

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 2 NOVEMBER 1887

Electronic reproduction of original hardcopy

LEGISLATIVE COUNCIL.

Wednesday, 2 November, 1887.

Messages from the Governor—Assent to Bills.—Message from the Legislative Assembly—Distilleries Act Amendment Bill.—British New Guinea Bill—third reading.—Electoral Districts Bill—second reading.—Cooneana Railway Bill—second reading.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

MESSAGES FROM THE GOVERNOR.

ASSENT TO BILLS.

The PRESIDENT announced the receipt of messages from the Governor, conveying His Excellency's assent, on behalf of Her Majesty, to the Local Government Act of 1878 Amendment Bill, and the Lady Bowen Lying-in Hospital Land Sale Bill.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY

DISTILLERIES ACT AMENDMENT BILL.

The PRESIDENT announced the receipt of a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to amend an Act of the Governor and Legislative Council of New South Wales, passed in the thirteenth year of Her Majesty's reign, and numbered 27.

On the motion of the POSTMASTER-GENERAL (Hon. W. Horatio Wilson), the Bill was read a first time, and the second reading made an Order of the Day for to-morrow.

BRITISH NEW GUINEA BILL.

THIRD READING.

On the motion of the POSTMASTER-GENERAL, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly with message in the usual form.

ELECTORAL DISTRICTS BILL.

SECOND READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—This is a Bill to make provision for additional and better representation of the people of Queensland in Parliament. The present law is contained in the Electoral Districts Act of 1878, by which the Legislative Assembly is to consist of fifty-five members. It was found, however, in the year 1885, that so much had the population increased that it was absolutely necessary to pass an Additional Members Act to meet pressing demands, and accordingly by that Act an additional member was given to the Valley; Mitchell was divided into two electorates, and a new one, called Barcoo, carved out of it; Townsville was also divided into two electorates, the new electorate of Musgrave being formed, and Townsville itself was given two members; the total number of members being thus increased to fifty-nine, which is the present number constituting the Legislative Assembly. But this attempted adjustment of representation, though a slight relief, only remedied the most pressing demands, and so taking into consideration the rapid increase of population as disclosed by the last census, this Bill has been framed in order that the electorates all over the colony should be rearranged, and their boundaries be newly defined. A Bill of this character, at whatever time it may be introduced, is only of a temporary nature, as the representation must be made to keep pace with the wants of an ever-increasing population. That is, of course, an attribute of all young and growing communities, where, as in this colony, a periodical revision of the laws relating to the representation of the people in Parliament becomes a necessity. The present Bill has been drawn very carefully and on lines scrupulously fair to all parts of the colony, without distinction of party. That will, I think, be admitted from the manner in which it has been received in the other Chamber by both sides of the House, and the attempt that has been made there to make it as good, complete, and effective a measure as possible. The Government have tried to do their utmost to make the fairest revision possible, having regard to the great diversities of interest throughout the colony, the object being to do substantial justice to all parts of the colony. With regard to the principles of the measure, there are two bases of population on which to fix representation—namely, total general effective population, and total adult male population. The

Bill adopts the first named principle as the proper one, subject to important modifications where there are exceptional circumstances, such as in the case of the Croydon Gold Field, which has suddenly sprung into existence, and where there is a large adult population. Wherever population is evenly settled no doubt the proper and best basis is that of total general effective population, and not adult population. I believe that is the principle accepted in the United States of America—at any rate it is the principle laid down in this Bill, though, as I said before, there are certain modifications rendered necessary by the circumstances of the colony, and which have been adopted in the Bill. Then the geographical boundaries have been carefully adjusted so as to take in districts with similar interests and aims. If hon. gentlemen refer to the schedule, they will find that the districts have been carefully laid out, and the maps which are now hanging round the Chamber will give all the information hon. gentlemen can possibly require to show the exact boundaries of the different electorates. Again, the metropolitan constituencies, which are dominant in point of numbers, do not get their numerical share of representation according to population. For instance, the Bill would give to the North two or three members for the same population which in the metropolitan constituencies would receive only one member. If hon. gentlemen turn to the table of population in the different electorates, they will find, in illustration of this, that the member for Bowen would represent a total population of 2,771 persons, whereas a member for Brisbane would at the same time represent 7,475 persons, thus showing the very fair way in which the Bill has been drawn. Next, the municipal and divisional boundaries, and the divisions proposed by the Financial Districts Bill, have been duly regarded, so far as practicable. Electorates are divided into groups, and the basis of contribution to revenue allowed for. The groups will also be found on the paper to which I have alluded, and on reference to that it will be found that the Southern pastoral group has five members, representing an average total population of 3,004. The Darling Downs group has eight members, representing an average total population of 4,178. The Wide Bay and Burnett has nine members, representing a total population of 4,226. In like manner, the West Moreton group has seven members, representing an average total population of 4,389 persons. The East Moreton group has nine members, representing an average total population of 5,028. The Metropolitan group has seven members, representing an average total population of 7,298 persons, and the Pastoral group has ten members, representing an average total population of 2,800 persons. In this way a character has been given to the various constituencies. The mining interest, the agricultural interest, the sugar interest, commercial, trading, pastoral and other varied interests in the colony will each have an opportunity of returning representatives who are familiar with the wants of their several classes, and those representatives will be the spokesmen of the various interests, and so carry out the object sought to be attained by the Bill, which is to secure complete and adequate representation of the people of Queensland in the fairest manner possible. With regard to the increase in the number of members I would like to say a few words. In 1872 the number of members of the Legislative Assembly was forty-three. At that time the population of the colony was about 120,000 persons. In 1878 the number of members was increased to fifty-five, and the population was then about 200,000. I have already mentioned the increase of four extra members in 1885, which brings the number up to fifty-nine—the present number of members.

We now propose to make a further increase, which is a necessary increase, of thirteen members. It must be remembered that our present general population, as estimated on the 31st December last, is 342,614 persons, or about three times the number of persons there were in the colony in 1872. In order to show the exact changes made by the Bill without going into minute detail, I may point out shortly—taking the three great divisions of the colony—that the Northern division, with a total population of 48,679, having at present ten members, is to have sixteen members, giving an average of 3,042 of total population to each member, so the Northern division has thus an increase of six new members. The Central division, with a total population of 36,243, having at present eleven members, is still to have eleven members, giving an average of 3,295 of total population to each member. The Southern division, with a total population of 213,550, having at present thirty-eight members, is to have forty-five members, giving an average total population of 4,745 to each member. In further illustration of what I said respecting the metropolitan constituencies, I may say that the Metropolitan division, which had a total population of 51,084, has at present six members, and is to have seven, so that there is simply an increase of one member, giving an average total population of 7,298 for each member. It has been found quite impossible to in any way reduce the number of members with safety, and without doing flagrant injustice to most important interests. Hon. gentlemen know very well that difficulties always arise when an attempt is made to divide the colony into a fixed number of electorates. The number, in fact, cannot be arbitrarily fixed. If, for instance, you were to fix the number at fifty-nine, you could only do so by taking a member from one district and giving to another, or by dividing a district in some cases, and in others, throwing one electorate into another. The number of members must be secondary to the formation of the constituencies; which, for locality, common interests, and a due proportion of population, must be contained in one block. Thus, the number of members finally arrived at, is, to a certain extent, purely accidental in its results. The whole scheme of the Bill has, however, been so carefully considered, and so effectually carried out, that I am quite certain there will be no necessity for a new Redistribution Bill for many years to come. Future contingencies have been minutely weighed and allowed for, and if population should increase to as large an extent in the future as in the past, the Bill will admirably serve to meet such rapid growth as it arises without any necessity for fresh legislation. In clause 4 of the Bill the different electoral districts are given, and hon. gentlemen can see by the list that there are twelve constituencies which return two members each, leaving forty-eight constituencies returning one member each. The boundaries of the different electoral districts are very particularly described, as I have said before, in the schedule. The other clauses in the Bill embrace the proper provisions for holding registration courts, the places where these courts shall be held, and the constitution of these registration courts is especially provided for. The lists compiled under the Elections Act of 1885 are to be produced, and from them lists are to be made up for the different divisions. Provision is also made for the representation of that part of the colony not included in any electoral district. There is a portion of the Northern district of the colony that has not been hitherto represented—namely, Somerset, Thursday Island, and the fishing stations; and they have now been

taken into the electoral district of Cook, and the electors there will in future be represented. Special courts mentioned in the Bill are to take the place of ordinary annual revision courts; and by section 16 the rolls compiled from the special lists so prepared shall be the rolls of electors entitled to vote at all elections held between the time they are compiled and 31st December, 1888. It will be seen that this is a Bill that deals exclusively with the constitution and status of the other branch of the Legislature, where, as hon. gentlemen know, it received patient, careful, and crucial attention. It has been a heavy task. It has occupied a very long time in the consideration of its several bearings, and that being so, in order that the constituencies may have an early opportunity of taking advantage of the Bill, and securing the representation to which they will be entitled under it, and of expressing an immediate opinion on the great questions of the day, I trust the Bill will pass this House without material alteration. I believe that it is usual that Bills of this character, which deal exclusively with the status of the other Chamber, should not be altered in any important particular. Of course I simply mention that, and, judging from past usage, I am sure that the wisdom of this Chamber will see that the representatives of the people in the other Chamber having come to a careful conclusion as to the constitution and boundaries of the different districts, and the way in which they should be represented, we should pass the Bill, as I said before, without any material alteration. I beg to move that the Bill be now read a second time.

The Hon. W. H. WALSH said: Hon. gentlemen.—The Postmaster-General's concluding remarks have certainly roused my attention to the necessity for hon. gentlemen in this Council paying some attention to this Bill. I think it is quite a mistaken notion of his, or probably of the Cabinet he represents in this Chamber, to suppose that we have little or no business whatever to interfere with a measure sent up from the other Chamber regarding its alteration or constitution. That would be a fatal idea for the representatives of the people of the colony in this Chamber to entertain, for we are truly the representatives—not the ephemeral ones, but the lasting ones;—there can be no more fatal idea than that we should silently acquiesce in the suggestion or supposition of the Postmaster-General. I hold that there is no greater duty we have to perform than that of seeing that the people of the colony are properly represented by their representatives, both numerically and efficiently, and it is a battle that has been fought from the year one under the British Constitution—from the very beginning of parliamentary government. The battle has been fought by the peers of England to provide that the people of the country shall be adequately represented in the House of Commons. Therefore, I at once rose to express my objections to such argument. I admit it was only almost inferentially advanced by the Postmaster-General—the argument to the effect that this is a business that belongs more particularly to the other Chamber. I think I am not misconstruing my hon. friend when I divert his language into that particular phraseology. This is a very important Bill that we are called upon to acquiesce in. We are not active politicians—we have no constituents to please; but we have to attend to the whole of the colony. Is there any necessity for this Bill being brought forward at all? Was any demand made for it by the people of the colony? I have watched attentively for some three or four years and have seen no necessity for it whatever. If the people have not demanded it, for what

object has the Bill been brought forward? If my hon. friend the Postmaster-General cannot show this Chamber that the Bill was urgently demanded by the constituencies or by the exigencies of the colony, then I say we should pause for a moment before we determine to go one step further in the consideration of this measure. The Postmaster-General has shown us no absolute necessity for it—he has not shown that there will be any great injustice done if the Bill is not passed; nor can we discover from any source outside of the Chamber that there is any requirement for the Bill being brought under our notice. Then there is another grave question in connection with the Bill. I think I am right in saying that the number of members who now represent the people of the colony—namely, fifty-nine—is far in excess of the requirements. I am not aware that that number is inadequate or that the colony is suffering from under-representation. Whence the necessity for this increase? I ask the question, because I want to show that there is a necessity on our part for not agreeing to it. The colony at present is in a very impecunious position, and by adding to the number of members in the other Chamber, we add to the charges upon the people of the colony, which is a very serious matter. Each representative in the other Chamber is receiving on an average about £200 per annum, and now, without any demand from the people of the colony, whom we are here to defend in every way we possibly can—because we are representatives of the country, and not mere delegates of certain constituencies—we are called upon to increase the burdens of the people by adding another thirteen to the already lavishly paid members of another place. I think we should be wise in rejecting the Bill, and at the next general election the people should have an opportunity of saying whether we are to sanction this increased expenditure, and this unnecessary increase to the talking power of another part of the parliamentary establishment. My hon. friend did not at all show any necessity for the expenditure of this money. He did not show that there was an absolute deficiency in the representation of the country in another place; in fact I do not know what reason he could have advanced for the passing of a Bill of this kind. Besides adding members to the other Chamber, it means also that additional members will be placed in this Chamber, at the instigation of a Government which is on all sides supposed to be moribund. If we submit to the addition of thirteen members to the other Chamber, so sure shall we justify the Government in nominating some more members to this Chamber. There are fifty-nine members in the other Chamber, and I ask the hon. Postmaster-General what call there has been upon the Government to make this sudden and inordinate increase, to seventy-two members? Until some cause has been shown, we should hesitate very much before we allow this Bill to go through. I need not refer to the Act I have in my hand, which is to show the cost the Legislative Assembly is now to the people. I sent for it for the purpose of illustrating my argument, but I think there is no necessity to quote it. We must always bear in mind that our sanctioning this Bill leads to extra cost to the country. Whether that charge upon the country is properly made or not is not for me to discuss; but I do not think the people of the colony have been properly referred to on the subject. I am trying to point out that the country is adequately represented, so far as the number of members goes, by the members of the present Legislative Assembly, and the present Bill has not been demanded by any call from the country. It is a question for us to consider whether a Bill, costing the country so much, brought in at the fag-end of a

session, and by a moribund Parliament at a period when it cannot receive that consideration which it should, shall be allowed to be read a second time.

The HON. F. T. GREGORY said: Hon. gentlemen,—Before proceeding to discuss this measure as a whole, or in detail, I may follow up the observations of the last speaker on a point in which he has forestalled me. I think it behoves us all, as members of a House constituted as our own is, to protest against the remark made by the hon. Postmaster-General, as to its not being our special function to consider measures of this nature. If there is any question that can come before this Chamber of more importance than another, and where our duties require us to proceed with great care and consideration, it is a measure of this kind which affects the Constitution. This is a question which affects the main principles of the Constitution, and important consequences may arise to the country through such a material alteration in the amount of representation. Although the hon. gentleman who has just spoken has laid great stress upon the additional cost to the country which will be involved, I look upon that as a very secondary consideration, important as it is, to the great constitutional one. It is our special duty and function to watch over and guard the whole constitutional question. If we are to sit still, merely because a measure more immediately affects members of the other branch of the Legislature, and we are not to take an active part in it, upon the same grounds we may claim that they should never interfere with us. But we are part of one whole, and that whole, unless it is worked in conjunction and in harmony, is nowhere. That has been recognised by all writers on the subject, by all statesmen, and men of any position at all, whose opinion is worth recording. The Constitutions, not only of the mother-country but of these colonies, are of such a nature that we cannot allow any one part to be tampered with, or altered, or amended in any way without giving our most careful consideration to the point, and can only sanction it on finding that the alteration will be really to the benefit of the country as a whole. I feel quite confident that all those gentlemen who have studied the Bill will fully endorse what I have said. I will next proceed, and very briefly, to discuss the main features of the Bill. The Bill proposes to increase the number of members in a House which is already numerically vastly stronger than the condition of the country in any way demands. To have dealt with this question in a proper way, and in the way in which any thoughtful statesman would have dealt with it, would have been to have left the number of members the same, if not to have reduced it, and to have readjusted the boundaries of the electorates so as to place the representation of the colony upon a fairer and more just basis than at present. If we cannot obtain that result by what we consider the best process, of course it remains for us to make the best we can of any other proposition which may bring about as nearly as possible what we deem to be necessary, and it is only from that standpoint that I am at all prepared to support the second reading of the Bill. That the country has been unevenly represented there is not a doubt. The metropolitan district has ruled the country and coerced the remainder, by having an undue number of members, in proportion to the interests at stake. Not only is it directly that it is over-represented, but it is over-represented by the fact that so many members reside within a few minutes, or a few hours' distance of the seat of government, and can put in an appearance at all times, which gives them an advantage, I think it is not too much to say,

of from 15 per cent. to 20 per cent. over the rest of the colony. It is all very well to say that if a man accepts the duty of representing a constituency in Parliament, he should attend to those duties. Quite true. But can he, in every instance, do it upon the same terms as those whose residences are within gun-shot of this House? Even with fewer representatives, in comparison with the population, the metropolitan constituencies do not labour under the disabilities under which the country districts labour, although the Bill makes the distribution nearer what it should be proportionately. Looking over the Bill carefully, I see that the representation has been enlarged more in favour of the outer districts than it was previously, when it was exceedingly unfair and inequitable. They will now have, certainly, better representation, but it would have been better, from every possible standpoint, if the number of members had not been increased. By the time we have a population of 3,000,000 here, notwithstanding what the Postmaster-General has stated, that this is a Bill which will last a considerable time, we shall have a House of Assembly equivalent in numbers to that of Great Britain. It is already admitted in Great Britain that the number of members in the House of Commons has become a serious evil; and I daresay they are in the same position there as our statesmen are here—that they cannot reduce the number. If they could they would do it. Here we go upon the petty basis of one member to every 1,200 or 1,500 adult males, which is perfectly ridiculous, and if we go on at that rate, what shall we arrive at in time? It is quite clear to me that if the country is going to conduct its business in anything like a reasonable way, and not spend its tens of thousands in paying members to attend the House, they will cut down and reduce instead of increase the number of members. Therefore the contention of the Postmaster-General is a total failure. The question of single electorates has been very warmly discussed in this House in the passing of former Bills, and there is no doubt that, taking it as a whole, their tendency is not to insure the representation of minorities. I have seen, from actual personal acquaintance with the subject, that in very many double electorates, although there may be a majority of one or the other of two parties, they have frequently returned members to represent each side, which was something like the representation of minorities. Of course if they carried that point to an extreme, for argument's sake, they would see that to represent minorities, every man would have to return a member, and, of course, even then, if there was a majority of only one in a House of 320,000 members, that party would be able to carry any measure they thought fit. I only put the matter in that light for the sake of argument, to illustrate the subject. Under the circumstances, it behoves us to be exceedingly careful how we deal with a measure of this description, and it is only because I am alive to the fact that the country constituencies are now very much under-represented, that I am prepared to consider the Bill. I would otherwise at once denounce it, and use my best endeavours to prevent its passing into law. I will not detain the House now by calling attention to the one or two clauses that, it struck me, might with advantage be modified. I am prepared to see the Bill pass its second reading, and deal with the particular clauses of it when it gets into committee.

The HON. W. F. TAYLOR said: Hon. gentlemen,—I think the hon. gentlemen who have spoken probably misunderstood the full meaning of what the Postmaster-General referred to in regard to the passing of this Bill by the House without alteration. I think what the Post-

master-General was referring to was the fact that in 1872 the Council, although they made an amendment, did not insist upon it, in the Redistribution Bill which was then passed, nor did they in 1878, when they made a small amendment of a technical character. The Postmaster-General evidently referred to these facts of former usage, and not to any want of power on the part of the Council to deal with a measure of this nature to its fullest extent. So far as my judgment goes, the present Bill is one which has been most carefully thought out and very fairly arranged. Notwithstanding what the Hon. Mr. Walsh has said, there is no doubt that there has been a very urgent cry from the northern part of the colony for increased representation, and that cry has been met by this Bill so far as possible. No doubt there are other parts of the colony which thought they ought to be better represented; but still the northern part, being in a mood for agitation, made a great deal more noise than the other parts. Comparing the proposed representation with that which already exists, it appears to me that the Bill is very much fairer than the present condition of affairs, taking the adult male population as a basis. An attempt has been made to approximate as nearly as possible the numbers represented. That is to say, in the North there will be an average of one member to 1,226 adult males under the Bill; while at present the proportion is one member to 1,945 male adults. In the Central districts at present there is one member to 1,237 male adults; and in the Darling Downs district there is one member for only 916 male adults. There is, of course, a very striking example of the non-representative character of the present Parliament. But now an attempt has been made to represent the adult male population on pretty much the same basis. In the Southern division the proportion is one member to 1,292 adult males; and in the Darling Downs division, it is one member to 1,016 adult males, that district being still over-represented. Still the great discrepancy which exists at present will not obtain under the Bill. I quite agree with the remarks of hon. gentlemen, that we must be exceedingly careful in increasing the number of representatives. At the present rate of increase, as was justly remarked by the Hon. Mr. Gregory, when the population has arrived at a respectable figure, say 3,000,000, we will have an enormous number of representatives. I think that will cure itself long before we have such a population. There is no doubt it would be better if it were considered advisable that there should be fewer representatives in the Legislative Assembly, but I think it better to have a large number of members than to have the constant cry of people who assert that they are not properly represented. There is one clause that I think might have been constructed in a different way, and that is the 10th, which relates to the constitution of the court. By this it is decided to perpetuate the system of courts of registration being made up of any local magistrates who may choose to sit on the bench. No doubt that practice may have its advantages in some of the more sparsely populated parts of the colony, but in the more populous parts it has very many disadvantages. In the Metropolitan group, for instance, where there are many magistrates, when the registration court is sitting those magistrates sit whenever it suits their fancy; consequently what one batch of magistrates sitting in the morning might consider formal another batch sitting in the afternoon might consider informal. I am aware that if the police magistrate were always sitting in the registration court that difficulty would be got over, but he cannot give very much of his time to that

court, consequently the greater portion of the work is left in the hands of the ordinary justices. I speak somewhat feelingly on this point, because, when I came to Brisbane, after residing six months here—the time that entitled me to be placed on the North Brisbane roll—I made the necessary application to be registered as an elector; but to my surprise my name did not appear with those placed on the roll. After waiting a reasonable time I went to the clerk of petty sessions to ascertain the reason, but he could give no reason. He produced my application, on which was marked in red ink, "Informal"; but he could not tell me how it was informal. He gave me another form to fill up, which I did; but to my surprise, the second one was rejected also. I became indignant at that, and wrote a letter to the *Courier*, stating the circumstances. I went again to the clerk of petty sessions and asked him to fill up the form for me, and he did so. Whether my letter had any effect or not I do not know, but I succeeded, after three attempts, in getting my name placed on the electoral roll. No doubt that is the case of a great many others, and I believe that there are many people who do not obtain the franchise because they cannot take the time and trouble to go into the matter as I did on that occasion. It would be better if provision were made for the appointment of a regular court of revision to deal with electoral rolls. It has been found necessary to appoint a regular court for granting publicans' licenses—a reform that was very necessary. That reform has worked exceedingly well, and I believe that a great deal of trouble and annoyance would be done away with if similar courts were appointed for the purpose of registering electors. That is the only fault I have to find with the Bill. I consider it, in every other respect, a very fair measure, and I trust it will pass its second reading.

The Hon. G. KING said: Hon. gentlemen,—I cannot help expressing my regret that a moribund Parliament should at this stage have introduced so important a measure. That there was a necessity for additional representation I fully admit, and I think that would have been met by an Additional Members Bill, giving, perhaps, two more members to the Northern districts, and providing for a redistribution, to a certain limited extent, in the Southern division; but I think the increase in the number of members of Parliament is a crying evil. We have seen the effect of that in the Parliament of New South Wales, where the number of members has been increased from 60 to 120—and with what result? What have they done? What good have they achieved? What has been their legislation? I think the larger the number of representatives the worse the legislation as a rule; and you cannot tell where it stops. You cannot tell who are the future members to be elected, and altogether it is a very serious matter. Of course, the expense is also a matter for consideration, and I think that in the present state of the finances of the country every possible saving ought to be effected—in railways and everything else—and there should be no expense of this sort thrown on the country when we are £410,000 in arrears. I think that is very wrong. So far as the actual redistribution goes it may be fair enough, but the crying evil is the increased number of members, for which there is no necessity. Moreover, I think politically it is a great mistake, and I think the Government will find that out too.

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

Committal of the Bill made an Order of the Day for to-morrow.

COONEANA RAILWAY BILL.

SECOND READING.

The Hon. A. C. GREGORY said: Hon. gentlemen,—In moving the second reading of the Cooneana Railway Bill, I may mention that this is a short line of railway over a small tract of country to a place where there are some very valuable coal deposits, and therefore it is quite clear that the construction of a railway over this tract of country will be beneficial to the colony, because if we open up to any greater extent our industrial resources, we are certainly benefiting the community. It is not proposed by this Bill to throw any burden whatever on the State; it is purely a private undertaking. Originally, when the Bill was introduced, it was proposed to give the company an unlimited time for carrying out that railway, but it was amended at the instance of the select committee of the Assembly, when the time was limited to three years, which they think will be ample time to carry out the work. The line of railway goes over a tract of country which does not contain any valuable improvements; in fact, very little ground is under cultivation, if any. Therefore no injury can be done, nor will any of the main thoroughfares be inconvenienced, because this railway will join the Brisbane and Ipswich line in a convenient position. There is one peculiarity to which attention may be advantageously drawn, and which, I think, might be adopted in carrying out our Government railways, and that is a provision in the 4th clause, by which only the surface of the land is resumed. We know that very great inconvenience will arise in many cases where not only the surface right has been reserved for Government railways, but also the land and all the minerals beneath, which may be worked without the slightest inconvenience or danger to the railways on the surface. How these resumptions can be carried out is not very clear, nor is our present law on the subject very clear either. It is supposed that the Railway Act of 1872 is the Act in operation with regard to resumptions, but after looking at some of the later Acts we find that the Act of 1878 would practically repeal the Act under which the resumptions for railway purposes have been dealt with for the last ten years. Part 2 of clause 5 of the Public Works Lands Resumption Act, which is the application of the Act, says that it shall be applicable to acquiring land which the Governor in Council shall, by order in Council, declare to be required for the future construction of a railway. The precise meaning of that, no doubt, requires a court of law to decide, and hitherto the question has not been definitely raised, but I think it probably will be raised before long. The Cooneana Railway Bill will have to be passed in accordance with the existing law on the subject, whatever that may be; but it contains a modification by bringing the valuations under the operation of the Interdict Act, which provides for arbitrations being carried out in a special way, under the direction of the Supreme Court. I think due provision has been made in the Bill to protect all public interests, and so far as I can see no inconvenience will be caused by working the line in connection with the public railways, the Commissioner having sufficient power to do such things as may be necessary to regulate the traffic on the line, and also to enter upon the line and make use of it should it be found to be advantageous to the public to do so. I do not think it necessary to detain the House any longer now, because the details can be dealt with in committee. I therefore move that the Bill be now read a second time.

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

Committal of the Bill made an Order of the Day for to-morrow.

ADJOURNMENT.

The POSTMASTER - GENERAL: Hon. gentlemen,—I beg to move that this House do now adjourn.

Question put and passed.

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