The PREMIER (Hon. Sir S. W. Griffith) presented a petition from the Goolman Divisional Board praying for the establishment of a university, and said that it was in the same form as others presented by him to the House. He moved that the petition be received.

Question put and passed.

#### GRANT OF LAND TO MR. JOHN MACKAY.

Mr. PALMER presented a petition from Mr. John Mackay, of Cooktown, in regard to a grant of land to him in recognition of his services in opening up Mackay harbour. He moved that the petition be read.

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

On the motion of Mr. PALMER, the petition was received.

### QUESTIONS WITHOUT NOTICE.

#### MUNGARR RAILWAY.

Mr. BAILEY asked the Minister for Works, without notice: When will the tender for the construction of the Mungarr railway be accepted?

The MINISTER FOR WORKS (Hon. C. B. Dutton) replied: The question of accepting a tender for the construction of the Mungarr railway will be dealt with next week; on Wednesday, probably.

#### THE CASE OF CAPTAIN WRIGHT.

Mr. NORTON asked the Premier, without notice: Will the papers in connection with Captain Wright's case be laid upon the table of the House?

The PREMIER replied: When the correspondence connected with the case is completed I shall be very glad to make it public.

Mr. NORTON: Is it not finished?

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The PREMIER: No. If the hon. member had read it he might have seen that. The publication of correspondence of that kind, while the matter is still under the consideration of the Government, is, I think, highly improper, whoever is responsible for it.

Mr. NORTON: I may explain that I thought the matter was completed, or I should not have asked.

### PERSONAL EXPLANATION.

#### MISREPORTING BY NEWSPAPER.

The PREMIER said: Mr. Speaker,—I wish to make a personal explanation. I am reported in a paper published in Brisbane, the *Courier*, to have interjected in the course of the debate yesterday afternoon, when something was said which was characterised as a very unfair thing, that "It was worthy of Ipswich." I did not make any such interjection. Reference was being made to the conduct of the hon. member for Fassifern, and I said "It is worthy of him." I think it is a most unfortunate thing that a mistake of that kind should have been made. I do not suppose it was made maliciously. Not only does it appear in the parliamentary report, but it also forms the subject of an amusing paragraph; and I think a little more care should have been taken. A moment's consideration would have shown that it was extremely improbable that I should offer a purposeless, useless insult—a thing which I am not in the habit of doing—and a little more care might have been shown before I was represented as having insulted a whole district, which I did not do.

Mr. MACFARLANE said: Mr. Speaker,—I am very glad to hear the Premier's explanation, because this mistake which appeared in the *Courier* has caused quite a flutter in Ipswich. I could not believe the words were used, and on the first opportunity I looked in *Hansard*. I find that the words are not in *Hansard*; and I am glad to hear the contradiction. It is not like the Premier to use such words in reference to any place.

### FORMAL MOTION.

The PREMIER moved—

That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the desirability of introducing a Bill to make provision for the indemnification by the colony of Queensland of Her Majesty's Imperial Government against the expenses of the government of British New Guinea.

Question put and passed.

### ENOGERA BRANCH RAILWAY.

Mr. DICKSON, in moving—

That, in the opinion of this House, it is desirable that any new or additional policy of railway extension shall embrace provision for the construction of a branch line of railway in the direction of Samford, *via* the sale yards and Enoggera.—

said: Mr. Speaker,—In rising to propose the motion standing in my name, I may say at once that this is a motion which no doubt I should have proposed earlier had I not been a member of the present Administration for the time. And one of the reasons which induces me to make this statement is that members of a Government, whatever their individual feelings may be, concerning the public works to be constructed in the districts which they respectively represent, are bound to exercise in the Cabinet what may be called centripetal rather than centrifugal force; they must endeavour to reach the centre and take united action, instead of flying from the centre merely for the purpose of obtaining the construction of or provision for works they would desire to see effected in their own constituencies. I have always been impressed with the necessity and desirability of a branch line of railway—a suburban line—to

the important district of Enoggera, and the reasons why I have not advocated it earlier in this House, or publicly elsewhere, I will state to the House as I proceed, premising, however, that one of the reasons has been that as a member of the Cabinet it would have been impossible for me individually, without causing a severance at an earlier period, to have advocated, and stood out, and insisted on the Government adopting as a policy the construction of this line when the loan of 1884 was proposed. When that loan was proposed provision was made in it for an extension of the North Coast railway from Brisbane *via* Caboolture to Gympie, and the survey of the line not having been made at that time it was an open question whether the electorate of Enoggera in its western extremity might not be benefited by the survey being taken to the west of the Normanby instead of diverging from the Sandgate line at Nundah. Surveys were made, and it was quite on the cards that the Gympie line might have started at the Normanby and traversed the western portion of the electorate of Enoggera, attaining Gympie by a route more to the west. I am not, however, complaining of the line of railway to Gympie as at present surveyed from Nundah; I do not intend to find any fault with that survey, because, as a member of the Government at the time, I quite concurred in the survey of that line; but I merely mention this to show that at the time the loan of 1884 was formulated no special provision was made for a railway to Enoggera, because it was quite on the cards that, had the line to Gympie taken another course, the western portion of the electorate of Enoggera might have had that railway communication at the present time, which, through the Gympie line being taken from Nundah, has been denied to it. I am of opinion that the district of Enoggera—that is to say, the western portion of the present electorate, which is really Enoggera proper—is now attaining such dimensions, both in settlement and development, that the time has fully arrived when railway communication for that most important and densely settled part of the suburbs of the city should be fairly begun; and I may say that so fully impressed have I been with that belief, that since the line to Gympie was decided on—to start from Nundah—it has always been my intention, expressed both in the Cabinet and out of doors, that in any new railway policy formulated by the Government to demand that provision should be made for the construction of a line of railway to Enoggera, *via* the saleyards. Now, I consider the saleyards themselves are a very important element in the necessity for the construction of this line, as I shall presently show; and I may say that upon a representation which I made to my late respected colleague, the late Minister for Works, a survey of a railway line was made from Victoria Park, proceeding towards Samford, *via* the saleyards, to Enoggera. I believe that although the report of that survey has not been laid on the table of the House it is in the Railway Department; and doubtless the Minister for Works will be aware of its existence. Therefore, I say that the line has been contemplated by the Government, and the question is as to when the time will arrive for its construction. I may say that I repudiate any charge of making this motion with the view of any benefit at the approaching election. I do not introduce the motion as an electioneering cry. I am quite content to take my stand on that, notwithstanding the jeering laugh of the Premier. I can appeal to my constituents, and they will believe, whether the hon. gentleman does or not, that I do not propose this motion at the present time with any view to future electioneering.

Mr. W. BROOKES: Oh, no!

Mr. DICKSON: I trust I shall not be interrupted by the junior member for North Brisbane.

Mr. W. BROOKES: I am only expressing my delight.

Mr. DICKSON: The hon. member expresses his delight in an eccentric manner at times. I hope, however, that I shall receive his support on this motion when the time arrives for the vote to be taken upon it. I repeat that the motion is not introduced for electioneering purposes, and for this obvious reason: that the electorate of Enoggera has attained such dimensions that if the Redistribution Bill pass as it is framed it will form four constituencies instead of one, and it is quite possible that the electorate to be benefited by this line may not be the electorate which will honour me with its representation. Therefore, I can claim at the present time to be perfectly clean-handed in this matter and not to have any ulterior view to placate a constituency that may be dissatisfied in not having hitherto had a railway constructed there. I have not the slightest hesitation in saying, as I have said throughout, that I consider the electorate of Enoggera, especially the western part of it, has very strong claims for consideration in the first lines of suburban railways undertaken by the Government. I may point out that my hon. colleague, Mr. Bulcock, during last session asked certain questions of the Government on this subject. On the 25th November—

“Mr. BULCOCK, pursuant to notice, asked the Minister for Works—

“1. Whether there has been a trial survey of a railway line made yet from about the Normanby station through Enoggera towards Samford?”

“2. Is it the intention of the Government to include in their future railway policy provision for the construction of such a line?”

The answers to those questions were—

“1. Yes.

“2. The future railway policy of the Government will be made known to the House at the proper time.”

I wish the House to note this answer, because it has some bearing upon what I consider the present opportune time in which I now make this motion. The third question was—

“If the Government decide to stop the Northern railway line at Hughenden, and appropriate the unexpended balance voted for that line towards the construction of a coast railway in the North, will they be prepared to deal similarly with the Southern and Western line when constructed as far as Charleville, and appropriate the unexpended balance voted for that line to the construction of a line in Enoggera towards Samford?”

The answer of the Minister for Works to that question was—

“Until final decision has been arrived at on this question, I am unable to give the hon. member the assurance he asks for.”

Let me place myself in a correct position with the House. I trust it will not be understood from this motion, or from this quotation, that I have any desire to divert any surplus there may be when the Western line has reached Charleville from the legitimate extension of that railway westward. I disapproved last Friday of the diversion of money voted for a main trunk line from Normanton to Cloncurry for the purpose of constructing a railway to Croydon, while I approved of the construction of a line to Croydon, and certainly in making this motion I will not gainsay what I then said. I consider that the moneys voted by Parliament for certain lines of railway ought not to be diverted from the purpose for which they were voted, or at any rate without the matter receiving the full consideration of Parliament, and very good cause being shown for such a diversion. I hope hon. members will not consider for one moment that I desire to divert any specific parliamentary appropriation from its legitimate destination for

the construction of a line to Samford. That clears the ground; and I may now refer more particularly to the motion, which, as I have said, is not introduced for electioneering purposes. It appears from the answer the Minister for Works gave to my colleague that the Government expressed the intention of making known to the House their future railway policy at the proper time. It is known now that during this session the Government have to a certain extent lifted the veil of their future railway policy, because we know that they have expressed their readiness to construct a line of railway from Normanton to Croydon, which, Mr. Speaker, I believe it is most desirable to construct. But, at the same time, it must be admitted that it has not formed a portion of any railway programme of the Government up to the present time. I therefore take advantage of the initiation of this new and extended railway policy—at what I consider is an opportune time to do so—to urge that the claims of my electorate in its western extremity shall receive that amount of consideration which I contend it deserves, and which, to a certain extent, has been admitted by instructions being given in the department for the survey of a line of railway in that direction. I do not know whether the Minister for Works intends to accept this motion or not, but I anticipate that his objection will be that this is not the proper time to propose any new line of railway, and that we must wait for the further Government policy. I maintain, however, that we have an extended railway policy before us, and I take advantage of the present position to urge that, if we are going in for new railways, certainly a line of railway in the direction of Samford, *via* the saleyards and Enoggera, should receive the consideration of the Government; and it is with the object that the House may support me in the affirmation of this view that I place the motion before the House. I do not intend to weary the House with statistics in this matter, because I somewhat object to the manner in which the construction of lines of railway in this colony are generally advocated. They are all supposed to pay most handsomely from their inception. I am not at all disposed to say, because a railway will not pay immediately on its construction, that therefore its construction should be delayed.

The Hon. J. M. MACROSSAN: There is only one line that has done that.

Mr. DICKSON: There is only one of our lines that has done that, but I believe that all our lines will pay in time. But although they may not pay directly, and are not showing a profit as a financial transaction, none of us can shut our eyes to the great benefit that is being conferred by their construction in the development of the country and the promotion of settlement in our vast territory. We have something higher to look at, in administering the affairs of the colony, than merely financial return on an outlay. We have to see that such things are attended to as will prove a factor in developing the resources of the country. Although we had last year a loss on the working of our railways, including charges for interest, of £398,000, I do not mourn that loss; that is to say, I do not regret that we have our railways, even though, during such a year of depression, they have not exhibited such satisfactory returns as we would desire. We have many countervailing advantages, which I need not take up the time of the House to dwell upon, which fully impress me with the idea that, even at the loss sustained during last year, the railways have been a great factor in developing and extending the prosperity of the whole community, and therefore I say that not

one argument I have heard adduced against railway construction would lead me to express an opinion condemnatory of their extension. And whilst I speak thus of railways in general, I would speak much more strongly of suburban railways in particular. We know that throughout the colonies, in Victoria, and in New South Wales, and even here, the suburban lines are those which are paying the best. The Commissioner for Railways' report of last year shows that the percentage, after paying all working expenses, of all our railways—the general average return was 2·28 per cent. Unfortunately it was not a profit after paying interest, but it was only after paying working expenses. We find on the Sandgate line, however, that the returns for the year 1886 are 5·42 per cent., so that that line not only paid interest but left a large percentage on the whole cost of working and on the cost of construction. That is what we may call our principal suburban line, and I could have wished that the report had shown the net earnings on the Toowoong section, or, indeed, the section as far as Oxley, because that, too, would have shown that suburban lines do pay well, and would have still further fortified my argument. But if my argument requires further fortifying I can refer to "Hayter's Victorian Year Book for 1886," and it will be admitted that the Victorian railways have assumed much larger proportions than ours. It is said there:—

"The net income of the Victorian railways in 1884-5 has already been stated to have been £901,507. A short calculation based on these two amounts will show that the railways in that year made a return upon their capital cost of 4·0·8 per cent., equal to £4 ls. 4d. per £100, as compared with a proportion of £2 19s. 2d. per £100 in 1883. It should be mentioned that the nominal rate of interest payable on the borrowed capital on the 30th June, 1885, averaged 4·55 per cent., or £4 11s. per £100, whilst three months later it was reduced to 4·28 per cent., or £4 5s. 2d. per £100."

That was the average on the whole of the lines—£4 ls. 4d. per cent. after paying working expenses; not quite sufficient to pay for the annual interest, which averaged £4 11s. per cent. But what do we find on turning to the suburban railways, Mr. Speaker? The suburban railways, the Hobson's Bay Railway, and the lines to St. Kilda and Windsor, at the time that the whole of the railways of Victoria were producing £4 ls. 4d. per cent., not only covered working expenses and interest, but produced £2 11s. per cent. clear profit. I have not before me statistics of New South Wales, but I have not the slightest doubt inquiry will show that the suburban lines to Sydney in a corresponding degree compare equally favourably with those of Victoria; but I think that these statistics indisputably prove that suburban lines of railway, where there is settlement and population, pay infinitely better even than the more extended railways; and I am sure that, if any district in the southern part of the colony would be benefited by railway construction, it would be the western suburbs of Enoggera, traversing a route *via* the saleyards and Enoggera itself. Now, I do not intend, Mr. Speaker, to dwell on any particular line of route. I shall leave that matter to be decided by the Government after due inquiry has been made. I believe the present surveyed route is as follows:—

"Commencing at about 1½ miles in the Sandgate branch, it crosses the gully in Victoria Park and the rifle range, passes through a gap in the road in rear of 'Herston' (Hon. J. F. Garrick's property), traverses manure dépôt, crosses Breakfast Creek; at 2 miles passes close to the cattle saleyards; at 3½ miles is abreast of Enoggera school; opposite Grovelly on the Samford road at 5½ miles; at 11 miles crosses Samford Range, and at 13 miles reaches a central point at Samford. From 3 miles to 10 miles the line must keep more or less close to the right bank of Kedron Brook. Rather heavy cuttings will be required at ½ mile and at 2½ miles, whilst at 11 miles there will either be a very heavy

cutting or short tunnel—probably the latter. Only one bridge of any size is required—namely, over Breakfast Creek. The country is closely settled, especially about Enoggera, up to about 8 miles; thence to Sanford there is not much settlement along the route."

That, however, was written in 1884, three years ago, and I need not point to the fact that a large increase of settlement has since taken place; but I would not insist upon any particular route, leaving that to the discretion of the Government, but this I do trust, that the line will be made to benefit population and not to elude settlement, as has been too frequently the case in our suburban lines. There is a very dense population now settled between this and the Enoggera State school, and I trust that no false economy will be practised, and that for the sake of saving a few thousand pounds suburban traffic will not be avoided. I hope that the engineering surveyors will be instructed to survey the line in such a manner that it will afford conveniences for the large amount of settlement which has already taken place, and not, as has been done, unfortunately, in other cases, avoid settlement. The survey, I believe, has been made for twelve or thirteen miles, but what I ask in my motion is, that the expediency of constructing a line from the Normanby Station to Enoggera, a distance of about eight miles, should be affirmed. It would afford conveniences to the district and would allow time for consideration of the larger work of surmounting the Sanford Range, where the line would reach a very large agricultural settlement. The immediate construction, therefore, of these eight miles would be a concession which would satisfy, I think, the requirements of the district at the present time. The Premier himself must recognise the fact of the great increase in the Enoggera electorate as a whole. As I have already stated, that electorate is by the new Redistribution Bill proposed to be cut up into four electorates, and the portion which still retains the title of Enoggera proper, and through which this railway will pass, actually possesses a population of 6,300, and will still remain one of the largest electorates in the Southern group—that is to say, a fourth part of the present electorate of Enoggera still remains one of the largest electorates in the Southern group in point of population; and a great number of those people which would be benefited by this railway construction. There is a peculiarity in connection with this part of the suburbs, and it is this: Access to the greater portion of it is afforded by only one main road, and this main road during a large portion of the night, and sometimes during the day, is traversed by herds of stock being taken to and from the saleyards, which renders it really dangerous to travel along it at such times. I have witnessed myself the inconvenience and danger attending people travelling along this road on that account. There being only this one main access to the district, the inhabitants are placed at very great inconvenience, and are to some extent jeopardised by the road being so inconveniently used for travelling stock. It may be said that the saleyards being so situated is hardly an argument for the construction of this line of railway; that may to some extent be so, but as long as they remain there it must be admitted that it would be much more convenient to have the cattle taken to those yards by rail than to have them driven along the road. I am not by any means certain either that they are likely to be closed or removed for some time to come. I am aware that the Minister for Works recently, in addressing a deputation that urged upon him the necessity for widening the Indooroopilly Bridge, gave as one argument against granting their request that the saleyards were inconveniently situated and ought to be closed, and that,

in future, stock should be sold and slaughtered on the stations and brought down in chilled cars to the market for sale. That is a suggestion that might commend itself to the growers, but I learn from good authority in the city that such a practice would be very inconvenient to the consumers. I understand that the butchers of this city would never be able to supply the demands of their customers if they had to depend upon frozen carcasses brought to the railway station. We know that in this climate the carcasses could not be preserved in good condition for any length of time.

An HONOURABLE MEMBER: That is an argument for the carcass butchers.

Mr. DICKSON: It may be; but the consumer, whom the meat is intended to reach, is equally interested in its being preserved in a sound condition. So that, so far as I can learn from butchers and others in the vicinity of Brisbane and in the city itself, for some considerable time the saleyards must be the depot for stock brought from the interior for sale in Brisbane. Those yards therefore furnish an additional reason why a short line of railway should be constructed in their direction, so that stock may be taken there without injury to the public. Hon. gentlemen may object that I have so far furnished no statistics as to the probable remunerativeness of the proposed line; but, as I have already stated, I object to lend myself to the usual statement that this line may be demonstrated by statistics to prove a splendid success financially. I go upon the broad fact that suburban lines pay. That is undeniable; and I have no hesitation in saying that this line, if constructed, will pay equally well with any of the suburban lines we possess. Some gentlemen who are particularly interested in this matter have furnished me with concise information upon the principal features of the line, and I will venture to occupy a short time in setting them before the House. My correspondents say:—

"It may be pointed out that all necessary material for the construction of a railway can be procured along the route as permanently surveyed. The cost will be a very small amount compared with the large sums voted by Government both in the past and recently for the construction of other public works in less important districts. The daily public traffic through the district by the only one main road, which must necessarily be kept in repair by the local board (which means self-aid), is one of the most extensive in the neighbourhood of Brisbane, and further, the increase is equal to, if not in excess of, any other suburb. In proof of which, it may also be stated that although the bus companies have increased their plant and working staff and horses over 100 per cent. during the last twelve months, they are not capable of conveying anything like the travelling public, and hundreds have to adhere to their own means of conveyance.

"Were this suburban railway line made, the increase would be something enormous after its construction, and as it is admitted on all sides that short city-suburban lines are the most payable, the residents of Enoggera claim that, as a public venture, no member in the House can object to its construction on the grounds of its being likely to be a non-payable concern to the colony.

"A most salient point also in favour of the construction of this line at the earliest date is, that children and travellers generally almost daily run a great risk from the danger of meeting cattle, sheep, and pigs, etc. Many instances of accident can be enumerated, and independent of this danger, which one day may result in some most severe shock to the public, the time has surely arrived when administrators should take into sincere consideration the protection of the public in preventing fat stock from being overdriven or overheated, which in itself is detrimental as food.

"It cannot be denied that on account of the advantages of the hills and ranges that the easterly slope, with such rich scrub land, is the most suitable for fruit-growing. In addition, there are many orange groves and vineyards to be seen, in which the plants grow

luxuriously. Thousands of pounds are awaiting expenditure for the same purpose, and there can be no doubt that Enoggera will eventually equal, if not exceed, Parramatta.

"It may also be pointed out, although not without regret, the quantity of timber, both hardwood and pine, which Enoggera has supplied to Brisbane and other markets for many years, cutting up the roads to supply railway construction in other parts of the colony, including the Ipswich and Sandgate lines, the Bowen jetty, and many other works of Government construction. No district can equal it for a never-failing supply of excellent timber, in proof of which you are referred to the late Government sale of timber on Bunya Reserve, not to mention the township of Kedron land sale, which was considered an asset towards our aim. On this reserve claims have been pegged off daily during the last two months for gold-mining, the prospects running 1½ oz. to the ton; and it cannot be doubted that means of access will tend to further what may become, perhaps, one of the most prominent reefing goldfields of Queensland.

"Some special assistance will have to be given to the local boards to maintain the roads notwithstanding the Government endowment; on account of the increasing traffic and in view of the absolute necessity of such future assistance a railway would be far more economical than any other system."

And now we come to what I think I may call the kernel of the whole question:—

"Over 6,700 acres of unalienated Crown lands on Samford and Bunya should be of sufficient importance to point to the adequate resources to construct this line. I may mention that the greater part of the above land is fit for nothing but building purposes or small holdings on account of it being so much intersected by purchased land, but the difficulty of access to it renders it meanwhile of comparatively small value, but if a railway was promised to the district it would sell at an immensely increased value. Or better still, make the railway first and sell it afterwards, and the Treasury would reap double the amount of its present value in addition to paying for the railway, besides settling a population along the line. Further, from Kelvin Grove to the six-mile peg of the present survey there are 3,000 acres along the line without a single gully, every inch available for building on, and there is not a district around Brisbane can claim to say the same. In addition to this the people along the route are willing to surrender the land necessary for railway purposes at a value that would not be carped at."

I commend these latter remarks to my hon. friend the Minister for Lands. There is a very large source of wealth here for the Treasury if judicious action be taken in connection with these lands. I say these lands belonging to the Crown furnish a very strong argument for the construction of this line, and not only that, but they will furnish the wherewithal to provide for its construction, if it be constructed out of the territorial revenue, as doubtless a railway to Enoggera would largely increase the value of the 7,000 acres referred to. Anyone who has travelled through the district will be aware of its vast capabilities for maintaining a largely increased settlement beyond even the comparatively close settlement it at present possesses. It is rich in timber, rich in fruitful soil, it possesses a genial climate, and is well adapted to fruit-growing and for general settlement. All I ask is that the House will affirm the desirability of the construction of this railway. I have no wish to hamper or to embarrass the Government by asking them now to provide money for its construction. I am asking, on behalf of my constituency, that at some future time when the Government can finance the matter, and when they are proceeding with the consideration of fresh lines of railway, that this railway to Enoggera—which in itself possesses ample resources to provide for the construction of the whole line, and which, being a suburban line, promises to become a very large factor in the remunerativeness of our railways—should not be overlooked. I trust that the Government will view it in that light, and will consider that the motion at the present time is not made either as an electioneering cry or with a

view to embarrass them. I am simply placing before the House and the country the claim of the Enoggera electorate to railway construction, and I have the more confidence in doing so seeing that the Government have allowed an addition to their railway policy to be affirmed by the House at the present time. I therefore beg to move, without delaying the House any further, the motion standing in my name.

The PREMIER said: Mr. Speaker,—I follow the hon. member who has just sat down, because I propose to deal with the subject on general grounds. As to the desirableness of this particular branch line of railway, I suppose most hon. members will agree that it is desirable, and that it would be as payable a line as any of our suburban lines have been. The principal reason the hon. gentleman urged on behalf of this railway was that the Government had made a departure from their railway policy by assenting last week to a resolution affirming the desirability of constructing a line of railway to Croydon, and the diversion of part of the money already authorised for the construction of another railway in the Carpentaria district for the construction of that line. I do not think the adoption of that resolution, under exceptional circumstances, has any connection with this, or is any argument whatever on the subject. I observe another motion of the same kind on the paper for next week. They have changed places two or three times, but this is the first that comes up for consideration. I wonder how many other lines of railway hon. members think ought to form part of any new policy of railway construction?

HONOURABLE MEMBERS: A good many!

The PREMIER: I daresay they will come from all parts of the House.

Mr. MURPHY: I shall want one for the Barcoo.

The PREMIER: I do not know whether the hon. member for Warrego has any to suggest.

Mr. DONALDSON: No.

The PREMIER: A good many suggestions have already been made. I know of at least two from Rockhampton—one from Rockhampton to Port Alma, and another from Rockhampton to Mount Morgan. But why should this House attempt to undertake the function of pointing out to the next Parliament—and possibly to another Government, upon whom the responsibility of making railway proposals would rest—what their railway programme should be? It is a matter which does not concern it, and if the resolution pass it will simply be an idle resolution. No resolution passed by this House can be binding on the next Parliament. The House is asked to express its opinion that at some future time—not this year certainly, next year at the earliest, and possibly later—it will be the duty of the Government then in office to include a particular line of railway in a general scheme of railway extension. I for one do not profess to foretell what the future railway policy of the colony may be. A great many things will have to be taken into consideration. The question of finance, for instance, is a most important element. I do not know, I am sure, when the time will come for bringing forward a new railway policy. It may be next year; it may be the year after. What advantage can be gained by affirming this resolution that a certain line of railway shall be built at some future time? I cannot altogether acquit the hon. member for Enoggera of having some electioneering ideas in this motion. Motions of this kind are so well known during the last session of a Parliament. Those who have been here for some years know that motions of this

kind generally come in as thickly as possible towards the end of a Parliament—they come in as a matter of course. I do not see that there is anything to be gained by affirming a resolution of this kind. I think it would be far more consonant with the true functions of Parliament if we were to resolve that this and all other resolutions of the kind should not be debated; that we should decline to pronounce an opinion upon them by moving the previous question. That is the proper way to treat all motions of this kind. I do not propose to discuss the merits of this line, because the carrying of the resolution now would not advance the line in the least. It would not bind the Government or the next Parliament; it would, in fact, have no practical effect at all. I shall not move the previous question now, but I think that that is the proper way with which to deal with this and similar motions that may be made.

Mr. BULCOCK said: Mr. Speaker,—I am sorry I was not in my place when the Premier made his speech on this question, and I am not aware what his remarks were, except that he thought a motion of this kind would not be of much use, because it would not be binding on the next Parliament. I think the case made out by the hon. member for Enoggera certainly goes to prove that if there is to be a new railway policy a line should be made in the direction he has indicated. As we are aware, there is a population in Enoggera of over 6,000 people; there is a large amount of good agricultural land about it; and a large amount of produce comes to market that way; and there are large tracts of land well adapted for close suburban residential settlement. A more healthy locality there is not in the district. It should be remembered that very little, if anything, has been done for that district since the colony has been a colony. I remember that one member of the present Ministry said on one occasion that that district had never got anything but a State school, part of which they paid for themselves. If there is to be any change at all in our railway policy, and any additional railways are to be made—suburban railways generally pay the best—this of all others ought to be constructed. The suburban line to Sandgate is paying well. Certainly we cannot expect the Enoggera line to pay as well as that does, because it does not lead to the sea-coast as the Sandgate line does. And as there is very likely to be a change in the construction of our railways by the introduction of Phillips's sleepers, by which, even when water-tables are made, we can have railways made at something like half the present price, that is another reason why lines should be made to suburban places where they will pay so well.

Mr. CHUBB said: Mr. Speaker,—I think, sir, the constituents of the hon. member who has brought forward this motion are indebted to him, because if there is an electorate around Brisbane which has not had that amount of consideration to which it is entitled, the Enoggera district is that one. It is a very populous district, well suited for settlement, having plenty of splendid building sites, and I, for one, shall be very glad to see a suburban line made in that direction, because I am quite sure that it must pay well. It would be the means of enabling a great many people in the city to go out in that direction and build residences there, and the place would become a large suburban district. Anyone who knows anything about Melbourne and Sydney will be aware that miles from the centre of those cities there are numerous suburban residences. I believe Sydney people are now building residences beyond Parramatta, and when I was in Melbourne a couple of years ago, five and

six miles from the city I saw very fine villa residences, buildings which must have cost a large amount of money, and so benefited the State in that way. I shall take this opportunity of saying something that I have had upon my mind for a long time. It is this: that in building suburban lines I think the Government might fairly consider the propriety of building them more upon the tramway system. We do not want very expensive railways for suburban traffic. I believe as a general rule they do not carry goods, but simply passengers, and I think that railways made more upon the same lines as tramways would answer all the purposes required—that is, to give facilities to persons residing in the suburbs.

The PREMIER: They are very expensive.

Mr. CHUBB: Probably the permanent way is expensive, but the rolling-stock is nothing like so expensive as the rolling-stock upon our railways. I know the initial cost of laying down the tram line is greater perhaps than with railways like ours, but when once the lines are constructed they require very little maintenance. The cost of maintenance amounts to almost nothing, and the cost of the rolling-stock is very much less because so much lighter. It might also be worth while to try motors driven by steam or electricity, which would possibly cost much less than the engines used upon our railways. I think that in any future scheme for additional railways about Brisbane, or any of the large towns of the colony, that should be taken into consideration. While perhaps it may not be advisable to dictate the railway policy of the future, I think there can be no objection to the House assenting to this motion, even if it were altered to the effect that in view of additional railway extensions the claims of Enoggera should have consideration. I do not think that should be left out of the question, and I believe that whenever the Government are prepared to consider the propriety of extending suburban lines, a railway in this direction will be found to pay as well as the Sandgate line.

Mr. BUCKLAND said: Mr. Speaker,—I am sorry I was not in the House at the time the hon. member for Enoggera, Mr. Dickson, introduced this motion, as I am therefore unable to follow him in the points he referred to during his address. But I am very glad indeed that he has introduced this motion. There is no doubt about it, Mr. Speaker, that lines in settled districts like Enoggera are the lines that it will pay to make. I do not know whether the hon. gentleman mentioned the large area of reserves in the Enoggera district. There are upwards of 6,000 acres there under reserves, and if that land was cut up and sold after the railway is in course of construction I am certain that it would more than pay for the construction of the line. It is a very favourite and healthy locality, and I am certain that it is a line that it will pay to make. There would be plenty of people to carry if the line were constructed to Sainford, and this is certainly a line that the Government should turn their attention to, because if there is one class of lines that will pay it is passenger lines as against goods traffic. I have great pleasure in supporting the motion.

Mr. WAKEFIELD said: Mr. Speaker,—I quite approve of the motion of the hon. member for Enoggera, and I think it is a great loss to the colony that the engineering skill we have could not see its way to carry the North Coast line through Enoggera. To have taken it through a populous district like Enoggera would have proved a very great addition to the paying properties of the North Coast line. We have seen the mistake made in previous years in the construction of the Sandgate Railway. If it had been taken through the Valley, no

doubt, instead of paying over 5 per cent. last year, we should probably have had a return of 7 or 8 per cent. over interest and working expenses. There has been a great deal said lately about carrying out our railway policy upon business principles, and there is no doubt that if a private company possessed our railways and the large area of reserved land which is now in the Enoggera district, they would not hesitate any time before constructing a line there, and afterwards sell those reserves which would bring in money enough to more than pay the cost of this line. I have much pleasure in supporting the motion.

Mr. McMASTER said: Mr. Speaker,—There is no doubt the metropolitan and suburban members will be charged with supporting this motion. I see the hon. member for Bundamba looking round and endeavouring to see who is going to support it. We are not so fortunate as he is in putting our foot down and getting ourselves banded together around the metropolis as he is.

Mr. FOOTE: You are a great deal more fortunate in getting your jobs done.

Mr. McMASTER: We only get done what we are justly entitled to, and what the Government believe will repay them and repay the country. Now, any person who knows the district of Enoggera and its neighbourhood will agree with me, and I am quite sure that every member of the Government, if they do not admit it now, must admit before long, that the day is not far distant when they must construct a railway through that district. The place between Normanby and the Pine River that thirty years ago was known as Cash's Station, contained some of the finest building sites in the suburbs of Brisbane, with natural drainage and ample water. If the Gympie line had commenced at Normanby and gone through Cash's Crossing, keeping four or five miles to the west of the present line, it would have tapped some excellent agricultural land. The route they have taken with the Gympie line, between Caboolture and Mooloolah, is very poor country, but five or six miles higher up there is excellent agricultural land, and no doubt they will soon have to run a branch line as a feeder to the North Coast line. I am sure the Enoggera district will demand a railway, and no Government can refuse to construct it. I believe it is desirable that suburban lines should be constructed to pay the cost of lines running through districts where nobody is living. Some of our railways are not paying working expenses; but in a district like Enoggera the people are there already, and we have only to make a railway to carry them. The settlement that has taken place along the Sandgate line, round the Albion and Nundah, is something extraordinary. I am surprised that a demand has not been made on the Minister for Works for more carriages to be put on the trains on that line. I have been coming up from Sandgate for the last few days, and yesterday morning there was only standing-room in the carriage. The train that leaves Sandgate at 8 o'clock was crammed full before it got into Brisbane. In the Enoggera district the people have no means of getting into the city except by buses, and it is stopping the progress of the district. The whole district round the Albion has been cut up into small lots and sold, though not all built upon, and I believe a line from there would be, if not equal to the Sandgate line, very close upon it as a paying line. I am certain that these suburban lines will materially assist in paying the cost of those lines where the population has not yet settled down. I intend to support the motion.

Mr. FOOTE said: Mr. Speaker,—The line proposed by the hon. member for Enoggera, Mr.

Dickson, is one that I have had in my mind for some time. Men in the city, and others who have business at the Enoggera saleyards, have spoken to me of the very great inconvenience and danger of having to take cattle out there in the morning on sale days or during the evening, and they express surprise that no accident has taken place, considering that the district is so populous, and that there are so many buses, and other vehicles on the road. I believe in suburban lines, because they are far more likely to return interest than those carried far into the interior. I should like the Railway Department to keep separate accounts of the different lines, showing which sections pay and which do not pay. At present they are all "boxed up," and it is a matter of conjecture which lines pay. One member says one line pays, and another says another pays, and in that way it would seem that all the lines pay according to the opinion of parties interested. But we know that a very great loss attaches to some of the lines, and the country has to bear the burden. I think that it should have an influence on the further extension of our railway policy how the lines pay. If a line does not pay to a certain distance, it should not be extended any further in the same direction—that is, pay up to a certain point, say 50 or 100 miles. The hon. member for Enoggera has made out a very good case. He has pointed out that the sale of the reserves would pay for the line, and I would remind the Government of the very advantageous bargain they made in reference to the Victoria bridge. They found the money for the bridge, and had certain lands as security placed in their power; and I am given to understand that the amount derivable from those lands will more than pay for the bridge. I am sure that the growth of population round Brisbane is so great that it is almost impossible to make a line in any direction that is not likely to pay. This short line would pay, and would also be a great accommodation to business men as well as the inhabitants of the district; and I shall therefore support the hon. member in his resolution.

Mr. ISAMBERT said: Mr. Speaker,—When my friend the member for Enoggera gave notice of this resolution, I could not help laughing, and it struck me that I could not do better than by following suit, copying the identical motion, and applying it to Rosewood. The Premier, in replying to my hon. friend, at the same time replied to the motion which I have on the paper. The hon. member for Enoggera ought to have known, from his experience as a Minister of the Crown, that his motion is quite impracticable.

Mr. DICKSON: It is nothing of the sort.

Mr. ISAMBERT: He ought to have known that the motion could not be entertained by the Government. They cannot pledge themselves to it. They do not know how long they are going to remain in power, or that they will come into power again. If the hon. member thinks he can get a railway built on a motion like this he is very much mistaken.

Mr. DICKSON: Why did you copy it?

Mr. ISAMBERT: If this motion were entertained there would be others brought forward involving the expenditure of an amount about as large as the last loan of £1,000,000. I have not the least doubt of that. It is well known that railway-building in the manner that has hitherto been followed is about played out. When the £10,000,000 loan was brought before the House I never expected that we should be able to borrow to the extent we have, and experience has shown us that we have about exhausted our

borrowing powers, or, at any rate, we have exhausted the rapidity of our borrowing. The last loan was almost a failure, and we can hardly go to the London market again. If the least disturbance should occur on the Continent, which is possible at any time, we should not be able to borrow at all. I propose to the Government that they should pass a measure having for its object railway-building by private enterprise—not by land grants, remember, but by guaranteeing a certain amount of interest—and with such provisions that if a railway were paying, the Government could at any time purchase it on definite terms. It would not be difficult to raise the capital to purchase it by way of loan, if we could show creditors the best of all security—that is, that the line, for buying which and incorporating it with the Government system the money was being asked, was paying.

Mr. W. BROOKES: That is not the question.

Mr. ISAMBERT: I shall make it the question. Under the system I propose, the Government would have no responsibility, except guaranteeing a moderate rate of interest, which was a thing the Government could safely risk, because we can hardly think of a railway being constructed by private enterprise without its remunerative character being well considered by the parties building it on their own account. We can scarcely conceive a company building a railway that will not pay.

Mr. W. BROOKES: I rise to a point of order. I do not see that the hon. member's remarks have any bearing upon the question before the House.

The SPEAKER: I presume the hon. member is referring to the question contained in the motion. I do not see any point of order at present, but I will remind the hon. member now, as he said he was going to refer to his own motion on the paper, that if he does so he will be quite out of order.

Mr. ISAMBERT: I think an answer was given to my motion in conjunction with this motion, and I hope the House will grant the construction of the line I shall move for. I shall move an amendment to the motion of the hon. member for Enoggera.

Mr. NORTON: Put your own railway in.

Mr. ISAMBERT: I propose to leave out all the words after the word "that" in the 1st line, and to insert in their place the words "this House is of opinion that the Government shall introduce during the present session a measure for the purpose of facilitating railway construction by private enterprise." I have not the least doubt that before twelve months are over, if my amendment be carried, the line mentioned by the hon. member for Enoggera will be in course of construction by private enterprise, and that similar railways will also be constructed by private enterprise. There is a large amount of capital accumulating here in the banks, and the owners do not know what to do with it. When the railways are built the Government can easily borrow the money to purchase them, and it will relieve the Government of a great amount of trouble.

Mr. W. BROOKES: Mr. Speaker,—I rise to a point of order. I wish to know whether the so-called motion of the hon. member for Rosewood can be accepted. It is on an entirely different subject from the hon. member for Enoggera's motion.

The SPEAKER: Do I understand the hon. member for North Brisbane, Mr. Brookes, to ask my ruling upon the amendment?

Mr. W. BROOKES: If you will allow me, I will put it in this way: Is the so-called motion which has been moved by the hon. member for Rosewood—

Mr. ISAMBERT: Amendment.

Mr. W. BROOKES: I suppose the hon. member calls it an amendment. I ask your opinion, Mr. Speaker, is it an amendment, or is it not something entirely different?

The SPEAKER: If the hon. member asks my opinion as to whether the amendment of the hon. member for Rosewood can be put to the House, then I will inform him at once that it cannot be put. An amendment must be relevant to the main question. The hon. member's amendment raises a totally different question from that before the House—namely, the construction of railways by private enterprise—and cannot be put.

Mr. ISAMBERT: In deference to your ruling, Mr. Speaker, I will withdraw my amendment; and as the amendment cannot be entertained, I will support the motion of the hon. member for Enoggera, with the view of introducing a similar motion, because I consider that I have received the answer of the Government to my motion as well as the hon. member for Enoggera, and just by way of impressing on the Government the necessity of entertaining some more suitable policy for meeting the demands for railway construction than we possess at present.

Mr. NORTON said: Mr. Speaker,—I do not know whether the hon. member for Enoggera intends to press the motion to a division. If a motion of this kind is carried, however desirable the railway may be, I think the Government will be placed in some difficulty, because they will have a policy defined for them, which they will naturally claim a right to define for themselves. As far as the proposed railway to Enoggera is concerned, I think the hon. member has said a great deal in favour of its construction. For some years there has been a great deal that could be urged in its favour, but I do not think that is a reason why this House should be asked to pass a resolution which can have no binding effect after the prorogation takes place, and which will at the best be an expression of opinion on the part of those who do not oppose the motion. Though some hon. members might be disposed to let the motion go if it stood alone, they will probably be inclined to oppose it when they see a probability of a shower of similar motions following it like a meteoric shower. The Government have a right to define their own policy, and we are bound to insist on their taking the responsibility of it.

The PREMIER: Hear, hear!

Mr. NORTON: We should not try to force them to take up a position which they themselves may not altogether desire, and which would, to a certain extent, relieve them of responsibility. A good many of us might bring forward motions of this kind if we thought proper. I might suggest the inclusion of a railway to Mount Morgan in the motion, and somebody else might propose some other railway. When I was at Mount Morgan a few months ago, I was asked at a public meeting if I would favour the construction of a line to that field, but I said I thought it was rather premature to propose anything of the kind. Since that time the population there has doubled, and the probability of a line being constructed there is increased every few months. It is hardly fair, however, to ask this House to hamper the Government with motions of this kind, and I hope the hon. member will not press it to a division.

Mr. GRIMES said: Mr. Speaker,—I hope the hon. member will not press the matter to a division. He has brought the claims of the Enoggera people to a railway before the House in very forcible terms, and, as far as we are able to judge, made out a very good case. In fact, I believe that the people of Enoggera have a grievance in this matter, and they have just cause of complaint that the railway to Gympie was not carried in that direction. No one who looks at the map can help seeing that the route mentioned by the hon. member for Enoggera is much more direct than the one chosen, and I believe, from my knowledge of the district, that there is no engineering difficulty in the way of a railway being carried through that district. We cannot tell why it was not taken in that direction, because it would have opened up another line for suburban traffic—traffic that we know from experience pays tolerably well. There is no doubt that the question of suburban railways will have to be dealt with in a general way, because we shall have a number of these railways cropping up. I have one, sir, as you know—a suburban railway—to bring forward.

AN HONOURABLE MEMBER: Two.

Mr. GRIMES: Yes—two railways to suggest, and no doubt there will be others. Therefore I should like the matter to be taken up and dealt with in a general way, so as to provide the best way of supplying the wants of the suburbs in the matter of railway communication. I am quite in favour of providing that accommodation. I believe it is absolutely essential in a hot country like this that we should distribute the people about the country districts instead of keeping them closed up in the cities, and we shall find that by doing so we shall add to the comfort and healthiness of the people. I trust the hon. member will not press the motion for a division. He has given the matter a good airing, and ably advocated the claims of Enoggera to this railway.

Mr. DICKSON, in reply, said: Mr. Speaker,—I regret that I am unable to accept the advice of the hon. member for Port Curtis, and also of my friend the hon. member for Oxley, because I should be acting untrue to my feelings, and to the representations I have made to my constituents, which were to this effect: that whenever any additional railway programme was submitted to this House by the Government it would be my duty to insist upon the recognition of the claims of the electorate of Enoggera to a railway. And I am not placing the Government at the present time in any position of embarrassment. With regard to this railway, I am not asking for its immediate construction, though I might have pointed out very forcibly to the Government that the resources at their command in that district are sufficient to justify the immediate construction of this railway. I do not think there is another electorate where the same area of available land could be immediately placed in the market and immediately realised at high prices as can be done in Enoggera, where there is sufficient to provide funds even for the capital cost of the construction of this line. I believe I should have been justified in calling on the Government to construct the line out of receipts from the sale of Crown lands in the district of Enoggera itself, and I am sure I could have demonstrated against all criticism that the value of the lands possessed by the Crown in the electorate of Enoggera, which will be beneficially affected by the construction of this line, is of such an extent, as I have already said, as would provide a capital sum sufficient to provide for the construction of the line. However, I do not want at the present time to surround the question with any side-issues as to the mode of construction.

I am not going to be led away by the arguments of the hon. member for Rosewood beyond saying, with reference to the construction of railways by private companies, that the hon. member should reflect upon the position of the main trunk line of railway in Tasmania, and he will then see how that colony has been prejudiced in the construction of railway lines by private companies subsidised by the State. There is no more glaring example than that, and it is, as "Junius" says, an example "not to encourage but to deter" the construction of railways in this colony by private companies fed by a State endowment. However, I am not to be led away or to merit your rebuke, sir, by travelling outside the lines of the present motion. I must say that I was surprised at the speech of the hon. member for Rosewood, because if my example in submitting this motion is in his opinion a bad one why should he follow it, copying my motion in its exact words and actually sheltering himself behind me? But I have stood the brunt of it, and I must express my gratitude to those hon. members who have supported me in the matter. As I have already intimated, I do not wish to embarrass the Government, nor do I think that the carrying of this motion will do so in any way. It will relieve me from the imputation of not having represented the matter to the House, and I leave it to the Government, at a future time—next session—to consider this question, when they will undoubtedly be called upon to consider the question of extended suburban railway construction. There is no use disguising the fact that no Government will hold the reins of power in this country if they come forward and say they will stop railway construction for the present. Depend upon it, sir, railway construction will have to be proceeded with, and prominently above all other railway construction which will be justified is that of suburban extension, from which an immediate revenue will be derived and which, as we have seen from the returns of similar railways in New South Wales and Victoria, will not only pay interest and working expenses, but will also, from the commencement, furnish a handsome revenue. They are reproductive works which we should construct at the present time, and I am sure that prominent among them will stand the railway through the electorate of Enoggera. I trust I shall receive the support of hon. members on this question. I cannot withdraw the motion even on the representations of the hon. member for Port Curtis, whom I very much respect, or of my friend the hon. member for Oxley. In duty to my constituents I must respectfully ask the House to affirm the motion.

Question put and passed.

#### CLAIM OF MR. E. B. C. CORSER.

##### REPORT OF SELECT COMMITTEE.

Mr. ANNEAR, in moving—

That the House, will, at its next sitting, resolve itself into a Committee of the Whole to consider the following resolutions:—

1. That the report of the select committee appointed to consider the petition of Mr. E. B. C. Corser, and laid upon the table of the House on the 15th September, be now adopted.

2. That an address be presented to the Governor, praying that His Excellency will be pleased to cause provision to be made out of the loan vote for the payment to Mr. E. B. C. Corser of the sum of two thousand three hundred and fifty-nine pounds sixteen shillings (£2,359 16s.) as compensation, as recommended by the said committee.

—said: Mr. Speaker,—I daresay hon. members are very conversant with the matter referred to in the motion, as it has been a long time before the country and before this House. I will ask hon. members to extend to me that indulgence,

while I go through this case, that has been extended to other members when dealing with similar cases. I will try, if possible, not to be tedious while I quote from the minutes of evidence and proceedings of the select committee appointed to deal with this matter. As hon. members are aware, this question has reference to the resumption of a piece of land for the wharf branch of the Maryborough railway. Up to within two or three years since, the railway came down to March street, where it stopped, crossing March street to the end of Wharf street—that was, the end of Wharf street up to Mr. Corser's property. At that time, before the railway resumption, several proprietors of land through which this railway was to pass offered to give their land for nothing if the Government would construct the railway; but the owner of the land referred to in this motion distinctly gave the Commissioner to understand that he would not give his land. I shall refer directly to a letter which he wrote to the Commissioner. Mr. Corser, the present proprietor of the property, leased this land with the right of purchase. Almost at the commencement of his lease he began to erect expensive buildings, and also constructed an expensive wharf, showing that he was fully determined, from the very first, to purchase this property. The property originally belonged to the late Mr. Thomas Walker, of New South Wales. When Mr. Walker heard that it was the intention of the Government to resume this property, he wrote the following letter to the Commissioner for Railways:—

“Yaralla, Concord,

“Near Sydney, May, 1883.

“SIR,

“Having been absent from the colony, I only lately had the honour to receive the two letters addressed to me by you, under dates 14th December and 24th January respectively. In reply I beg leave to state that I am owner of the land to which these letters refer, and that I extremely regret to learn that it has been proposed to make an extension through it of a line of railway, which, I understand, has already reached the navigable waters of the river Mary, and has a terminal station established there. It appears to me that an extension such as the one proposed would be of advantage only to two or three owners of waterside property, and it would certainly inflict on me a serious pecuniary injury, as owner of a property of a similar kind, which happens to be situated somewhat nearer than others to the railway terminus now existing. I am not prepared to state, at present, the amount of the compensation I should consider due to me were the proposed extension made through my land; but I cannot doubt that it would be very large; for my property would, in that case, be depreciated in value to an extreme degree in being divided by a railway into two very unequal portions, and by having the larger one separated and excluded from that which forms the chief value of the whole, the waterside frontage.

“It seems to me that the effect of an extension such as that proposed, apparently in the interest of the two or three waterside land owners, would be almost tantamount to a confiscation of part of my property.

“I have, etc.,

“THOS. WALKER.”

The Commissioner in due course communicated with Mr. Corser, and informed him that it was the intention of the Government to resume his land, at the same time offering him the sum of £250, which sum Mr. Corser refused, and elected to go to arbitration. Now, Mr. Speaker, it is laid down in the Railway and Tramway Extension Act of 1880 that the arbitrator must do certain things. These I will read, and it will be for hon. members to say, after hearing the evidence in connection with this case, whether the arbitrator has in any way fulfilled that duty. The Act says that—

“Every award made by the railway arbitrator shall set forth separately—

- (1) The amount of damage found by him to be sustained by the owner or party interested in

the land taken, used, or temporarily occupied for the purpose of the railway or tramway, or injuriously affected by the construction thereof;

- (2) The amount by which the value of other land of such person or party is enhanced by the construction of the railway or tramway;
- (3) The amount by which the value of the land injuriously affected is enhanced in other respects by such construction;
- (4) The net amount of compensation payable to such owner or party.”

Now, Mr. Speaker, an arbitration court was held in the town of Maryborough before Mr. William Thomson. Mr. Thomson, after hearing the evidence of seventeen witnesses on behalf of the claimant, and six witnesses on behalf of the Commissioner, makes his award as follows:—

“Now know ye that I, the said arbitrator, having heard the said parties and fully inquired into the matters referred to me, do award and adjudge that there is due and payable in respect of such matters from the said Commissioner to the said E. B. C. Corser the sum of two hundred and fifty pounds (£250) sterling. And I find that the residue of the claimant's land is enhanced in value to an extent equal to the difference between the amount claimed and the amount awarded. And I award the sum of two pounds and two shillings (£2 2s.) sterling, and the sum of fifteen shillings (15s.) sterling to be paid by the said claimant, as costs to solicitor, and expenses of one witness, for the said Commissioner respectively. And I certify that this my award is made on the assumption that the Commissioner will not fence, on either side, the land resumed. Should the land be fenced on either side by the Commissioner I reserve to myself the right to deal further with this claim.”

That is Mr. Thomson's first award. The case was again heard and the same witnesses examined, and this is the award:—

“Now know ye that I, the said arbitrator, having heard the said parties and fully inquired into the matters referred to me, do award and adjudge that there is due and payable in respect of such matters from the said Commissioner to the said E. B. C. Corser, the sum of two hundred and seventy-three pounds twelve shillings and sixpence (£273 12s. 6d.) sterling: And I find there is severance: And I find there is also enhancement in the value of the residue of the claimant's land: And I make no order as to costs in this case.”

“And I certify that this, my award, is made on the assumption that the Commissioner will not fence, on either side, the land resumed. Should the land be fenced, on either side, by the Commissioner, I reserve to myself the right to deal further with this claim.”

Hon. members will notice a letter from the Commissioner to Mr. Corser, in which he offers him £250, and I want to call hon. members' attention to the fact that Mr. Thomson's first award is the sum which the Commissioner offered. The Commissioner says:—

“In the event of your refusing this offer the matter will have to be referred to arbitration, the department reserving to itself the right of fencing in the railway line, and thus debarring you from the use of the frontage to the land resumed for railway purposes.”

Now, sir, the witnesses who gave evidence in this case are known to a good many hon. members of this House. Most of them have been known to me for the last twenty years in the town of Maryborough. The first witness was Mr. Frederick Bryant, a gentleman who is a large property owner. He values the damage at £4,135 without deterioration. Mr. H. C. Thorburn, a competent authority, who does a good business in Maryborough, values the damage at £4,300. Mr. F. J. Charlton, a licensed surveyor, gave evidence as to the position of the land; Mr. Christoe, another competent authority, values the damage at £3,680. Mr. James Buchanan, a man who has been living in Maryborough for twenty-five years, values it at £3,180. Mr. George O'Kane gives the value at £3,960, not allowing for deterioration. Mr. John Byrne also gives the value, and it may be contended by some hon. members that a statement made, which Mr. Thomson himself admits to be clearly proved,

was not in every particular correct. I can assure hon. members that the A.S.N. Company paid Mr. Corser the sum of £120 a year for a right-of-way through his property, and it is in evidence that Mr. Cherry, the agent for the company, stated that they would have paid him £200 a year rather than sacrifice that right. Mr. John Woodyatt, the proprietor of the *Maryborough Chronicle*, a gentleman who has had considerable experience both in Maryborough and Brisbane as to the value of property, valued the loss at £5,280. Mr. Brennan puts it at £4,000; Mr. Linklater at £4,400; Mr. Edward Francis Hanley gives the loss by resumption at £4,200; Mr. Nicholas E. N. Tooth, a gentleman who has been mayor of Maryborough four or five times, values the land at £5,000, without deterioration. This is Mr. Tooth's evidence:—

"I am an ironfounder, and at present occupy the position of mayor of Maryborough. [Looking at Exhibit A.] I identify the land which is the subject of this inquiry. I certainly consider the residue of Mr. Corser's land was decreased in value by the line running through. I assess the damage at from £4,000 to £5,000. This applies only to the loss by deprivation of right-of-way. I think the value of the land at the date of the resumption was £40 per foot. I consider Mr. Corser has suffered inconvenience by the receiving store having to be built on the eastern side of the line. The capitalised value of the annual loss by extra cartage is £2,500."

Mr. Keith, the proprietor of the *Wide Bay News*, a gentleman who has resided in Maryborough for over twenty years, values the land at £5,000. Mr. Corser himself was examined, and I shall refer to his evidence by-and-by, but he clearly proves the loss that he has sustained in consequence of the loss of the A.S.N. Company's rent. Now, Mr. Speaker, this case is heard in Maryborough: the whole of these gentlemen give evidence, and the whole of their evidence is ignored. I shall show by-and-by, by reading the statements of the arbitrator himself, that he has a very novel way indeed of arriving at a conclusion upon evidence. Mr. Corser, after the decisions that had been given, presented a petition to this House, and on that petition a select committee was appointed, consisting of the late Mr. Miles, Mr. Macfarlane, Mr. Pattison, Mr. Ferguson, Mr. S. W. Brooks, and the mover. Owing to the death of the Hon. W. Miles, Mr. Rutledge was appointed in his place. When the committee met they found that Mr. King, instructed by Macpherson and Miskin, represented the claimant, Mr. Corser; and the committee instructed the shorthand writer to inform the Commissioner for Railways that the claimant was represented by Mr. King as counsel. The shorthand writer, next day, stated that he had written to the Commissioner for Railways in pursuance of the order of the committee. I wish now to call hon. members' attention to the sitting of the committee on Thursday, 1st September, the report of which will be found at page 8. Mr. Thomson, the arbitrator, was present, and was examined by the Attorney-General, who was a member of the committee, and also, we thought, representing the Government. The Attorney-General said to Mr. Thomson:—

"I want you to listen to paragraph 10 of the petition:—

"After hearing the evidence on both sides, the said Railway Arbitrator found that the loss sustained by your petitioner by reason of the said resumption was equal to the amount claimed—viz., three thousand nine hundred and sixty pounds—but that the residue of your petitioner's property was enhanced in value to the amount of three thousand seven hundred and ten pounds by the extension of the railways, and he thereupon awarded to your petitioner the sum of two hundred and fifty pounds as compensation."

Hon. gentlemen will see throughout the whole of Mr. Thomson's evidence that he does not, in a

single instance, show how the property was depreciated or how it was enhanced in value, as it was clearly his duty to do. He was asked:—

"You found that there was 40 feet frontage resumed; did you? Yes.

"And do I understand that you did not come to any conclusion, or arrive at any finding, as to what the amount pertaining to, or as to what the land resumed was? No; not an exact amount. I have no record of it. My memos. by which I arrived at this were, I think, all destroyed.

"All I want to know is the fact whether you arrived at a finding. You had the claim before you, I presume, stating all these particulars contained in paragraph 6—I want to be clear on this point—I understand that you did not arrive at a finding as to the value of the resumed March-street land? I found that, as I have already stated. That £1,560 shows that—

"No, no! I want you just to answer my question; you can explain fully afterwards. Did you arrive at a finding as to the value—Yes or no—per foot of the March-street frontage that was resumed—did you come to any conclusion? Oh! yes, I came to a conclusion; but I destroyed all the pencil memoranda I had with regard to that, and merely took the final result. I have not got that now. This [referring to a paper] was the result of the process of calculation."

I will next call attention to question 42, and hon. members will see something of a novelty introduced here:—

"Well, you have told us, Mr. Thomson, that you have found, as a matter of fact, that there was a total loss to the claimant, arising from the resumption of his land, of £1,560. Now, be kind enough to explain to the committee in your own words and your own way the process by which you arrived at that result?—First of all, we are dealing with the loss sustained by resumption? Well, it is some time ago. My general process is first, to take down the evidence of each witness, and add them all up together, and then take the average of the whole number of witnesses on each principal point—the value of the land taken, the value of the land damaged by severance, the enhancement of the land by the making of the railway. These are the three items that require my attention. I am certain that I did so in this case."

Hon. members will see it was not done in any part of his evidence. He goes on to say:—

"Though I was comparatively new to the work at the time, yet since and recently I have always preserved those things; because they are very useful to me to refer to. I have not got my memoranda in this case; but that was my usual process. Then I made my own estimate from my own observation. I may mention to you that I was so instructed when I entered upon the duties of my office; that I should see the land myself; and I have seen it in all cases. I understand that to mean that I was to exercise my own judgment as to the value of it in coming to a conclusion—the value both of the land and the damage sustained—all the surroundings."

The next question to which I will call attention is question 46:—

"Then, do I understand, Mr. Thomson, you considered, in arriving at a conclusion as to the amount of loss or damage sustained being £1,560, that the claimant had greatly over-estimated the value of the March-street frontage of his land? All that part of it resumed—I think so; because of this, for one reason—I had for long the knowledge that this land was liable to inundation by any considerable flood in the river. That lowered the value of it in my opinion. I gave due consideration, however, to the value of the testimony before me. I had great respect for the evidence given in my presence by the witnesses who were examined."

I am sure hon. members can come to no other conclusion than that Mr. Thomson could have had very little respect for the seventeen impartial witnesses and the evidence they gave, when he gave a decision entirely adverse to the testimony of every one of them. I will ask hon. members to look at question 55:—

"What percentage of value do you think has been put on the March-street land by the erection of that hotel? Oh! I could not say. You mean the remainder of Mr. Corser's land up to Kent street?—

"Yes? No; I have put no value on it.

"What I want to know, now, Mr. Thomson, is—whether you had, at the time you arrived at your finding, any opinion of your own as to the value of the March-street frontage resumed by the Commissioner—previous to the erection of the Grand Hotel—apart from the evidence that was given at the hearing? No, I had not."

Mr. Thomson was asked at question 73 :—

"Will you state what are the facts which led you to believe that the property had been benefited to the extent of £1,310 by the resumption?—Are there any facts that you can now state to the Committee?—We want to get the fullest light on the subject. My questions are asked for the purpose of getting information down to the bottom? I shall be glad to give my best assistance."

"I have no facts. We want facts from you. Can you state anything, any fact, which led you to the conclusion that the property of the claimant had been benefited to the extent of £1,310 by part of it being resumed? Yes. Knowing it well thirty years ago, I was greatly impressed with the improved aspect of the whole place by the formation of the railway and the road alongside of it. I think still it is improved and enhanced in value, and all the property lying between Wharf street, the frontage of the Grand Hotel, and Kent street."

Hon. members know what improvement has taken place not only in Maryborough but in all the towns of the colony since thirty years ago. I ask hon. members to refer to question 82 :—

"Can you tell us whether, as a matter of fact, any traffic was permitted along there; do you know of your own knowledge, or have you any evidence of it, previously to the resumption? I do not know from my own knowledge. I presume, from the evidence put before me, that the only way for it was by going through Mr. Corser's land."

No one had a right to cross Corser's property until the railway was constructed, but now that the Government have resumed that land every person holding property above Corser's uses his land as a public street. I then come to question 88 :—

"Do you know how long Mr. Corser has had the land? I think he stated in his evidence about seven or nine years. I do not know in any other way."

"Have you any other facts, apart from the facts stated in the evidence, which led you to arrive at the figures £1,560 loss, and £1,310 gain? No; I have no other facts."

That finishes the evidence given by Mr. Thomson in answer to the Attorney-General that day. He is then cross-examined by Mr. King, as follows :—

"By Mr. King: When this matter was referred to you, Mr. Thomson, by the Commissioner for Railways, did you receive any instructions or a copy of the claim from him? A copy of the claim."

"On which you were to adjudicate? I received the ordinary notice only at that time."

"Have you that notice here? Yes; I have. [*Document produced. Appendix D.*]

"There is a note on the face of it that the claim is for £3,960? Yes; I think so."

"Was the claim subsequently amended by a further claim for £2,000 in respect of fencing the line? Yes. This was amended by letter and by a similar notice to this, Mr. King. Yes; I was aware of the additional claim."

"On the first hearing of the case, in giving your award, you excluded that claim of £2,000 in these words :—

"I certify that this my award is made on the assumption that the Commissioner will not fence on either side the land resumed. Should the land be fenced on either side by the Commissioner, I reserve to myself the right to deal further with this claim?"

"Yes."

"So that the claim you dealt with on the first occasion was for £3,960? Yes."

"And you gave the following award :—

"That there is due and payable in respect of such matters from the Commissioner to the said E. B. C. Corser the sum of £250 sterling. And I find that the residue of the claimant's land is enhanced in value to an extent equal to the difference between the amount claimed and the amount awarded," &c.?"

"Yes; that was the first one."

"Take £250 from £3,960—what does it leave? £3,710. "And the claim with which you were dealing was one for £3,960? Yes."

"And you awarded the claimant £250, and found that the residue of his land was enhanced in value, 'to an extent equal to the difference between the amount claimed and the amount awarded'?"

"Yes."

"Is not that equivalent to finding that the land was enhanced in value £3,710? No; because I allowed £1,560 for the value of the land resumed for the railway. Then there were other considerations. This award does not express all that I meant."

Question 107 is as follows :—

"Do you say, Mr. Thomson, that you were not bound, as Railway Arbitrator, under instructions from the Commissioner, by the Railway and Tramway Extension Act, 1880? I am not, unless proceedings are laid under that Act. That is what I contend."

"The Railway Arbitrator has nothing to do unless he acts under the instructions of the Commissioner? If you will read this notice, at the top you will find the proceedings held under the Act of 1872."

I always thought, Mr. Speaker, that the arbitrator sat in court, heard the evidence that was placed before him, and was guided by that evidence; and that he was altogether away from the control or dictation of the Commissioner for Railways. I am sure hon. members must see that in this case the arbitrator was entirely under the control of the Commissioner; and not in this case only but in others, where it can be proved that after hearing the most convincing evidence the arbitrator has actually awarded no more and no less, even to the very penny, than the amount which had been previously approved by the Commissioner. Hon. members will see from the evidence that my contention is fully borne out. Question 114 :—

"When did you draw up your first award, Mr. Thomson? I think on the date that it is dated, or it may have been a day or two previously. I had been engaged upon it for many days before, and I was very much occupied with that case. The date will show."

"That was some considerable time after you held the court at Maryborough? Oh, yes. I thought the matter required very serious consideration. I sought information in every instance in order to enable me to come to a proper conclusion."

"You took ample time to prepare the award? Yes, I think so."

He thinks this matter is of such great importance that it requires every consideration, and yet when he is asked to produce papers whereby he arrived at that conclusion, he said, "I have lost them; I have destroyed them; I have not any of the memoranda by which I arrived at that conclusion." I will ask hon. members to look at question 141 :—

"It was proved that Mr. Corser received £120 a year for the right of way across his land? Yes; I do not doubt that. It is quite satisfactory to me."

Thus a man's property is seized against his wish, and his rent is taken away from him. Mr. Cherry, the agent for the A.S.N. Company, said they would have given £200 a year rather than lose it, and Mr. Corser is offered the large sum of £250 as compensation. The committee adjourned, and met again on Friday, the 2nd September. Mr. Thomson had been asked to produce, if possible, some of the papers which he said he thought he might find, but did not think he could. Mr. Thomson was called in and cross-examined by Mr. King, beginning at question 201 :—

"By Mr. King: Have you got any further figures relating to the manner in which you arrived at your valuation? Not with regard to the first court, Mr. King. I considered that when the second award was issued the first was cancelled, and I did not preserve any memoranda of it; I cannot find any of them anywhere. But I have since found, on examining my papers connected with the second award, that the basis on which this was made is fully explained."

"Have you got those figures? Yes."

"Will you lay them before the committee, now? I can read them to the committee.

"Will you let the committee know how you arrived at your award? Yes; it will be gradually disclosed as I go on [referring to notes]. In the evidence given by Mr. Blaine, the railway valuator, he stated that his valuation—or rather, in consequence of what Mr. Blaine stated, I made inquiries from the Commissioner for Railways, and found, as stated by Mr. Blaine, that his valuation was founded on a document in the Railway Department. I saw that document."

Mr. Blaine, I may inform hon. members, is a gentleman from Ipswich, who was appointed railway valuator. I do not think he was ever in Maryborough before until he went there to see this land and value it. It must be remembered that there were fifty-two feet of frontage in March street taken away from Mr. Corser, which several competent witnesses valued at £30 a foot. Mr. Blaine gives no value for that whatever. Question 230 :—

"I want to understand that the £273 12s. 6d. represents the whole value of the land resumed. Nothing is deducted? I told you my reason for accepting Mr. Blaine's value of the land.

"You say that the enhancement in value makes up for the damage by severance, and that therefore £273 12s. 6d. is the value of the land resumed. I ask you is that the value of the land? Yes.

"What did you allow for the loss in respect of Mr. Corser's claim for loss of rental, £120 a year? I have no record of what I allowed for it.

"Did you allow anything? I have told you my reason for accepting this value of Mr. Blaine's. That was included in it.

"That valuation of Mr. Blaine's relates only to land. What did you allow Mr. Corser for loss of rental? Nothing specific.

"Will you explain what you mean by 'nothing specific'? I have already given my reason for accepting Mr. Blaine's valuation of the land."

Mr. Corser is then examined by Mr. King. He is asked :—

"By Mr. King: Mr. Corser, before the resumption was made, had you any shipping business in connection with your wharf? I had a very large shipping business.

"Had you any agencies? I was agent for the Queensland Steamship and British India Companies.

"Has the extension of the railway through your property made any difference in the advantages of your wharf? It has made a great difference. The adjoining properties, more especially Walker and Co.'s, were not improved previously to any great extent for wharfage purposes. There was only a mere jetty there. After the resumption of my land, the company erected a large wharf and entered into competition with me for the agencies of the Q.S.S. and B.I. Companies; and the companies informed me that Walker and Co. had made them an offer to do what I was doing for much under what I was getting as their agent, and that offer was accepted."

I will ask hon. members to look at the map, and they will see that by the resumption of Mr. Corser's land the whole traffic was diverted up to John Walker and Co.'s property.

"Would it have been possible for them to do that business, or to go into that business, if there had not been a road opened? The public would not, I think, have shipped by any company running to their wharf, unless they had the facility of crossing the Bank of New South Wales's property and my own, and unless there was some inducement given by way of freight.

"Was there any means of access to their wharf as convenient as the access by the resumption? Certainly not, to my mind.

"In that respect the resumption has prejudiced your business by bringing the neighbouring wharves, removed so much higher up, to compete with you? It has decidedly.

"That has produced in the freights a reduction of your income from the wharf? Yes. At present the income from the wharf is not £120 a year. I was receiving, in some instances, as much as £800 a year from it.

"With reference to this road that passes over the resumption: Mr. Corser, are you aware whether this has been dedicated as a public road? I understand not, in any way."

Then a member of the committee, Mr. S. W. Brooks, asked Mr. Corser the following question, 264 :—

"You were not one of the parties who held out to the Commissioner and the Minister for Works that the land would cost nothing? No. In fact I had not the power, at the time, to do so."

That is not of much importance. Then question 276 :—

"The notice of resumption was issued about the same date—when the negotiations for the purchase were going on? The negotiations for purchase had been entered into for seven or nine years before the actual purchase. All the buildings that were erected on the property for the last ten years, including the wharf, were built by myself."

Now, it has been contended that Mr. Corser bought this property knowing that the railway would go through it. Well, if he did so, he also bought the property knowing that the owner of it had told the Commissioner that he should look upon it as confiscated land if the railway went through it. Being a resident of Maryborough, I know that from the time Mr. Corser leased this property with the right of purchase he began to erect expensive buildings upon it, and that at the date of resumption Mr. Corser had spent about £12,000 in the land, buildings and improvements. That is sufficient to show that he had every intention of buying the property. The land and improvements up to the present have cost nearly £18,000. I have referred briefly to this case. I know that other members of the Committee are far more able to go into the details of it than I am, and any omissions that have been made by me will, I feel sure, be supplied by them. This is a case, Mr. Speaker, that affects not only Mr. Corser; but every person in this colony who is the owner of land through which a railway may pass, and which may be resumed, may be treated in the same way by the Railway Arbitrator that Mr. Corser has been; because hon. members know that under the Railway Resumption Act the award must be £500 before the owner of the property can appeal to the Supreme Court. Now, sir, I have given my opinion, and all these witnesses do not dispute the values that have been made. Even the arbitrator himself does not dispute them, but says in words which cannot be misunderstood, that they are correct values. And how he could have decided to give the claimant only £273 I am at a loss to know. The committee took evidence, and the whole of the evidence placed before them is enclosed in this report. I have introduced this matter to the House believing it to be my duty to do so, and knowing the circumstances of the case, I wish to assure hon. members that there is nothing of a political character in the matter at all. Mr. Corser himself is a political opponent of mine. He did all he could by spending his time and his money to prevent me from occupying a seat in this House. But, sir, I have always found Mr. Corser a straightforward man, and such being the case I deemed it to be my duty, when requested to do so, to bring the matter before this Assembly. The committee found the total valuations to amount to £3,859 16s., but they say that by the making of the railway, and by Mr. Corser erecting an hotel on the corner of the land, it has increased in value to the amount of £1,500. They deduct the £1,500 from the £3,859 16s., and recommend this House to pay to Mr. Corser the sum of £2,359 16s. Now, Mr. Speaker, as I said before, this system refers not only to the present case, but to others. This opens up the working of a system which, in my opinion, is entirely wrong. We ought to have a different system altogether—a system carried out in a different way altogether from the manner in which this case has been by the gentleman who is now

known as the Railway Arbitrator. Why, sir, let any hon. member read the evidence taken. All the evidence is a dream; all that had taken place in Maryborough is a dream to that gentleman. He knows nothing at all about it. Anything he might have known we cannot tell, as almost all the papers he might have had in connection with this case are destroyed. We could get no information from him, and the committee in their report say:—

"They examined *vide voce*, the Railway Arbitrator, Mr. William Thomson, whose examination, though long, and voluminous in regard to both matter and time, yet, as evidence, being at once vague and unsatisfactory, was of little value in helping the committee to a right understanding of the case or in arriving at a conclusion upon its merits. The claimant, Mr. E. B. C. Corser, also, was examined orally. The minutes of evidence of these witnesses is presented, together with certain documentary evidence furnished by them."

I have no doubt, Mr. Speaker, that every hon. member has read the evidence in this case, and I feel sure that they can come to no other conclusion than I have come to—that Mr. Corser, by this gentleman—this Railway Arbitrator—has been very unjustly dealt with. I shall now conclude by moving the motion.

The MINISTER FOR WORKS said: Mr. Speaker,—I shall begin by expressing the hope that hon. members have had the patience and industry to go through the very voluminous, and, I may say, in many respects inconsequent, evidence that has been taken at different times in this case. I shall deal with the different items that have been given here, making up the sum of £3,859 16s. for compensation for different reasons and for different purposes connected with this resumption. First of all there is the sum of £1,200 for 40 feet frontage to March street, at £30 per foot. I shall deal with that later on, after having gone through the other items. Next there is £120 for 12 feet frontage to March street. Now, it is not quite clear whether this is an actual resumption of land by the Government, or whether it is compensation for the reduced value of a piece of land running back along the boundary of the resumption. It appears to me to still remain a portion of the unresumed land, and I certainly cannot understand what deterioration in value there has been to a piece of land which is not separated from the unresumed portion, and for which the committee have recommended the payment of £120. Where does the deterioration come in of the value of that piece of land, which is bounded by the lately resumed land on the one side, and by the balance of the property, of which it is still a portion just as much as it ever was, on the other? Why should, under any circumstances, an allowance of £120 be made for this land, which is left in the original owner's hands, and which has not deteriorated in value any more than any other portion of the unresumed land? I cannot, consequently, see the vestige of a claim that can be put forward in support of this sum of £120 by way of compensation. If hon. members will look at the map, they will see that this piece of land, described here as having 12 feet frontage to March street, runs back in a triangular shape, as compared with the line of resumption, but it is left as much a portion of the unresumed land as any other part of it.

Mr. DICKSON: Has it been resumed or not?

The MINISTER FOR WORKS: As far as I can understand it has not been resumed. It is as much Mr. Corser's property now as ever, and is not deteriorated in the slightest degree. How the committee could have recommended that he should receive anything for that is beyond my apprehension entirely; the ground is not detached from the unresumed portion or deteriorated in value in any way. The next item is "£1,800 for

loss of rental from right-of-way—£120 per annum capitalised at fifteen years' purchase." Now, I would ask hon. members just to look at Mr. Cherry's evidence in this matter on page 34. He was, I think, the agent of the A.S.N. Co.:—

"Mr. Stafford: Notwithstanding that you still paid at the rate of £120 till the land was resumed?"

"Mr. Cherry: Yes.

"Mr. Stafford: Are these terms embodied in the agreement?"

"Mr. Cherry: Yes: the lease of the wharf is embodied in the agreement. It is for the lease of the wharf we paid £120 per annum.

"By Mr. Arbitrator: Did the agreement say anything about the right-of-way?"

"Mr. Cherry: It said nothing about the right-of-way, but it was for the purpose of the right-of-way that we leased the wharf."

There was no question in the agreement at all about the right-of-way; they were paying £120 a year for the wharf, and that continued for twelve months only. When that agreement terminated, it was only continued from month to month. The owners of the land, of which the wharf formed part, had direct access to their own land, but the temporary occupants being the A.S.N. Company, they had more convenient access through Mr. Corser's land. What proportion of the whole amount was paid for the wharf and what for the right-of-way is not shown. It was a temporary arrangement, and yet the committee award fifteen years' purchase—£1,800. Was ever such a monstrous thing proposed by anyone—that such a claim could possibly be recognised for a moment? Anybody in possession of that land, of which the A.S.N. Company's wharf formed the river frontage, could by spending £100 or £200 make a road straight from their wharf to Kent street, which would have been as convenient and as easy of access; but as they were only temporary occupants of the wharf, and probably knowing that they were not likely to remain long in existence as a shipping company, they preferred to pay a trifle—it is not shown whether for the wharf or the right-of-way—they were prepared to pay a trifle to get easy means of access through Mr. Corser's land. Yet for this he claims a rent in perpetuity, capitalised at £1,800. Any other man holding that land could say, "I can spend a couple of hundred pounds, and have easy access to Kent street, which is all I can possibly require, having a frontage to that street." What would any ordinary sensible man of business think if a claim of that kind were put forward against him? He would think that either the man who made such a proposition was a fool, or thought he was a fool, to consider it for one moment. Would any man who had land with a frontage to the river and a frontage to a street be likely to pay any sum at all for the right-of-way through an adjoining holding? Yet the committee have chosen to assume that the owner of this land would pay £120 a year for all time for a right-of-way, rather than take the road through his own land to the natural outlet—the street provided for him. Then the next item of £150—

"For expenses entailed by having to cart goods from wharf to receiving store on other side of resumption."

I will not say anything about that—I do not know how it is made up; it may be correct or it may not—there is nothing in the evidence to show what it is. Then we come to—

"Personal and other expenses, £300."

What personal and other expenses is he entitled to in a matter of this kind? On the assumption that he was not offered a fair thing by the arbitrator the last time, he might possibly have some claim for personal and other expenses, since he had to bring the matter before a committee of

this House and contest it; but not otherwise. It has still to be shown that the arbitrator was wrong, and I maintain that he was entirely right in his finding, though, he may not have shown distinctly how he arrived at it. I maintain that the results are correct, no matter how they were arrived at. The next item is—

“Interest on £2,070, at 8 per cent., for one year and nine months.”

How is he entitled to the interest on that while the case is in abeyance and has to be tried? If this were a sum of money that had been withheld after he had a verdict from the arbitrator or the Supreme Court or a committee of this House, he might have a claim to put forward; but until that money can be claimed by him, by having been awarded by any legal tribunal, he certainly has no claim whatever to interest. After an award has been made by any tribunal whatever, then he would have a claim; but until that has resulted he certainly has not the shadow of a claim to any interest. A man might as well ask, when he gets a verdict in the Supreme Court, that he should be allowed interest for the time preceding it, when the Court was the one to determine the thing in the first instance, and not the refusal of the other side to pay a fair thing. Now we come to the value of the land resumed. That was the first item, and a very important one—£1,200. At the time that the notice of resumption for railway purposes was given, this property was acknowledged to have been the property of the late Thomas Walker, of New South Wales, and Mr. Corser was, I believe, his tenant. He admits that he was his tenant. Mr. Rutledge asked:—

“I think you said the rent you paid was—? £312.

“What was the total area of land for which you paid that rent, including the water frontages? I do not know exactly the area. It goes right through to Kent street.

“How long had the lease been current when you did purchase?—at the time you purchased? I cannot tell exactly; but it must have been current about eight years.

“And what price did you pay Mr. Walker for the land? That I could not tell without referring to my books, because some of the buildings were taken into consideration.

“What amount did you pay—approximately? I think, Mr. Rutledge, as this is a matter of commercial transactions, I should not be asked to put those particulars before the committee.

“We must be inquisitive—? If the land had been given to me by Mr. Walker, the loss to me by the resumption would be as much.

“I do not say it would affect the substantial character of the claim; but I think it is a matter on which we should have some information. It seems an inquisitive question; but I think we are bound to ask it. You do not care to answer? I should prefer for special commercial reasons—because I do not wish to convey an erroneous opinion as to its value.”

Mr. Corser said, when he was asked what he gave for the land, that for special commercial reasons he did not care to answer that question, and he was not pressed for an answer as to what he really did give for the land. But there are other sources from which we can get that information, although the committee did not think it necessary to force Mr. Corser to give an answer, which I think ought to have been done. There are no reasons that I can conceive why they should have allowed him to withhold it. It was a very important piece of information to the committee, to enable them to come to a reasonable conclusion as to whether the claim was a fair one or not. Now, there are other sources from which this information can be obtained, and I will let the Committee know what they are. The records of the Real Property Office show that the allotments 1 and 2, section 104, town of Maryborough, which is the land in question, were conveyed to Mr. Corser,

by the late Mr. Thomas Walker, in consideration of the payment of the sum of £500, and in further consideration of a mortgage upon it being currently executed in his favour to secure the payment of another sum of £500. Now, that shows conclusively, from documents that cannot be contradicted, what was paid for the land. The conveyance was dated May, 1885.

Mr. ANNEAR: It was years before that.

The MINISTER FOR WORKS: That is the date of the transfer, and the transaction would have been some time before that. Mr. Corser bought the land unimproved—without anything upon it—we may assume. That is the only way in which the value is arrived at. Now, if there was a man in Australia who knew the value of land, and could make a bargain and stick to it as sharply and keenly as Mr. Corser can, it was the late Mr. Thomas Walker. He never sold anything without getting value for it to anybody under any circumstances.

Mr. BLACK: Is that in the evidence?

The MINISTER FOR WORKS: No; I got the information at the Real Property Office, and the hon. member may satisfy himself if he is in doubt about it.

Mr. BLACK: I was referring to your remark about Mr. Walker.

The MINISTER FOR WORKS: We will assume that this man was in his senses, at all events, and that he did not readily part with his property without knowing its value. He may not have known what Mr. Corser seems to have traded upon, and that was the way in which resurreptions are sometimes dealt with here—that people who have claims against the Government for resurreptions have often managed to get twice the value of the land. Mr. Corser may have reckoned upon that. Probably that was not an element in Mr. Walker's calculations. I do not think it was. He was satisfied to take the value of land when he sold it. Now, previous to that Mr. Corser said that he was paying rent, £312 a year, for the land. Will anybody in his senses believe that a sane man would sell for £1,000 a piece of land that he was letting for £312 a year? If Mr. Corser had been pressed upon that point, it would have been found that the £312 covered a good many things besides the rent of that land. But he was not pressed to say what it was for. Part of it may have been for rental, but another part of it was for other things; I feel satisfied of that. Now, the amount of land altogether was 1 acre 52 perches, and from that we took 19·6 perches for railway purposes. The whole of this 1 acre 52 perches Mr. Corser had purchased a few months before, and after the notice of the resumption of the land had been given—for £1,000; and then he comes down here and petitions a committee of this House to grant him the sum of £3,859 16s. He is awarded by the Committee the sum of £2,359 16s. for 19·6 perches out of 1 acre 52 perches, for which he had given £1,000 a few months before, not taking into consideration the fact that the land has been considerably enhanced in value, as is shown by one or two witnesses, by the fact of the railway being taken through it. As to the question of the right-of-way, you will find this admission by Mr. Corser at question 328:—

“But if the company into which the old A.S.N. Co. merged chose, they could have access to Walker's wharf without being under the necessity of having a right-of-way through your land? Oh! they have access; but not convenient access.”

The men who were occupying the wharf were not likely to make it convenient, since they were only temporarily in possession of the wharf; and the probability was that they would very soon

cease to exist as a shipping company, and were not prepared to spend money for the purpose. That is why they made a temporary month-to-month arrangement with Mr. Corser to get through. At question 305, after being asked by Mr. Rutledge as to the price he paid Mr. Walker for the land, and after saying that he did not care to answer the question, Mr. Corser said:—

"I should prefer for special commercial reasons—because I do not wish to convey an erroneous opinion as to its value—to state the value of that property at the time of making the agreement, when I entered into the transaction with Mr. Thomas Walker, at the time of the lease. I may tell you that after taking accounts between us, the balance ascertained that I had to pay to Mr. Walker was, as far as my memory serves me, £8,000."

Thereby he conveyed the impression that he actually paid Mr. Walker £8,000 for the land. No wonder he was unwilling to tell what he paid, because he was trying to convey a false impression to the committee. I do not say that Mr. Walker did not get that £8,000 for improvements on the land in the shape of buildings, but it did not represent the surface value of the land or any portion of the land resumed for railway purposes. So that with his disingenuousness and the committee's failure to force him into a corner and say what he gave for the land he was allowed to get out of the question and convey the impression that he was paying £8,000 for it. As to the values given by different people, I see that one man estimates the depreciation in value of that small piece—12 feet frontage to March street—at £720, while another estimates it at £325. And these are the experts in valuing land in Maryborough, men who are held up by the hon. member for Maryborough, Mr. Annear, as men whose opinions can be thoroughly relied upon. I wonder what is the value of such men's opinions? They are not worth a moment's consideration. They only seem to have had one object in view—to give Mr. Corser as much money as they thought they could possibly get the Government to pay. In addition to that there is some other evidence from a man quite as reliable as that of other witnesses. He is quite as old a resident of Maryborough as those people who spoke so confidently as to the value, and he has a right to be considered as capable of giving impartial, independent, and reliable evidence as any man among the lot. I refer to Mr. Hyne, part of whose evidence will be found at page 35, as follows:—

"Mr. Richard M. Hyne, on oath, stated. Am a saw-mill proprietor conducting business in Maryborough; know the property the subject of this arbitration, and the wharf extension from March street to J. Walker and Co.'s yards.

"Mr. Stafford: Do you consider that the wharf extension has improved the value of the adjacent property?

"Mr. Hyne: I firmly believe that it has done so, to a very great extent, for wharfage purposes. I fought very hard to get the line continued straight on through to my property, offering land free, but failed in my object.

"Mr. Stafford: Do you consider Mr. Corser's property has suffered anything by reason of the resumption?

"Mr. Hyne: No. I consider that it has made it into a valuable corner, that it would not otherwise have been.

"Mr. Stafford: Has not Mr. Corser made the front of his hotel face the resumed land and not March street?

"Mr. Hyne: Yes.

"Mr. Stafford: As a rule are not hotels made with their fronts to where the most traffic is?

"Mr. Hyne: Yes; they generally have that object in view?"

And, further on, the following evidence was adduced:—

"By the Arbitrator: Do you consider that the construction of the railway, which has resulted in a nice piece of roadway, has been an improvement to the property?

"Mr. Hyne: I think the making of the branch line has enhanced the value of these properties to the extent of 20 per cent."

I do not see any reason to discredit the evidence given by Mr. Hyne, who is an old resident of Maryborough, a business man, and quite as capable of forming and giving an impartial opinion as any of the witnesses who were called in support of Mr. Corser's claim. I hope, Mr. Speaker, hon. members will look at these different items from the beginning, find out how the committee arrived at the £1,200, how the £120 was arrived at for land not severed or injured in any way whatever, and how they arrived at that £1,800—a supposed, a purely imaginary sum he might have drawn or exacted in the shape of blackmail for a right-of-way through adjoining property, for which there might have been some colourable reason if the company had no other means of access. But there was a proper outlet to Kent street, and they did not require to go through any other property to get to the thoroughfares of the town. Each of the properties had a water frontage, and the same street frontage, except that Mr. Corser's property had also access to March street; and I think the absurdity of a claim of this kind must be patent to any man. There is nothing to found such a claim upon. The buildings were only temporary, being put up by a company in temporary occupation, and not prepared to spend any money to get easy access to the natural outlet. They preferred to pay a small annual sum—I am assuming that they were prepared to pay that sum—for the right-of-way, though that is not apparent from the evidence, as the agreement says it was leased for wharfage purposes, and not for a right-of-way; but it was explained by way of parenthesis that it did include a right-of-way, and that that was of some value. For the rest there is no tittle or shadow of a claim from any point of view. Yet the committee have actually allowed him £1,800, assuming that he would get £120 a year for all time. I may be allowed to express my opinion as to the undesirableness of settling matters of this kind by a select committee of the House, if we take this as a sample of the way in which they come to conclusions, and of the way in which evidence is adduced to enable them to form a conclusion. On the one side we have the whole weight of a neighbourhood brought to substantiate a claim put forward by one individual, simply because on one side is the Government, and on the other is the individual, and each and all interested, it would seem to be, in endeavouring to get as much as possible out of the Government, irrespective of what are reasonable and just claims. I do not think there can be the slightest question but that anybody who carefully looks into this matter will have no hesitation whatever in affirming at once that Mr. Corser has received greater benefits from the railway passing through his land than any damage he may have sustained by the amount of land taken from him, or any damage caused by severance. I think the amount that was offered by the Commissioner on the recommendation of the Government valuator, Mr. Blaine, was an ample sum, and I certainly do not see how the arbitrator could have allowed any sum in addition to that to be added to it at the second hearing of the case. It is not quite clear to my mind how it was arrived at. There is no evidence on the subject except that given by owners of property in the neighbourhood. Such evidence in matters of this kind is, I maintain, of absolutely very little value to any man who has to determine the amount to be paid to a claimant. If you are to take the evidence of interested persons around the land to be resumed, you will soon bring railway construc-

tion to an end, unless some more satisfactory method is devised for dealing with resumptions. Let anyone read the Commissioner's report, and see what the State has paid for land resumptions on all the railways that have been constructed up to the present time. It is a perfectly astounding page to read. The sum of money paid for land in different districts of the colony is one of the most lamentable instances of plunder that has ever come under my notice. From that report it will be seen that an average of £260 per acre was paid for the whole area of land resumed for railway purposes between Brisbane and Ipswich, and the demands for other lands have been equally extravagant. Nothing, I think, can be more monstrous, and there is no telling what may be the result of such demands, unless there are some means to determine what is a fair value to put upon land resumed; and it must be some method different from that advocated by members in this House, of having claims for compensation dealt with by a man who will act as a judge does, and give his decision according to the balance of the evidence brought by interested people. I say interested people, because they are all interested in giving their opinion as to the value of land in the immediate neighbourhood of their own holdings. There is no more unreliable source we can go to for the value of land than that of owners of other land in the neighbourhood, and this is a case in point. What do we find in this evidence on the question of value? One man who valued the frontage to March street estimated it at £30 per foot, and another said it was worth £80 per foot. How can we reconcile those discrepancies? Here we have men who are supposed to have an equal knowledge of the matter, whose evidence is supposed to be equally reliable, and yet one of them values the land at £30 a foot and the other £80. What is evidence like that worth? It is not worth a straw, and if I were the Railway Arbitrator I would exercise my own judgment. I hope that in the interest of the State the Railway Arbitrator will give just as much weight to the evidence before him as he thinks it deserves, and not one iota more. I think he has done that in this case, and I hope he will continue to act in that way. If the Railway Arbitrator does not do that it will certainly be a question for consideration as to whether some means cannot be found to prevent these attempts at plunder, or whether we should allow them to go on and be perpetuated. I trust the House will not consent to the adoption of this report.

Mr. ADAMS said: Mr. Speaker,—I daresay that, as one of the oldest inhabitants of the district in which the property in question is situated, I may just as well make the few remarks I intend to offer upon the question at this early stage. The hon. gentleman has twitted the select committee with having tried to fleece the Government of money which they ought not to have done. I am happy to say that a member of the Ministry was on that select committee—namely, the Attorney-General; and I believe he did his best to draw information out of the arbitrator, but all the answers he got were, "I do not know," and "I do not think so." It is just possible that the arbitrator is thinking yet. I do not think it is likely that a gentleman who holds an office of that kind would allow everything to slip from his memory so easily that all he could do when questioned was to say, "I think such and such is the case." The Minister for Works has tried to make it appear that Mr. Cherry stated in his evidence at Maryborough that the money paid by the A.S.N. Company was paid for the wharfage, and wharfage alone. I believe that is misleading. The hon. gentleman has accused others of mis-

leading, but I think that he is as misleading as any other member of the House can be. The evidence given by Mr. Cherry, as read by the Minister for Works, will be found at page 34, where it says that—

"John Howard Cherry, on oath, stated:—

"I am the agent of the A.S.N. Co., at Maryborough, and I know the property that this arbitration refers to.

"Mr. Corser: Are you aware that I am the owner of the property?

"Mr. Cherry: Yes.

"Mr. Corser: Are you aware that it has been in my occupation for twelve years or so?"

Not for a day or two, but for twelve years.

"Mr. Cherry: It has been so since I have been here, that is three and a-half years.

"Mr. Corser: Did your company lease a right-of-way?

"Mr. Cherry: Yes; the company leased the wharf in order to have the right-of-way. The wharf was no good without the right-of-way. Corser and Co. had as much right to the wharf as the A.S.N. Company.

"Mr. Corser: For what period did they lease the wharf?

"Mr. Cherry: It was leased for three years certain before I came here, and expired about April, 1883; then I leased from you the same privileges for a further term until the railway gave us the road; then the company did not want it.

"Mr. Corser: What amount did you pay for that privilege?

"Mr. Cherry: £120 per year.

"Mr. Corser: Had I the use of right-of-way that you paid for?

"Mr. Cherry: I suppose everyone had the use of it. You used it like the rest.

"Mr. Corser: During a great portion of this time, and up to the time of your giving up the arrangement, are you aware that I was agent of the Q.S.S. Co., and ran the company's steamers to my wharf?

"Mr. Cherry: Yes."

That is a plain proof that it was not the wharf and wharf only that the company was paying £120 a year for, because Mr. Corser himself had the privilege of landing goods upon it, and of bringing up steamers alongside there to discharge them. As a further proof of that, we will go back to page 27, where hon. members will see something more on the subject. It appears that Mr. Stafford objected to any evidence about the lease of the right-of-way, unless the lease were produced. Mr. Cherry said:—

"There is no lease; it was a verbal agreement between Mr. Corser and the A.S.N. Company for the use of the right-of-way. There was a previous written lease which expired before I came here. We were paying £120 per annum for the privilege of the right-of-way, but I would have recommended the company to give more if Mr. Corser had demanded it."

Mr. Cherry distinctly states that the company paid £120 a year for the right-of-way, and that if Mr. Corser had demanded more he would have advised the company to give it. I think that is quite conclusive enough. Now, I will refer to another statement of the hon. gentleman. He said that Mr. Corser was supposed to be paying £300 a year for this land; but there is no doubt he was not only paying for the land, but for other considerations as well. I have not the slightest doubt that those considerations meant the old buildings erected in 1855, and I would ask any hon. gentleman in this House how long wooden buildings will stand when they are liable to inundation. I think that is quite proof enough that the buildings could be of little value, and therefore, whatever Mr. Corser was paying he was paying for the land. The hon. gentleman went on further to say that the demand was exorbitant, because Mr. Hyne had stated that the land had been enhanced in value 20 per cent. I happen to have known the land for the last thirty-five years, and I know when I was in Maryborough some time ago the terminus of the line was 1,800 feet from Mr. Corser's property.

Now, if that land had not been resumed, would it enhance the value of Mr. Corser's property? Was it the opening of the line that enhanced Mr. Hyne's property. I have not had time to go through the whole evidence, but I believe for the property adjoining Mr. Corser's the arbitrator gave three or four times as much as he gave to Mr. Corser, who held the key of the position. Yet the Government valuator says that Mr. Corser's land, which had actually made the other land valuable, had itself been depreciated. For the life of me I cannot see why. I believe in what has often been said, that four or five people together can come to a fairer conclusion than where there are a greater number, and I am perfectly convinced in my mind that the select committee has done its utmost to bring everything clearly before the House. I say when they bring a thing so clearly before us their recommendations ought to carry considerable weight, and I believe myself that Mr. Corser richly deserves every penny that the committee recommends. The arbitrator says he was in Maryborough on one occasion for six weeks, when he was passing through with his teams, or those of somebody else, and that he had travelled backwards and forwards from the North to the South, calling at Maryborough, and sometimes stopping an hour or two and sometimes a day. On that account he thought he was able to determine the value of land as well as anyone else. Well, now, I was in Maryborough for seventeen years, and was never out of it. I have been back since on several occasions, but I should be very sorry to be called upon to determine the value of land there. I should be sorry to say that I could give correctly the value of any particular piece of land there at the present time. It appears by the evidence that the arbitrator, although he did not act on the evidence of disinterested individuals, did not act upon his own opinion, for he distinctly says that he could not give an original opinion, and so he must have acted upon the offer that was made by the Commissioner for Railways. Now, I happen to know a good many of the witnesses who were called; in fact I know nearly all of them. Mr. Woodyatt is the one I know least of, and he puts the value of the land down at £5,280. Mr. Keith puts it at £5,000. I have known Mr. Keith ever since he was a boy, and I always understood that he bore an excellent character. Then, again, there is Jacob Rooney, the contractor. He puts down the value at £4,500, and I think if there is anyone in Maryborough who knows anything about the value of land it is Jacob Rooney. Then there is a gentleman of the name of Harwood who puts it down at £4,000. I have known him for thirty-five years. He is an old resident of Maryborough, and I doubt whether he has been out of the town since 1853. Then there is Mr. Charlton, the surveyor, and if there is anyone in Maryborough whom the Government ought to trust it should be Mr. Charlton. I know last year there was a report brought in here about a Maryborough railway, and I know that his (Mr. Charlton's) report was taken in preference to the official report of another surveyor, and, therefore, I think the Government ought to think something at any rate of the information given by that gentleman. I do not intend to take up the time of the House, but I thought it right to say what I have said, knowing what I do, and having been in the district so long. The Minister for Works said that everyone connected with this land had a right-of-way. I am not going to dispute that, but I would like to know whether the hon. gentleman is aware of the sort of right-of-way that they have. They have to go down Kent street something like twenty feet, and going towards the

wharf they have to go down thirty feet, and therefore it would be impossible to get anything off the wharf unless they went along the bank of the river. I think, Mr. Speaker, that we come here to do justice if we possibly can, and it does not matter from what end of the colony a claim may come, we ought to endeavour to deal out even-handed justice to all. We none of us know when a case of this sort may happen in our own district, and I think we ought to look very carefully into this claim. I feel bound to express my opinion that the present arbitrator is not worthy of the position which he occupies. If he was worthy of the position he would have been able to have given some answer at any rate to the Attorney-General's questions. He would have been able to tell him how he had worked out his figures. The only thing he could say was, "Well, I think so." An officer of that kind coming before the select committee should, at all events, have brought forward some documentary evidence to show how he arrived at his decision. I think he is not worthy of the position he holds. I know something was said about the previous arbitrator, but during all the time I have been in the country I had never heard one breath uttered against him until I saw what appeared in the *Telegraph* the other evening; and I was simply astounded when I read that article. I know the previous arbitrator gave me £130 for land for which I had refused £150 only three weeks before his award was made. I did not grumble, because I considered he had done his duty honestly and conscientiously, and if every arbitrator would do the same as that gentleman did it would be better for all concerned. I shall support the adoption of the report.

Mr. MACFARLANE said: Mr. Speaker,—As one of the committee who sat in this case, I wish to make a few remarks. I may say that when I read the first report on this matter I was very much under the impression that this case was like many others—an attempt to get as much out of the Government as possible. I had not sat very long on the committee when I saw reason to alter my opinion. The very unsatisfactory way in which the arbitrator replied to the questions put to him would lead to the impression that he was a man who was supplied with a certain sum as the amount of compensation which should be given, and he could only say that was the amount which should be given; he gave no evidence and no answer to show how he arrived at the figures. The result was that the select committee were left pretty much to themselves in deciding whether the amount stated by the claimant was or was not reasonable and satisfactory. The Minister for Works does not improve his position by the manner in which he spoke of the committee. The hon. gentleman was rather warm, and spoke of them as gentlemen who could not understand how to make an award. The Minister for Works objected to the first item—"For value of land resumed—forty feet frontage to March street, at £30 per foot." I may mention that there was no difference of opinion at all in the committee on that subject, and it was considered by them that that was a reasonable claim for the land resumed. The next was the twelve feet frontage to March street, and the original claim for that was £360, and the committee only awarded one-third of that amount—£120. The Minister for Works also said this claim was put in for land which was of no value whatever. Hon. members will see by the plan that this is a little triangular piece of land in front of the hotel, running from a depth of twelve feet at one end to nothing at all. It was really of little value, but the committee set a value upon it; and instead of giving the claimant £360, which he

claimed, they recommended that he should get £120 for it. The next item is "for loss of rental from right-of-way, £120 per annum, capitalised at fifteen years' purchase, £1,800." I put it to any member of this House, if he was receiving a certain rental, and if the property for which the rental was received was taken from him, would he not think it reasonable to capitalise the amount he was receiving as rental? It would come quite natural to me to do so, and I should think I ought to be paid for it. In this matter, then, the claimant's claim was admitted as the committee considered it fair. In the next item—"For expenses entailed by having to cart goods from wharf to receiving store on the other side of resumption"—the claim put in was for £600, but only £150 was recommended by the committee. It will also be seen that the advantages accruing to the claimant were put down by the committee at £1,500, and deducting that from £3,859 16s., the total amount of the claim allowed by the committee—the amount of £2,359 16s. was left as the amount of compensation recommended by the committee. I think that is a fair estimate of the loss. It must be remembered that up to the time of the resumption Mr. Corser had the key to the land along the wharf and was receiving a rental from Howard Smith and Co., and being in that position he might have received rent from other portions of land let. The very next property—the Bank of New South Wales property—was greatly improved by the line, which deteriorated very much the property of the claimant. I do not want to go into figures, as that has been done well by the hon. member for Maryborough. I will just conclude by saying that the committee were left to find out for themselves from the evidence given in Maryborough what the amount of compensation ought to be. As far as the arbitrator is concerned, I really do think he is not a public servant who ought to be retained in the Government service.

Mr. DICKSON said: Mr. Speaker,—I read this evidence with a considerable amount of curiosity. Although I am reluctant in my place in Parliament to say anything about an individual who has not the right of reply to me here, yet I think one thing is most transparently revealed by this evidence, and that is, that the gentleman who at present performs the duties of Railway Arbitrator is thoroughly incompetent for that position. I must confess it is an exposition of the greatest feebleness and incapacity in dealing with such an important question as the resumption of land for the construction of the railways of this country. It is really very painful to see that a gentleman who ought to have had a thorough knowledge of the subject with which he dealt, involving a very large expenditure of public money and having an intimate relation with the economy of railway construction in this country, should have exhibited such glaring incapacity for the performance of his duties in this respect. It also rendered the duty of the hon. gentlemen on the committee who wished to do justice in this case exceedingly difficult, because really there is no case made out on behalf of the Crown for anyone wishing to defend the Treasury to support. It is really my desire to defend the Treasury, and I must say, with all respect to the gentlemen on the committee, that while they desired to do justice, yet they have been so baffled by the utter incapacity of evidence tendered by the Railway Arbitrator, that their sympathies have led them to award to the claimant more than, in my opinion, he ought to receive if the investigation had been conducted by experts, or gentlemen qualified to deal with the subject. But I regard this subject, not alone on the merits of the claim

of Mr. Corser. I say it exhibits in the Railway Department, through its arbitrator, such glaring incapacity that it affects the claims of other people in the colony who have been awarded most inadequate compensation, notably those claims on the Logan, which were brought forward the other evening, and other claims which are under consideration at the present time. Many of those men on the Logan and elsewhere were not like Mr. Corser, able to hold their award over. Many of them have been compelled, through sheer necessity, to accept whatever insignificant amount has been tendered to them by the Railway Department. They have been compelled, through their necessities, and not having funds to litigate with, and not having influence to obtain a hearing in this House, to receive the inadequate compensation which has been given to them by an incompetent arbitrator and an incompetent valuator. There are cases still unsatisfied in connection with the claims on the South Coast Railway, which are deserving of quite as much investigation and support as this claim of Mr. Corser. Therefore, I say this case goes a great deal further than even Mr. Corser's individual claim. The facts shown to us reveal such a miserable incapacity on the part of the Railway Arbitrator that we ought to consider seriously the position of all other claimants whose awards are still in abeyance; whether we should not institute some other tribunal, so as to give them the means of having their cases fully investigated, if we want to award substantial justice. I have no sympathy with men who will make exaggerated claims against the State for land which may be required for railway purposes. I am well aware of the great advantage conferred upon individual proprietors by the construction of railways, and I am also aware of the great tendency there is for individuals to over-estimate their damages, and to endeavour to extract as large a *largesse* as possible from the coffers of the State. At the same time I contend that we ought, as a matter of public policy, to give compensation for and not to make confiscation of lands resumed for railway purposes; but it seems to me that if we do not change the present order of things in connection with railway arbitration, we are certainly tending in the latter direction. I have listened with very considerable interest to the very able arguments of my friend the hon. member for Maryborough, who put his case very forcibly, and also to the remarks of the Minister for Works, who certainly threw a considerable amount of fresh light on the subject. Still, the fact does remain in my mind that the award made originally in this case is utterly inadequate. And this points to a great blot in our railway system. Under the law as it stands, any claimant whose award is under £500 is precluded from seeking redress elsewhere. The law in that respect should be altered as early as practicable. It seems to me that it is taking advantage of the position of a man to an extent never contemplated by the framers of that Act. I cannot see why a man, if he has suffered injustice by an award of £100, or even less, has not as much right to an investigation of the circumstances, and to obtain redress, as a man whose award is considerably over £500. That is an anomaly in our law which should be altered as soon as possible. As to this award of Mr. Thomson's, that Mr. Corser has only suffered to the extent of £273 odd, it is a *fiasco*, a perfect absurdity. Upon anything like an equitable consideration of the claims of that gentleman, it will be seen that he has had to part with valuable property. As I have already stated, I really feel some difficulty in this matter, because I cannot find what is, to my mind, a satisfactory basis of argument, or of valuation, suggested by the arbitrator. If I could lay my finger upon any data supplied by him—and for a

gentleman in his position to say that he had destroyed all his memoranda and data seems to me ridiculous—

The HON. J. M. MACROSSAN: He never had any.

The MINISTER FOR WORKS: The late arbitrator used to destroy his also.

Mr. DICKSON: Well, I have had occasion frequently to refer to the late arbitrator, and he has shown me the data upon which he had arrived at his conclusions many years previously. He wrote down his data very conscientiously and fairly, and he had a method in all his transactions, and preserved the records and memoranda of all his awards.

The MINISTER FOR WORKS: He had none.

Mr. DICKSON: I can only say that I, as a member of the public, have had occasion to ask him frequently to supply me with data, and whenever any doubts arose as to the data on which he based his awards those data were always forthcoming. I had no intention to refer to the late arbitrator, but since his name has been dragged into the present discussion I will give my individual testimony that the preceding Railway Arbitrator was a gentleman who endeavoured to do his duty conscientiously and fairly, and who spared neither time nor pains to arrive at a fair and equitable conclusion. However, I am not instituting any comparisons; I am speaking of the awards of the present Railway Arbitrator, and it is with exceeding regret I have to say that I never came across an instance of greater official incapacity and blundering than is exhibited in this published statement of evidence. As I have already stated, I feel great difficulty in arriving at a conclusion on the matter. There is some award due to Mr. Corser undoubtedly; he has not received substantial justice. But the difficulty is to arrive at what would be a fair and equitable award. I even go further, and say that, considering the cases of many claimants for land resumed for railway construction in other parts of the colony—notably on the Logan—the Government might very fairly constitute a commission of experts to revise those awards and to see that substantial justice is done. I do not fully agree with the amount awarded in this case by the committee, because I think the Minister for Works has shown very conclusively that the 12 feet of land not resumed ought not to have been included here. I will also say that I do not accept the award for personal expenses, nor for interest on an award which was never paid. Those were put in to swell up the total, and I do not feel disposed to accede to them. I look upon the property in this light: portion of the frontage was resumed, and then there was severance. These two items, to my mind, constitute the whole basis of the claim: the amount of frontage resumed and the injury done to the property from the severance. I am not an expert in the value of land in Maryborough, and I may say this,—and it is another reason why I object to the Railway Arbitrator having to report upon such different properties—properties in so many different localities,—that it is an exceedingly difficult thing; indeed, I do not think it is practicable in any form to be carried out successfully, to appoint any one gentleman who will have a thorough local knowledge of property in all parts of the colony, and who will be capable of giving a really equitable award in all cases. He must depend upon local information to a great extent, and that local information, we know, is more or less biased. Therefore it is a matter surrounded with a great deal of difficulty. I do not think any one man could be found who

would have a thorough knowledge of the whole circumstances of the colony, who would be equally as conversant with the value of land in Brisbane as the value of land in Cairns or Cooktown, or any other of the remoter parts of the colony. And I do not think we are likely ever to arrive at a satisfactory conclusion, if we expect one individual to discharge the very onerous and responsible duties of railway arbitrator. They are too much for any one man. As I have said, I consider the claim of Mr. Corser should be substantially confined to the value of the frontage and damage for severance. Taking the value of the land at £1,200, and the loss for severance at £1,800, that makes £3,000; and allowing a set-off of £1,500, that would bring the claim down to £1,500, instead of £2,359. I am inclined to think that £1,500 would be ample compensation to Mr. Corser, and looking at the case in all its bearings, I feel inclined—

Mr. STEVENS: There is the twelve feet.

Mr. DICKSON: I am taking the forty feet frontage to March street, and excluding the twelve feet not resumed, and for which in my opinion no claim can be made; it is still Mr. Corser's property. That is my view of the case. I am not prepared to allow fifteen years' capital value for the rental of the right-of-way, but I am content to allow the two sums I have mentioned, making £3,000. I will allow the committee's own valuation of the increment which had been obtained from the construction of the railway, that is, £1,500, or one moiety; and I think that if Mr. Corser were to receive £1,500, being the other moiety, he would receive substantial compensation. To that extent I should go, because we are certainly bound to award Mr. Corser some substantial compensation. We must not shelter ourselves behind the incapacity of a State official. I say Mr. Corser is entitled to compensation to that extent, and I trust that if this motion is carried in any form the Government will also consider that there are other claims, especially in connection with the Logan railway line, that are awaiting reinvestigation. And I trust that my hon. friend the Minister for Works will not incase himself in his official position, but will see that justice is done to many men who have not the means that Mr. Corser has of appealing to this House. I say their claims are equally entitled to consideration. I shall be very glad if my friends who interest themselves in this report would modify it to such an extent as to ask for £1,500. In that case I shall promise them my individual support. I think that amount fair and reasonable.

Mr. MOREHEAD said: Mr. Speaker,—I do not see my way to vote the amount of compensation to Mr. Corser that is proposed by the report of the committee which we have now in our hands. I think, Mr. Speaker, that we cannot arrive at any reasonable amount of compensation owing to the action of the gentleman who has had to deal with the case. I think, sir, that the incompetence—the disgraceful incompetence—of the Railway Arbitrator has been clearly proved. I think no honourable member who reads the evidence given here, and has heard what has been said to-night, can deny for one moment that that gentleman should be put out of the Government service as soon as may be. No man is in a more dangerous position; that is to say, that no man is so privileged by Act of Parliament to do injustice, if he so likes to do, as the Railway Arbitrator; and I think the only individual who has abused that trust has been the present Railway Arbitrator. I say his incompetence is shown by the evidence that we have before us in a way that cannot be doubted by any one

member of this House, or by anyone else. Yet, on the other hand, I am not prepared to accept the recommendation of a parliamentary committee who—I do not say it in any way that could be termed invidious—have, to a certain extent, done their duty in a perfunctory manner. The committee who arrived at the decision embodied in this report did not, in the way I think they ought to have done, exhaust the question. Their decision was arrived at in a pretty hurried way, and by accepting a lot of evidence which they took *in globo*, and attached to the end of the report without any cross-examination of the witnesses who gave the evidence. I admit at once that I believe injustice has been done to Mr. Corser, but I will not be a party to give a verdict on the part of this House, which may be unjust—just as unjust, possibly, in the other direction, as that which I believe has been given by the Railway Arbitrator. I do not think, Mr. Speaker, that the evidence has been properly sifted; I do not think sufficient evidence has been taken; and I agree with a great deal that has fallen from the hon. member for Enoggera, Mr. Dickson, that it is possible, and I take it that it is, that the case should be re-tried by another tribunal, and that that tribunal should not be composed of members of this House, but of experts. Let a proper railway arbitrator be appointed, a gentleman in whom the country shall have confidence, and let us abide by that decision; or let the persons who think themselves ill-treated appeal to another tribunal than that of this House. My experience, Mr. Speaker, of appealing to this House as a tribunal is that justice has not been obtained, or else it has been over-obtained—that majorities of this House often do injustice in one direction or the other. I do not think, sir, that a case has been made out by the evidence before us to justify us in voting for the award given by the select committee to Mr. Corser, although I admit that that gentleman did not receive what he was entitled to at the hands of the Railway Arbitrator. That he should ever expect it, or that anyone should ever expect an intelligent judgment at the hands of that individual, is out of the question. I will take one item—that he suffered a loss of £120 per annum, rental of a right-of-way which, capitalised at fifteen years' purchase, amounted to £1,800. That was for a right-of-way given to the A.S.N. Company to pass through Mr. Corser's land. But, sir, the A.S.N. Company have gone—ceased to exist; and I take it that when they ceased to exist that annual payment on their behalf died with them. I assume, for the sake of argument, that that corporation, having no desire to exercise that privilege—in fact, having sold their fleet, and also their wharves, and having no desire to trade on the coast of Queensland any longer—would not, out of pure philanthropy, or for any love they entertained for Mr. Corser, pay that £120 a year.

Mr. ANNEAR: The boats are still in the same place.

Mr. MOREHEAD: The boats may be in the same place in the meantime, but is the same bargain made?

Mr. ANNEAR: There is no need for it.

Mr. MOREHEAD: Is the same arrangement made?

Mr. ANNEAR: There is no need for it.

Mr. MOREHEAD: There was no necessity for it; it died with the A.S.N. Company.

HONOURABLE MEMBERS: No, no!

Mr. MOREHEAD: Unquestionably, when the A.S.N. Company died it died with them. They have no intention, as I have already stated, out of a philanthropic or any other quixotic idea

of aiding Mr. Corser, to give him £120 a year. I hope, Mr. Speaker, that this motion will not be agreed to by this House. I look upon it as a raid that is made upon the Treasury upon very insufficient basis. I should be the very last member in this House who would not urge, as strongly as I could, a remedy for any injustice any individual in Queensland had suffered from any act of the Government or of its servants; but on the other hand I would also be the very last to go to the extreme in a demand upon the Treasury because a gross injustice has been done by a Government servant. I think that Mr. Thomson is utterly unfit for the position he holds. I also think that he has been entirely led to the decision he arrived at by the opinion which he got from headquarters as to the amount of compensation. There is a strange identity between the award and the amount the Commissioner for Railways wished should be awarded; and that is an indication to me at any rate—possibly I may be a suspicious man—that Mr. Thomson must have had some directions that this was the amount that the Government, or at any rate the Commissioner, wished to be granted. That amount has been most scrupulously recognised by the Railway Arbitrator. That to my mind indicates that the arbitrator went to his work with a warped judgment, and proceeded upon lines fixed by someone outside; that is to say, that he altogether disregarded the high position he occupied as a judge, and took the advice of those who were in some respects his official superiors. Now, before I sit down I must say a word with respect to the interjections of the hon. Minister for Works, which affect the character and reputation of the late railway arbitrator. I do not know that anything I can say will lead those who know Mr. Macpherson to hold a higher opinion of him. All I can say is that I have had an intimate knowledge of Mr. Macpherson in very many relations, business and otherwise, in Queensland, and a man of higher honour, and greater integrity, and of greater ability in any matter he takes up, does not, to my knowledge, exist. I would point out, Mr. Speaker, even as regards the capacity of Mr. Macpherson as a railway arbitrator, that I do not think you can find on the records of this House any application made during the many years he held office, such as that I now hold in my hand which has been referred to a select committee. This brother-in-law arbitrator, Mr. Speaker, has not been so long in office, and yet we are here busy to-night considering whether this colony should pay the few hundred pounds awarded by that arbitrator to a claimant, or whether it shall pay several thousands. Now, I think those facts speak fairly for themselves without any comment on my part. I think, in fact, it is almost gilding gold to pay any compliment to Mr. Macpherson as a railway arbitrator. I take also another very great exception to this report. The 6th clause is one that, if the report is carried, will be hanging over the head of this Government or any succeeding Government:—

“The committee are further of opinion that if the Government, at any time, shall fence in the resumed land, Mr. Corser will be entitled to the amount he claims as compensation for surrender—£2,000.”

Now, Mr. Speaker, I would ask hon. members of this House to consider for a moment whether there is to be a certain spot in the colony of Queensland, belonging to Mr. E. B. C. Corser, which, if any Government are brave enough to fence in, they will have to pay Mr. E. B. C. Corser or, I suppose, his administrators—I do not use the word “heirs” advisedly—compensation to the tune of £2,000. I come back very much to the position I started from. I consider that Mr. Corser has received an injustice at the hands

of the State; I believe that he has not been properly treated by the Government arbitrator, and that owing to the gross incompetence of the Railway Arbitrator himself; and I think, further, that the compensation proposed to be given under this report is excessive. I think, with the hon. member for Enoggera, that a mean should be arrived at. If the House affirms—and I think it should—that an injustice has been done to Mr. Corser, it might be left to another railway arbitrator to take fresh evidence and decide what compensation should be granted. I am not prepared to say, because the Railway Arbitrator has erred in the one direction, that the House should err in the other. It is a matter of considerable regret also that the Government were not better represented on this committee—I do not mean it in any offensive way to the Attorney-General—it is a pity that the Government did not have one of its members who could give his continuous attention to the evidence brought before the committee. That was a weakness on the part of the Government, and a double weakness, seeing it was the Attorney-General who might have been able to elicit evidence by cross-examination—at any rate, to have used his legal knowledge in cross-examining the witnesses who were practically left un-cross-examined. But, although that *lâche* was made by the Government, I say that is no reason why the country should be made to suffer. A cross-examination might have made a difference in the evidence. The whole evidence, or the bulk of it, goes in support of the contention set up by the committee—that I admit; but I think most hon. members will agree with me, after reading through the evidence, that the recommendation, so far as compensation to Mr. Corser is concerned, is excessive. I certainly, as the report stands, shall vote against it; and I think it would be an excessively dangerous precedent, no matter how incompetent the Railway Arbitrator might be—and God knows I do not think it is possible, if you search the whole colony, if you went even to Fiji or the South Sea Islands, that you could get a more incompetent Railway Arbitrator than we have at present; I say I do not see why, because the arbitrator has committed what I believe to be a considerable injustice to Mr. Corser, that the tide of feeling should run so far in the other direction that we should cause an excessive charge to be made upon the taxpayers of the colony.

Mr. HAMILTON said: Mr. Speaker,—I think that, when the House deputed to a number of gentlemen belonging to the House the position of judges to inquire into a case and report upon it, their verdict should not be lightly set aside unless we have good reasons for doing so. In this case most of the gentlemen who sat on that committee were of good, sound common sense, and men eminently qualified to give a verdict in a case of this kind. One of those gentlemen, who is not here to-night, Mr. Ferguson, —and we all recognise him as a man of sound, practical common sense—spoke to me very strongly on the subject, and his opinion was that the award was not nearly sufficient. He considered, in reference to one of those sums which had been deducted—an amount of £1,000 or so—that Mr. Corser was treated very unfairly by the committee, and he said that, had he been present at the time, he would have voted strongly against the reduction. Now, the Minister for Works has commented very strongly upon the various witnesses at Maryborough who have given evidence in support of the report of this committee. Now, these gentlemen, I notice, are thirteen in number, and are the most prominent and respectable gentlemen in Maryborough, and who can well afford to treat with contempt any such remarks as have been made regarding them by

the Minister for Works. They can afford to look upon them in the same manner with Mr. Macpherson, who was referred to by the hon. gentleman to-night. That was not the first time he has referred to that gentleman. On a previous occasion he had to eat his words, and I know perfectly well that on this occasion he will have to do so also. When he has as high a place in the respect and esteem of the people of this colony and of members of Parliament—of both Houses—as Mr. Macpherson, he may be well satisfied; but, of course, it is only natural that he should justify the actions of his own nominee and his relative. It seems to me that he has attacked the witnesses who have given evidence in favour of this report, but he has referred triumphantly to the evidence of one witness who has supported his own nominee—namely, Mr. Hyne. He failed to tell us, however, that Mr. Hyne is a Government contractor, a man who has a contract for the timber of various railways in the Maryborough district. The Minister for Works made great capital of the statement that Mr. Corser would not state what he paid for the land; but, as a fact, Mr. Corser did state what he paid. The Minister for Works also read out from some papers that Mr. Corser had only given £1,000 for the land. Now, that is a mistake. I know perfectly well that Mr. Corser, in order to save transfer and mortgage fees, made a transfer for £500 nominally, with a transfer in charge of £8,000. He gave £6,600 for the land, and the difference was for an advance at 10 per cent. interest for erecting improvements upon that land. Now, both the transfer and the transfer charge are at the Registrar-General's office, and on one of them he paid £49 interest. I do not see that it matters at all what the purchasing price of it is. If a certain individual paid a certain price for land in this town some eight or ten years ago, and the land was resumed, what would it matter what he had paid for it? We should have to assess the value of the land at its value at the time it was resumed. It has been said that Mr. Corser knew that some of this land was to be resumed when he purchased it, and upon those grounds actually a reduction of over £1,000 was made in the award. Now, I think it was absurd to make a reduction upon those grounds, because, admitting that Mr. Corser knew at the time that the land was to be resumed, he naturally expected that the Government would give him due compensation for any loss which he sustained through the resumption. The Government should certainly pay for loss that was incurred by the owner of the land at the time, through the resumption. As a matter of fact, however, Mr. Corser did not know that the land was going to be resumed at the time he made arrangements to purchase it, twelve years ago. Mr. Corser then leased the land for ten years at a ground rent of £312 per year, with the option of purchasing it during the ten years for £6,600. That was the price he arranged to give twelve years ago. By this agreement Mr. Corser was to be allowed the value of any improvements that he made upon the land, provided such improvements were according to certain specifications. He spent £10,000 or £12,000 upon the land, and some £4,000 or £5,000 on buildings which were not according to the specifications. Therefore, if he failed to purchase the land he would not be allowed compensation for those improvements. Still he made them, because he intended to exercise the option that he had to purchase the land within the ten years, and they suited his own business arrangements. Therefore, you see, Mr. Speaker, that he had purchased the land at the time he had made these arrangements, which was a long time before he thought

there would be a railway there. At the time he knew the resumption would take place he had purchased the land, otherwise from £4,000 to £5,000 spent in improvements would be entirely lost to him. Now, the leader of the Opposition has made capital of the statement that the A.S.N. Company has ceased to exist. But it has not exactly ceased to exist; it has amalgamated with another company. Another company has bought its right and interest, and if the land had not been taken away from Mr. Corser, this right-of-way would have been quite as valuable to the present company as it was to the previous one. But the Minister for Works says that this £120 a year was payment for the use of a wharf, and he read the evidence of Mr. Cherry, the agent for the A.S.N. Company, in proof of that. Now, I shall read more of the evidence given by that gentleman which will disprove these statements, and I think it was rather disingenuous of the hon. gentleman to suppress that evidence. Mr. Cherry said:—

"There is no lease; it was a verbal agreement between Mr. Corser and the A.S.N. Company for the use of the right-of-way. There was a previous written lease which expired before I came here. We were paying £120 per annum for the privilege of the right-of-way, but I would have recommended the company to give more if Mr. Corser had demanded it. Would have gone to £180 or £200 for the right-of-way rather than lose it. Since the resumption we have had the privilege of free traffic over the land we previously paid the right for. I consider that this resumption has been an absolute loss to Mr. Corser."

Then he goes on to say—

"The A.S.N. Company paid £120 for the use of both the wharf and the right-of-way. We did not want the wharf, and only used it twice."

"The advantage of going through the right-of-way instead of going round by the Kent-street entrance was so great that we were prepared to give £200 for it. It leads up to the bond, Custom-house, etc., and is far more convenient for carters. It would be a loss of some thousands to the company if they had not had the right-of-way."

That disproves the statement that the right-of-way was used for the wharves. It was a right-of-way to wharves that Mr. Corser did not own. There was an agreement made that they might use Mr. Corser's wharf, or Mr. Corser might use theirs—a mutual convenience. Again:—

"Mr. Corser: Did you pay £120 practically for the right-of-way?"

"Mr. Cherry: Yes. During the last three months I do not think I used your wharf three times, and that was not for cargo."

"Mr. Corser: What value did you consider that right-of-way to the A.S.N. Company, the value of the privilege alone?"

"Mr. Cherry: I should have given considerably more than that not to lose the right-of-way, and I consider we had a good bargain to get it at £120 per annum."

That disproves the statement that it was given for the use of the wharf, on the evidence that was given by the gentleman whom the Minister for Works quoted. Now, the leader of the Opposition also states that no compensation should be given to Mr. Corser for fencing the resumed land. Suppose the Government were to fence in the Belle Vue Hotel, opposite, would not the hotel be entitled to compensation, and be in a similar position to Mr. Corser's? In the Bank of New South Wales' case at Maryborough the other day, the jury decided that because the Commissioner did not withdraw his threat of fencing their property the sum of £700 should be given, because, if the land were fenced, they could not get access to their own property.

With regard to the statement that Mr. Corser should not be allowed any compensation for one small portion of land because it was not taken away—it is an angular portion that is useless for any purpose—I think that if the Government run railways through a man's property in all

directions so as to make the portions that are left too small to build upon, compensation should be given. As for the interest on the award, if it is admitted that Mr. Corser was entitled to a certain amount many years ago, those who kept him out of the money ought to pay him for the loss he has thereby incurred. There is another portion of land alongside the wharf that is utterly useless to Mr. Corser, not large enough for a receiving shed, in consequence of which he has had to put one up on the other side of the road, and everything has to be carted from the wharf across the road to the shed. If Mr. Corser had been allowed to appeal, judging from the verdict given in the case of the Bank of New South Wales, he would have received a far higher amount of compensation than is proposed by the select committee. The sum of £2,200 was awarded to the bank by a jury of the residents of Maryborough, who are the best judges as to the proper sum; and all authorities state that if the Bank of New South Wales were entitled to £2,200, Mr. Corser is entitled to £6,000. His Honour Judge Mein should be an authority; and he said while sitting on this case that his opinion was that the only person entitled to substantial compensation was the one who held the key of the position—namely, Mr. Corser; and the Attorney-General, who was present, said he quite agreed with him. We have also the opinion of thirteen respectable residents of Maryborough of all shades of political opinion, as well as that of a number of members of this House who have devoted a considerable time to the matter; against which we have the opinion of the Minister for Works, who has to support the finding of his own brother-in-law, and his own nominee, and the evidence of Mr. Hyne, who is a Government contractor.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said: Mr. Speaker,—I do not intend to take up time now in making many remarks on the subject, and I think it just as well that hon. members should remember that there will be another opportunity when in committee of discussing the matter. It was with very great reluctance that I accepted a seat on the committee; and when I found that my name was proposed in substitution for that of the late lamented Minister for Works, I induced my hon. friend the member for Maryborough, Mr. Annear, to substitute for it the name of the present Minister for Works; but when that hon. member, in deference to me, made the proposal, the leader of the Opposition objected to my name being expunged and that of the Minister for Works being inserted. I therefore went on the committee very much against my will; not because I wished to shirk any responsibility, but because I knew that I should not have the amount of time at my disposal to pursue any lengthened investigation that some other members might have. However, I think the evidence will show that during the time I sat as a member of the committee I took an active part in endeavouring to elicit facts on which to arrive at a correct finding, and it was a matter of regret to me that I was obliged to leave Brisbane before the committee drew up their report. I therefore wish to inform the House that this report was drawn up in my absence, and that I was not a party to it as it stands. Had I been present when it was drawn up I should have objected most certainly to paragraph 6 and to some of the figures that are here. I came to the conclusion, after considering all the evidence, that Mr. Corser had sustained a substantial loss as the result of the resumption of his land, but I was prepared to place the amount of his loss in my judgment at a considerably lower amount than that named by the committee.

Mr. HAMILTON: Only by the interest added afterwards.

The ATTORNEY-GENERAL: I was prepared to recommend the sum of £2,070, but that was increased to £2,359, and I should have objected most strenuously to increasing the amount beyond that to which I was a party. I wish, therefore, to clear myself against any complicity in all the findings of the committee as embodied in this report. I think, notwithstanding what my hon. friend, the Minister for Works, thinks of the action of the committee, that we did our very best, and arrived at our findings as the result of very mature deliberation. The hon. member for Balonne finds fault with the committee for accepting the evidence taken before the arbitrator in Maryborough, which is embodied in an appendix to the report, but I think it was just as satisfactory to have that evidence read to the committee as it would have been to have brought all the witnesses, at great expense, from Maryborough, for the purpose of examining them *virâ voce*. If they had been examined again, I do not suppose they would have receded on cross-examination from the position they took up when examined in Maryborough before the arbitrator, especially as they are all persons of known respectability. And if any evidence in addition to what is furnished by the shorthand writer's notes taken in Maryborough had been supplied to the committee, it would have received the same careful investigation as that tendered by the Railway Arbitrator on the one hand, and by Mr. Corser on the other. Whatever may have been the amount of money paid by Mr. Corser for the land, there can be no doubt that he was in the very enviable position of having the key to the entire situation, so far as wharfage frontages were concerned, from March street to the property of John Walker and Company. It is perfectly true that the A.S.N. Company had a right-of-way from the wharf to Kent street in the rear, but it was stated in evidence that a dray would be able to take only half the load from the wharf to Kent street that it could take along the straight through Mr. Corser's property. And though I pressed Mr. Corser closely with regard to the matter referred to by the hon. member for Balonne—the extinction of the A.S.N. Company and the consequent loss of revenue to Mr. Corser as a result of the cessation of their existence—yet it was clear that, though the A.S.N. Company went out of existence, any future company would have been under the necessity of making terms with Mr. Corser to go through his land. I brought that out very clearly. I went to the trouble of examining Mr. Corser very closely on that point, and it was clearly shown that any person wanting to occupy that wharf must make terms with Mr. Corser. Therefore whatever price he gave for the land, even if he got the land for nothing, he was in the position of a man who had the key of the situation, and having the key of the situation and anyone wishing to occupy the other wharf having to make terms with him, he would sustain a substantial loss by having that advantage taken away from him. What advantage the key of the situation was to Mr. Corser may be gathered from the fact that the Bank of New South Wales, which was recently a litigant in the Supreme Court for damages against the Commissioner for resumption, would have given all the land along the river bank resumed from them for nothing if the railway had stopped 20 feet from John Walker and Company's, so that they could have been placed in the same position with regard to John Walker and Company as that in which Mr. Corser was placed with respect to the A.S.N. Company. I say, then, that the price given for the land is not worth any consideration when we consider that he has sustained this loss by having

taken from him the key of the situation. With reference to the suggestion of the hon. member for Balonne that the question should be referred to another arbitrator, I would ask, are we not as good as any arbitrator? Are we not in as good a position to determine the matter as any arbitrator would be? We have all the facts before us in the evidence elicited by the select committee, and we have all the necessary information on the subject; and I think there should be no difficulty in hon. members arriving at a correct conclusion on the matter. I agree, however, that the £2,359 is too much, though I have not the slightest hesitation in affirming that Mr. Corser is entitled to substantial damages. With regard to what the hon. member for Cook, Mr. Hamilton, said about Mr. Hyne, I do not think the hon. member has any right to disparage Mr. Hyne.

Mr. HAMILTON: I only stated facts. He is a Government contractor.

The ATTORNEY-GENERAL: The hon. member insinuated that Mr. Hyne was called by the Commissioner to give evidence on behalf of the Railway Department because he was a Government contractor, although it is a fact that only the other day Mr. Hyne was called as a witness by the Bank of New South Wales in an action in which that corporation was plaintiff against the Government. The hon. member has no right to import that kind of material into the debate at all.

Mr. HAMILTON: I simply stated what was a fact.

The ATTORNEY-GENERAL: It is not right to introduce those wretched invidious distinctions between Brown, Jones, and Robinson. Let us give them all credit for giving evidence according to their belief. Messrs. Hyne, Thorburn, Christoe, and other gentlemen gave evidence according to their belief, and the hon. member has no right to single out one individual and insinuate that, because he was a Government contractor, he said what was not true. As I said before, this gentleman was called by the plaintiff in the recent action of the Bank of New South Wales against the Government, and that fact is sufficient evidence as to what was their opinion of his impartiality. I shall support the motion for going into committee, holding myself free to support a resolution for a reduction of the sum recommended by the select committee.

Mr. NORTON said: Mr. Speaker,—With regard to this matter I think it will be generally admitted that in almost every instance in which a committee has been appointed to inquire into a claim of this kind, and has brought in an award in favour of the claimant, that award has been disputed by the House. In almost every case since I have been in the House that has been done, and I hope that the members of the committee, whose report is now under consideration, will not feel that any harshness is intended towards them, or that there is any intention of accusing them of not carrying out their duties properly, when some members disagree with what they have done. There are many claims in which awards have been made by a select committee in favour of the claimants, and the award submitted to the House for confirmation, which are still where they were when the committee presented their report. With respect to this case, I think that a committee of the House is particularly unsuitable to decide what should be done in the matter, for this reason: that apart from all other consideration and difficulties we know that the Railway Arbitrator has been criticised very unfavourably both inside and outside the House.

There is a strong public feeling against him, and hon. members are perfectly well aware that that is the case. Seeing that that is so, I think it must also necessarily happen, after the discussion that took place the other day in connection with those lands on the Logan, that members in dealing with another case in which the same officer has been engaged will be inclined to lean to the side which they consider has not been fairly treated. That is an additional reason for saying that a committee of this House—I do not say this of the members of this particular committee—would feel inclined to give a verdict more favourable to the applicant than they would under ordinary circumstances. In speaking of this case I set aside Mr. Corser, individually, and go back to what took place before I knew Mr. Corser had anything to do with it. When the hon. member for Townsville vacated the office of Minister for Works the railway had been carried down to March street from the Maryborough station. There it ended. I believe that the hon. gentleman refused to continue the line any further unless all the landowners consented to give their land for nothing. The case was put before me not very long after I accepted office. Afterwards I went to Maryborough, in company, I think, with the Commissioner, and inspected the land. We saw the people who were interested in the extension, and in every case they consented to give their land for nothing, except in the one case of Mr. Thomas Walker, who was then the owner of the land in respect of which compensation is now claimed by Mr. Corser. The case of the Bank of New South Wales was not quite settled, but the general manager, Mr. Walker, who was a cousin of Mr. Thomas Walker, strongly recommended the institution to give their land also. It was a public convenience to have the railway carried along the wharves as far as possible. Of course there might be some persons who considered it was not a public convenience. I think it was a convenience to persons receiving goods by steamer and sending them up country by rail, or to those sending goods down by railway for shipment, that they should have this line carried out, because, as everyone knows, goods are liable to be knocked about when they are first transferred from the ship to the wharf, then to a dray, and carted to the station, there to be again unloaded and reloaded. It is a benefit to owners of goods to have as little shifting of them as possible after they are landed. And it was also a benefit to the Government, because they were losing traffic in some instances by the railway not being connected with those wharves. Now, the intention was to carry the line so far as it could be done, so that direct access could be had to every one of the wharves and every piece of land along the line. There was no intention, and no suggestion could ever have been made, that a fence should be put up there which would cut off Mr. Corser from his frontages. I do not think such a suggestion should have been made at all. If it was, it was a most improper suggestion, because the intention was that he should benefit to the same extent as other owners of land who had frontages to the railway, so that any goods landed on the wharf could be put on the trucks and sent away. That is a question that ought to be considered. It was a matter of public convenience to take the line on to the wharves. The landowners with one exception deemed the convenience so great that they were willing to give their lands for nothing, but one man holding the land running down to the water blocked the way. I considered, under the circumstances, that Mr. Walker, when his claim had to be settled, would have been awarded at the most a few hundred pounds. It is all very well to say that he had the key to the position. He had not altogether; and because the railway line ran into the middle of

the street it did not follow that he could use the line as he liked; and I do not think that anyone who knew that he was purposely blocking the traffic because the line only ran to his land, and he wished to get a monopoly of the benefits, would blame the Government if they refused him any such claim as that. As a matter of fact, a part of the railway simply ran on to the road, and I did not consider that Mr. Walker had any particular advantages. He had the key to the situation to a certain extent, but he had no right to keep the land blocked. He had no right to set himself against the interests of the public and the interests of the Railway Department.

Mr. ANNEAR: It was his own land.

The ATTORNEY-GENERAL: It was worth money to him.

Mr. NORTON: I quite admit that, and that he had a claim, but I do not think any excessive sum ought to be allowed. I would point out that the witnesses examined lately gave the present value of the land, but it must be remembered that there had been a considerable increase in value since the matter first arose. I quite agree with the argument with reference to the incompetence of the House to deal with a question of this kind, and I quite agree with the suggestion of the leader of the Opposition that it would be better to leave it to someone free from all bias—an expert—to decide the claim. Now, I am not going to refer to the present Railway Arbitrator; he has had a great deal said against him, whether he deserves it or not. I will leave the Government to deal with him as they like, but I do think that someone might be appointed similarly to the manner in which an appointment was made to decide another claim at Maryborough. I refer to the claim in a railway contract where the Government appointed a special engineer-in-chief in order to settle a disputed case. I would suggest that if the Government intend to allow their present Railway Arbitrator to remain in office, they should take similar action to that which I have mentioned, and allow someone to take independent evidence and decide upon the evidence brought before him whether the claim is a fair one or not. I think that would be the fairest way to all parties. The Government, of course, after the expression of opinion that has taken place in this House, will have to consider whether the present Railway Arbitrator is entitled to hold the position or not; but, if they do allow him to hold the position, I think they might appoint someone to deal independently with cases of this kind.

Mr. STEVENS said: Mr. Speaker,—I do not intend to detain the House more than two or three minutes. I shall not speak to the question, as I understand it is the intention of the Government to let the case go into committee; but I would suggest, for the consideration of the Premier, that between this and next private members' day he should introduce a Bill for the amendment of the Arbitration Act. At any rate it has been pretty clearly proved that the arbitrator is not fit for his position—in fact, he is thoroughly unfitted for it. But, beyond that, the system itself is not good. I think the Government, taking the present case into consideration, and those which I brought before the House last week, might very fairly, during this session, introduce a new system of trying these cases. I consider that in all the cases that have been brought before the House, the persons concerned have been unfairly dealt with by the arbitrator, and unless some speedy means are brought forward by the Government for trying these cases most of the persons aggrieved will have to accept the small sums offered by the Government, and therefore suffer considerable loss.

Mr. KELLETT said: Mr. Speaker,—I admire the plain statement made by the Attorney-General in reference to this case, and I do not myself intend to go into the evidence. What I rose specially to say is this; that when a select committee of this House is appointed, consisting of a number of intelligent gentlemen, and they have taken a lot of trouble to obtain evidence, and have brought up a report to this House, I think it would be very invidious on my part to say, after reading over the evidence, that they were not right in the position they have taken up. I am perfectly certain that each and every one of them, with the Attorney-General at their head, has done the best he could. The Attorney-General asked a great number of questions, and he tells us now that he is perfectly satisfied that the greater part of the claim is a just one. I think it would be useless in the future appointing select committees of this kind if, when they bring up a report, after taking a great deal of trouble, it is to be thrown out by the House. As to the Railway Arbitrator, I need not say much about him; but I will say that it will be only common fairness if the Government see fit to appoint a commission to inquire into all the arbitration cases which have been dealt with by that gentleman. I myself brought up two cases before the House last session, which showed, as plainly as possible, that the man does not understand his duties. I think that some speedy remedy should be introduced which would apply to all the cases which have been dealt with. It would be very unfair if those persons who have been obliged to take small sums because they are not in a position to claim arbitration are not dealt with in the same way as others, and I hope the Government will put itself in a position to have awards made in a fair and reasonable way. I hope, in justice, the Premier will see fit to have a commission appointed, not of members of this House, but of gentlemen outside of it, to inquire into all the awards made by the Railway Arbitrator.

The PREMIER: Mr. Speaker,—It has become quite clear, during the course of the debate, that the House generally desire to consider this matter in committee, and it is also quite clear that the report is not likely to be adopted in its present form. As the matter is to be discussed in detail in committee, I do not think it is worth while to waste any more time in discussing it now. The best thing we can do, therefore, is to allow this motion for going into committee to pass, it being understood that the Government are not prepared to accept the report as it stands, but will deal with it on its merits when we get into committee.

The Hon. J. M. MACROSSAN: What about the arbitrator?

The PREMIER: As to the arbitrator, I am not prepared to say what the Government will do between now and this day week; but the Government will take the matter into consideration between now and this day week.

Mr. SHERIDAN said: Mr. Speaker,—I will not occupy more than a few minutes, but I wish to set the House right with regard to some observations made by the Minister for Works. That hon. gentleman stated that only £500 passed for this land, and that that was the amount upon which the fees were paid at the Real Property Office. The facts of the case are that the equity of redemption of this property was bought for £500, the mortgage being £8,000, and when that £8,000 was paid the full fees were paid at the Real Property Office. The hon. gentleman was not fair in his disparagement of the gentlemen who gave evi-

dence in Maryborough. They are all most respectable and well-known men, and some of them have resided in Maryborough for twenty or thirty years, and were in the habit, as auctioneers, of dealing with property. It is therefore scarcely fair to repudiate their evidence, as the hon. gentleman has done, and receive the evidence of a gentleman sent from Ipswich to value property in Maryborough. What in the world could he know of it as compared with local residents of unblemished and unstained character? As there is no objection offered to the motion for going into committee, I will reserve what I have to say for that occasion.

Question put and passed.

#### ORDER OF BUSINESS.

#### LADY BOWEN LYING-IN HOSPITAL LAND SALE BILL.—COONEANA RAILWAY BILL.

On the Order of the Day being read for the consideration in committee of the Lady Bowen Lying-in Hospital Land Sale Bill—

Mr. W. BROOKES said: Mr. Speaker,—With regard to this Order of the Day, I wish to postpone it until this day week, and with regard to the next Order of the Day, I have the authority of the hon. member for Warrego, Mr. Donaldson, who is responsible for it, to ask you to postpone it also until this day week.

Question put and passed.

#### WARWICK TO THANE'S CREEK RAILWAY.

The MINISTER FOR WORKS moved—

That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the following resolutions, viz.:—

1. That the House approves of the plan, section, and book of reference of the proposed railway from Warwick to Thane's Creek, in length 24 miles 50 chains 50 links, as laid upon the table of the House on the 23rd day of September, 1887.

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

Mr. MOREHEAD said: Mr. Speaker,—I clearly understood from the hon. leader of the Government that he intended to adjourn at 9 o'clock if he could. I distinctly object to this motion, which is of very considerable importance, being discussed in a very thin House.

The PREMIER: We do not want to discuss it at all now.

Mr. MOREHEAD: I do want to discuss it, and it will be discussed. The motion moved by the Minister for Works will be discussed now if it is necessary—that is, if we are forced into that position. If we are so forced it will certainly be a breach of faith on the part of the leader of the Government.

Mr. W. BROOKES: Oh! I do not think that is intended.

Mr. MOREHEAD: I do not know what is intended. The Government's intentions, we all know, are very good indeed; but their actions are very different. I say this question is one that will be discussed. I think a very unfair advantage is being taken of this House by the Premier, though I do not believe he intends to do that. This question will certainly be discussed if it is pushed on at the present time, thin as the House is.

The PREMIER said: Mr. Speaker,—I do not think the hon. gentleman quite understands what the motion is. The matter is proposed to be considered in committee, and it has always

been the practice with respect to everything except railway matters to make a formal motion on a previous day to fix a day for going into committee. In connection with railway matters it became the practice only two or three sessions ago to take them in committee; but hitherto it has been done in an inconvenient form—by moving, "That the Speaker do now leave the chair," etc., and immediately afterwards going into committee, which is quite inconsistent with the ordinary practice of fixing a day for the purpose at an earlier day. I had my attention called to the inconvenience of the present practice by the fact that these motions have had to be postponed day after day. I then advised my hon. colleague the Minister for Works to alter the form of the motions, and put them in the ordinary form, fixing a day for going into committee for their consideration. There is nothing more than that in it, and on Wednesday next, if this motion is carried, the motion will be made, "That the Speaker do now leave the chair," and the motion will then have to be considered in the ordinary way. It is exactly like the motion which is immediately before it on the business paper—"That this House will, on Tuesday next, resolve itself into a Committee of the Whole," for the consideration of the desirableness of introducing the Bill with respect to New Guinea. I have not the slightest intention or desire to take any advantage, I can assure the hon. gentleman. There is nothing gained by this motion not being carried. My sole desire was to adopt the proper course for enabling the House to go into committee on Wednesday.

The Hon. J. M. MACROSSAN said: Mr. Speaker,—I was certainly under the impression, from what passed between the Premier and the leader of the Opposition last night, that we should adjourn to-night at 9 o'clock if possible; and I thought that was his reason for saying to me that he wanted to get the motion on the Corser report disposed of so that we might adjourn at once.

The PREMIER: But this is only formal business.

The Hon. J. M. MACROSSAN: I understand the matter quite as well as the hon. gentleman does, and I know that this question will be discussed at every stage, and if we accede to this it will be simply allowing one stage to pass without discussion.

The PREMIER: But if the motion is not allowed to be made this stage will be lost altogether.

The Hon. J. M. MACROSSAN: I know what has been done with railway motions before. The hon. gentleman might just as well let the motion stand as it was. He is simply doing it to placate the hon. member for Darling Downs.

The PREMIER: No; I am doing it for the convenience of the House.

The Hon. J. M. MACROSSAN: We know that that hon. member doubts the sincerity of the Government, although he tries to put on a fair face; and the Government are adopting this plan in order to disperse any doubts he may have as to their sincerity. The hon. gentleman might follow the example of the hon. member for Brisbane, Mr. Brookes, and postpone this motion.

Mr. KATES said: Mr. Speaker,—I cannot understand why hon. members opposite object to the motion, which is to fix Wednesday as the day when the debate upon the railway shall take place. There will be plenty of time to discuss it

on Wednesday, and I fail to see where the objection comes in. I see nothing wrong in the motion.

The Hon. J. M. MACROSSAN: You would see nothing wrong if it was carried without discussion.

Mr. DICKSON said: Mr. Speaker,—I also was under the impression that no business would be taken after the Corser motion was disposed of, or rather after 9 o'clock; and I should like to see this particular question most thoroughly discussed. It is a question of the very highest importance; but as the motion is only one of a formal nature, I would ask hon. gentlemen opposite not to object to it. The form may be a new one, but no advantage can be gained by objecting to it.

The PREMIER: If hon. members insist upon their objections I will withdraw the motion.

Mr. MOREHEAD: I do object to it.

Mr. STEVENS said: Mr. Speaker,—As hon. members are well aware, I am thoroughly opposed to this line, and I should not like any new step to be taken in an empty House. The leader of the Opposition and the hon. member for Townsville are experienced in the ways of Parliament, and they would not object to the motion unless they had good reasons for doing so. I hope the Premier will not press his motion.

The PREMIER: I have already said that I will withdraw it.

Mr. STEVENS: I cannot imagine that they would insist on their objection unless they had very good cause for doing so.

The MINISTER FOR WORKS: With the permission of the House, I beg to withdraw the motion.

Mr. GRIMES: I object to the withdrawal of the motion.

HONOURABLE MEMBERS: No, no!

Mr. GRIMES: Then I withdraw my objection. Motion withdrawn accordingly.

#### ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that the House do now adjourn. When the leader of the Opposition came into the House I went over to tell him that after the Corser business was disposed of I desired the railway motions to be taken as a formal matter. It was merely a matter of form; but as hon. members opposite raised objections, however frivolous, the only course under the circumstances was to withdraw the motion. But I have not broken faith in the slightest degree. If hon. members will not let us get into committee in a formal way, we must revert to the informal way. But we certainly shall not move the motion on Tuesday, because if we did hon. members opposite would occupy the whole of Tuesday in discussing the question whether they would go into committee upon it on Wednesday. We shall therefore revert to the informal practice which had been followed up to the present time. It will not make the slightest difference with regard to the business. On Tuesday I propose to take the Electoral Districts Bill.

Mr. MOREHEAD said: Mr. Speaker,—The hon. member last evening distinctly stated that he did not anticipate—I did not say that he promised not to sit after 9 o'clock, but he certainly told me and this House that he would take no Government business after that time. The hon. gentleman has said that I have taken a frivolous objection to what he proposed to do. But I always look with great amount of suspicion upon alterations in business made by him, and I think

I was quite right on this occasion. I think it was very much better to leave things as they were because I am perfectly certain of this: that the hon. gentleman does not allow notices of this kind to remain long on the business paper without casting his critical eye over them, and I am sure that unless he had some sinister object in making this alteration, or of playing a political trick, he would not have done what I thought he was trying to do and what he did not succeed in doing.

The PREMIER said: I am very much obliged to the hon. member—

Mr. MOREHEAD: Spoken!

The PREMIER: The mover of a motion has the right to reply.

Mr. MOREHEAD: Not on a question of adjournment.

The PREMIER: I desire to compliment the hon. member on the graceful character of his speech, and the ignorance of parliamentary practice he has displayed.

Mr. MOREHEAD: Parliamentary tricks are not in my line.

The PREMIER: I do not like to see anything of this sort, upon my word. I told the hon. member that I would go on with no contested business, and the moment he objected to this being treated as a formal matter, I expressed my willingness to postpone it.

Mr. MOREHEAD: No.

The Hon. G. THORN: Yes, he did.

The PREMIER: The hon. member, of course, can say that is a breach of faith if he pleases. If he takes up that position, we know how to deal with it.

The Hon. J. M. MACROSSAN said: Mr. Speaker,—The hon. gentleman is losing his temper again.

The PREMIER: No.

The Hon. J. M. MACROSSAN: It is a great pity he cannot keep better temper. Why does not the hon. member for North Brisbane, sitting behind him, throw a little modification into him?

Mr. W. BROOKES: Because it's too late.

The Hon. J. M. MACROSSAN: The hon. gentleman was very anxious to go home about 9 o'clock, and asked me if I was going to speak on the Corser motion. I certainly did intend to speak on that motion, but he gave me to understand, in a hurried way, that he wanted to go home, and I understood that when the Corser motion was to go into committee that we were done with it for the present and might go away. I certainly intended to speak on that motion. I know that several members behind me intended to speak; I saw several hon. members on the other side rise but could not get a chance to speak, so that if it had not been supposed by myself and others that we were to go home when we had finished the motion then before the House, we should have continued here until perhaps 11 o'clock, and the hon. gentleman would have had no chance of going on with this other matter. At any rate, I think he should try and keep his temper, because some day probably he may cause us to lose our tempers, and when diamond cuts diamond there is generally some dust.

Question put and passed.

The House adjourned at fifteen minutes to 10 o'clock.