

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 15 AUGUST 1889**

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## LEGISLATIVE ASSEMBLY.

*Thursday, 15 August, 1889.*

Western Australian Constitution—Lord Knutsford's reply.—Question.—Petition—local government at Copperfield.—Motion for Adjournment—Western Australian Constitution.—Church of England (Diocese of Brisbane) Property Bill—first reading.—Warwick Gas Company Bill—first reading.—Rabbit Act Amendment Bill—third reading.—Exchange of Roads—Mudlapilly Division.—The Sandstone Quarries Committee.—Establishment of Slaughtering Stations.—Case of Widow of William H. Greenaway.—Western Australian Constitution—telegram from the Speaker of the Legislative Council.—Civil Service Bill—adoption of report—re-committal.—Adjournment.

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

## WESTERN AUSTRALIAN CONSTITUTION.

## LORD KNUTSFORD'S REPLY.

The PREMIER (Hon. B. D. Morehead) said : Mr. Speaker,—For the information of the House I may mention that His Excellency the Governor has forwarded me a copy of a telegram he received from the Secretary of State for the Colonies, in reference to the Western Australian Enabling Bill. The telegram is as follows :—

“Her Majesty's Government regret they cannot entertain any hope that the West Australian Constitution Bill will be passed this session.”

## QUESTION.

Mr. BARLOW asked the Colonial Secretary—

1. Whether the records of the trial *Regina v. Rackley*, at Ipswich, in July, 1885, do or do not disclose the facts that the house set on fire by Rackley was detached from other buildings and was uninhabited ; or, whether there is any evidence on these points ?

2. What sentences for arson have been passed by the Supreme Court (exclusive of sentences passed by the Northern Judge) during the last ten years, not disclosing the names of defendants, but distinguishing the cases as No. 1, 2, 3, etc. ?

3. Whether John Rackley was sentenced to twenty years' penal servitude ?

The COLONIAL SECRETARY (Hon. B. D. Morehead) replied :—

1. The records do not disclose whether the house set on fire by Rackley was detached from other buildings, but they do disclose the fact that the house 'had been untenanted' from the Monday preceding the fire.

2. No. 1. Seven years' penal servitude. No. 2. Seven years' penal servitude. No. 3. Three years' penal servitude. No. 4. Three years' penal servitude. No. 5. Twenty years' penal servitude. No. 6. Two years' hard labour in Brisbane gaol (sentence suspended under Offenders' Probation Act). No. 7. Three years' penal servitude (the judge intimating he would recommend that Offenders' Probation Act be extended in this case). No. 8. Three years' penal servitude.

3. Yes.

#### PETITION.

##### LOCAL GOVERNMENT AT COPPERFIELD.

Mr. STEVENSON presented a petition from certain residents of Copperfield against the township being placed under the authority of the Belyando Divisional Board; and moved that the petition be read.

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

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

#### MOTION FOR ADJOURNMENT.

##### WESTERN AUSTRALIAN CONSTITUTION.

Mr. GROOM said: Mr. Speaker,—I wish to call the attention of the Premier to the report of a speech alleged to have been delivered by Lord Knutsford at Midhurst, and I shall conclude with the usual motion. The Premier has already read to the House a copy of the telegram received by His Excellency the Governor from the Secretary of State for the Colonies, informing him that there is no hope of the Enabling Bill to grant a constitution to Western Australia being passed by the Imperial Parliament this session; and the speech alleged to have been delivered by Lord Knutsford at Midhurst is reported in the *Telegraph* of Tuesday evening as follows:—

“London, August 12.

“Lord Knutsford, the Secretary of State for the Colonies, in speaking at Midhurst last night, referred to the present action of the colonies in the matter of the West Australian Constitution. He argued that any person who looked at the question in a broad-minded manner could not do otherwise than despise the tendency of the colonies to assume attitudes which would not be particularly conducive to the solution of the difficulty. If anything did occur in the overtures and communications now being carried on which was at all likely to destroy the affectionate union between Great Britain and the Australian colonies, the British Government would deeply regret it. But at the same time, it was utterly impossible to pass such a Constitution Bill for West Australia as was desired by the various legislatures of the colonies, and the Home Government could not do otherwise than carry out their intentions, and act as they considered for the best, both as regards the home country and its colonies. As regards the possibility of settlement in the new colony, should such a colony be formed, he said the Government had inquired very carefully into that matter, and had obtained wide and reliable information, and he did not hesitate to affirm that not less than four-fifths of the land in the portion of Australia known as Western Australia was totally unfitted for tillage or agricultural cultivation.”

I have seen another telegram in other papers stating that Lord Knutsford went so far as to affirm that the larger portion of the northern part of Western Australia was only fit for occupation by Chinese, and that very likely it would be occupied by millions of them. I think such expressions as those uttered by the Secretary of State for the Colonies, in the face of the patriotic action taken by the whole of the colonies, ought not to pass without notice. We know that a few evenings ago the Premier was greeted with

enthusiastic cheers when proposing the address to the Queen in reference to responsible Government for Western Australia, and we know that the address was adopted unanimously; and we now find that on the very same evening the Secretary of State for the Colonies delivered the speech to which I have referred. I do not know what action the House will take; but I think, out of sympathy for Western Australia, which is struggling manfully to obtain the same privileges of responsible government as we have, we ought to enter our protest against such a speech. I can only say that it is not calculated to bring about those friendly relations to which Lord Knutsford refers, to say that people “could not do otherwise than despise the tendency of the colonies to assume attitudes which would not be particularly conducive to the solution of the difficulty.” I can scarcely imagine a Minister making use of such language, particularly in view of the action taken a short time ago by the whole of the legislatures of the colonies, and I now draw attention to the matter to give the Premier an opportunity of informing the House whether it will be allowed to pass without notice. I trust that when the full context of the speech is known the Government will, in justice to themselves, let Lord Knutsford know, at all events, that in making such a speech he is not representing the public feeling of the Australian colonies. I beg to move the adjournment of the House.

The PREMIER said: Mr. Speaker,—I do not think that this House, or any of the Parliaments of Australia, will recede from the position they have taken up. They have, in very clear terms indeed, expressed to the Imperial authorities what their desires are, and in a case like this, where the Imperial Government have to deal with the combined voice of the Australian colonies, I think the intentions and desires of these colonies must surely prevail. If the speech as quoted by the hon. member for Toowoomba is an accurate record of the utterances of Lord Knutsford, then that hon. gentleman can hardly have grasped the position. If he has expressed the opinion that a large portion of Western Australia is unfit for tillage, he has done so, I will not say under false impressions, but from an utter want of knowledge. I do not believe the Secretary of State for the Colonies can possibly be in a position to give as distinct information as to the nature of that colony as the people of the colony itself. I think the House may rest assured that this Government, or any Queensland Government that may be in power, will firmly assert the rights which the people of Australia have to a very large say, if not the whole say, in the management of the affairs of the Australian continent. I think speeches of the sort referred to by the hon. member will tend to bind the colonies together, and will be one of those things that will lead to what was wanted by this colony and the colony of New South Wales—that is, that there should be a conference to deal with this very difficult question. The speech referred to by the hon. member only further shows that there are some ulterior objects guiding the action of the Imperial Government which have not yet been revealed. There is, no doubt, some business going on which must be frustrated, so far as we can frustrate it, and I think that can only be done by a conference of the Governments of the different colonies. I am certain we are doing well to take firm, decided action to hold our own on this Australian continent, and not to allow improper interference by anybody. By doing so we emphasise the action already taken by the legislature, and I am perfectly certain we shall be backed up by the whole of the colonies. The hon. member for Toowoomba and the House may rest assured

that the members of this Government are fully impressed with the magnitude of this question that has arisen, and which is, I believe, the greatest question that has ever arisen during the existence of the colony. It is one upon which we shall have to set up a very firm front, and no doubt if we do that we shall certainly get what we have at heart.

Mr. HODGKINSON said: Mr. Speaker,—I am only sorry the leader of the Opposition is not present to add the weight of his opinion to the sentiments expressed by the Premier. There is no occasion to make a speech, as this is a question upon which we are all unanimous. It is no question of party or politics. This is the land of our adoption, and if we are at all worthy of the land whence we derive our opinions of freedom, we shall not submit to dictation by any power on earth.

The MINISTER FOR MINES AND WORKS (Hon. J. M. Macrossan) said: Mr. Speaker,—I saw the report of Lord Knutsford's speech on Tuesday evening last, and I drew the attention of several hon. members of the House to it. I do not think it of so very much importance, because speeches are so often misinterpreted by cable messages, and it is scarcely likely that Lord Knutsford would be so supremely injudicious as to make such statements as have been attributed to him in this report at a time when the whole of the colonies are urging him to adopt a different course. However, if he did make the speech attributed to him, he has a great deal to learn, and will have to unsay and undo a great deal of what he has said and done. There is no doubt about that. The members of this House need not be excited about this, and we must wait until we have a full report about the subject. I am sure there are gentlemen in Australia, holding very high positions, who think that the northern part of Australia is only fit for Chinese and coolies, and if Lord Knutsford thinks so, he does not stand alone. I saw lately that a very prominent gentleman in the Victorian Parliament has given expression to that opinion, and I was extremely sorry to see that it was not more strongly contradicted than it was.

Mr. GROOM, in reply, said: Mr. Speaker,—My object in moving the adjournment of the House has been attained in calling the attention of the hon. gentleman at the head of the Government to this matter, and, with the consent of the House, I beg leave to withdraw the motion.

Motion, by leave, withdrawn.

#### CHURCH OF ENGLAND (DIOCESE OF BRISBANE) PROPERTY BILL.

On the motion of Mr. GROOM, leave was given to introduce a Bill to define the trusts upon which certain lands of the Church of England in Queensland are and shall be held by the Corporation of the Synod of the Diocese of Brisbane, and to amend the Fortitude Valley Parsonage Land Sale Act of 1877.

##### FIRST READING.

On the motion of Mr. GROOM, the Bill, having been presented, was read a first time, and ordered to be printed.

#### WARWICK GAS COMPANY BILL.

On the motion of Mr. MORGAN, leave was given to introduce a Bill to enable the Warwick Gas, Light, Power, and Coal Company, Limited, incorporated under the provisions of the Companies Act of 1863, to supply with gas or other light the town of Warwick and its suburbs, and for other purposes in the said Act mentioned.

##### FIRST READING.

On the motion of Mr. MORGAN, the Bill, having been presented, was read a first time, and ordered to be printed.

#### RABBIT ACT AMENDMENT BILL.

##### THIRD READING.

On the motion of the MINISTER FOR LANDS (Hon. M. H. Black), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council, by message in the usual form.

#### EXCHANGE OF ROADS—MUTDAPILLY DIVISION.

Mr. ISAMBERT, in moving—

That the House will, on Friday next, resolve itself into a Committee of the Whole to consider of an address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the present year the sum of £98 16s. 6d., the amount realised from the sale of land resulting from the exchange of roads through the McKillup's Estate at Mount Walker, to be given to the Mutdapilly Divisional Board for forming and making the road received in exchange—

said: Mr. Speaker,—The facts connected with the motion standing in my name are as follows:—The estate known as McKillup's Estate at Mount Walker was formerly owned by Mr. McGrath. That land was cut up into agricultural farms, and sold at auction, and nearly all the farms were bought up again by McKillup. There were many surveyed roads on the farms that were not required, as the farms were almost all owned by the same person, and it was but natural that he should seek to consolidate his estate. Besides these surveyed roads between the farms, there was the old main road from Ipswich to Rosevale. That road was selected and used by the bullock drivers, and they always took the best route for their teams. The owner sought to consolidate the estate, and a petition was got up, signed by forty-one residents of the district, praying that the roads should be closed up. That petition was entertained favourably by the board, because every member of it and the chairman were strongly in favour of the proposal. One of the members was Mr. Brodie, Mr. McKillup's manager, and the chairman was Mr. Mort, who, I believe, was very favourably inclined to assist in consolidating the estate. Now, so far as the consolidation was concerned, there would have been no objection to it, since the roads were not required; but, unfortunately, it involved the removing of the old dray road, which was a very good one, and which only required a little expenditure on the part of the Divisional Board to put it in order. When the matter came on for consideration there were five members of the board present. Three voted for the closing of the roads and two against it, and one of the three was Mr. Brodie, Mr. McKillup's manager. The petition was therefore favourably entertained, and forwarded to the Government for concurrence. Later on in the following year, on the 6th September, another petition was sent in, signed by forty-five residents, a larger number than the original petition was signed by, protesting against the closure of the road, but no notice was taken of it. In consequence of this, what was the old dray road was resurveyed, and a great part of it is included in the surveyed road, but not entirely, and some parts of it are as far distant from the surveyed road as eight chains. Now, under these circumstances, it is just the same as if the whole road was outside the surveyed road. It has to be made and formed at a large expenditure of money to make it passable. The road was exchanged and closed, and the amount of £98 16s. 6d. was paid into the

Treasury. Even those who signed the petition in favour of closing the road would not have done such a thing had they expected for one moment that the money was to go into the Treasury. They expected that when they gave up a good passable dray road, they would get another in return; but instead of that, the money was paid into the Treasury, and now the divisional board is put to the expense of forming the road, and as part of it is over very rough country, which is almost impassable in wet weather, the expense is very great. Nearly the whole road has to be cleared and formed. The matter is one of such exceptional hardship that it should not have been necessary to bring it before Parliament, if the Government had looked more favourably upon the question, and done strict justice by returning the money that was paid in forming the road. The funds of the divisional board are all required, and they cannot afford this additional outlay. I hope the Government will see the justice of this demand, and grant this very reasonable request.

The MINISTER FOR LANDS said: Mr. Speaker,—The hon. gentleman who has brought this motion forward has certainly not said very much on the subject—probably for the reason that there is very little to be said in favour of it. This is one of those old cases which are occasionally brought up for discussion, as it dates back no less than five years. The facts are, to a certain extent, as represented by the hon. gentleman, but I think it is only right, before this House gives its assent to the motion, that hon. members should understand the real facts of the case as disclosed by the very voluminous papers which have been accumulating for the last five years on the subject. In November, 1884, the Mutdapilly Divisional Board presented a petition from a number of the inhabitants of that district, pointing out that the then existing road was an inconvenient one, and asking that a new road should be opened, the land for which was to be obtained from Mr. McKillup, in exchange for the old road which was considered unsuitable. The divisional board made certain somewhat illegal arrangements with Mr. McKillup, to the effect that in the event of the exchange of roads taking place, Mr. McKillup should be allowed to purchase the excess of area which he would get by the exchange, and that he should pay for that land at the rate of £1 per acre. On the petition being sent in further inquiry was made, and the divisional board also guaranteed that the whole of the expense connected with the survey of the new road should be paid by Mr. McKillup. Hon. members must understand that the whole of this transaction was done at the request of the divisional board, and I take it for granted that they represented the views of a majority of the ratepayers. The opening of the new road was then advertised for the usual time—two months—being advertised for two months from the 20th May, 1885. Full publicity was given, and there was nothing done without the full knowledge and consent of the divisional board and of the ratepayers in the division. It is true that a second petition was received from certain ratepayers who objected to this road. The petition does not disclose that it was because they did not desire to have the new road, but they considered it advisable that certain roads, which it was proposed should be closed, and included in Mr. McKillup's land, should not be so closed. The inspector of roads, Captain Whish, proceeded to the locality, and, to a certain extent, he assented to the request of this second lot of petitioners, and certain of those roads were allowed to remain open, and are still open. I repeat, that every publicity was given in the matter which was fully discussed by the divisional board. The divisional board asked for the new road, the new road was gazetted as opened, and

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the old road was closed. It was then found that there were ninety-eight acres of land which Mr. McKillup must pay for. At this time the Land Act of 1884 had come into force, and under that Act any land of this sort must be valued by the Land Board. The Land Board accordingly valued the land, but instead of valuing it at only £1 per acre, they valued it at very much more. The very lowest of it was valued at £1 per acre, and it varied from that up to £3 10s. per acre. The total value of the land, according to the Land Board, was £220, instead of the £98 which the arrangement between the divisional board and Mr. McKillup made it. The then Minister for Lands, Mr. Dutton, refused to allow the transaction to proceed, on the ground that the land ought to be paid for at the higher price. At that time there was no question as to the divisional board having any claim upon the money at all, as the land actually belonged to the country. However, it then transpired that a specific arrangement—certainly somewhat illegal—had been entered into between the divisional board and Mr. McKillup, by which Mr. McKillup was to get the land at £1 per acre, and that he was to pay all the expense of surveying, which added something like 15s. per acre to the cost; and after some negotiations between the board and the then Minister for Lands, the latter receded from the position he had taken up, and decided that, as this arrangement was apparently made *bonâ fide*, and had been made purely through ignorance on the part of Mr. McKillup, the land was to be sold at the price of £1 per acre. Hon. gentlemen will see that the State lost £122 by the transaction, as they only received £98 16s. 6d. instead of £220, which the Land Board considered the land to be worth. Then the divisional board put in a claim for the £98 16s. 6d. paid to the Government by Mr. McKillup, and which properly belongs to the State. There is certainly no precedent for any such claim being recognised. From the report of Captain Whish, the inspector of roads, the new road is a far better one than the road enclosed. The divisional board wanted this new road, because the old one was unnecessarily long, and entailed an extra cost for keeping it in order through its great length. The road they have now got is, in fact, the road which was commonly used, so that there has been no hardship suffered by the divisional board. Practically, there was nothing done to the other road at the time of the exchange. The whole transaction was done at the request of the divisional board, and without any expectation of the £98 16s. 6d. which was paid into the Treasury ever being paid to them. I must say that the hon. member for Rosewood has not made out any case, and I contend it would be a most dangerous precedent to establish that when any road is closed, and the land then sold, the divisional board should have any claim upon the proceeds realised. The same principle might be applied equally as well to any reserve put under the control of divisional boards and afterwards sold or alienated. On those grounds, I cannot recommend this vote. I know a great deal of trouble has been taken over this case to bring it to its present termination. This transaction was undertaken entirely at the request of the divisional board, and in their interest. That being the case, I do not think the hon. member has made out any case for the special consideration of this particular matter, and I am, therefore, bound to oppose the motion.

Mr. GLASSEY said: Mr. Speaker,—I accompanied my hon. friend, the member for Rosewood, on a deputation to the Minister for Lands on this question, and having gone into the pros and cons of the case, I think there is some show

of reason, at least, on the part of those who are making the claim embodied in the motion, that this money should be refunded. There has, undoubtedly, as the Minister for Lands said, been a petition presented from the divisional board to the Government asking that certain roads should be closed, and at the same time requesting that other roads may be opened for the convenience of the settlers in that particular district; but from the facts I have been able to gather, it seems to me that certain interested parties were the means by which, in the first instance, the divisional board was influenced to take the action they did. But after it was discovered by the settlers that some mistake had been made, and that certain hardships were likely to accrue from the action which had previously been taken, they at once awakened up to the fact of the mistake, and endeavoured to rectify it. Unfortunately their action was too late, and the result was they had to give up a good road, which had been well made and maintained by the divisional board, and got a road in return which really required making afresh. The funds of this board have to be provided by small settlers, who find it very difficult under ordinary circumstances, and even under extraordinary circumstances, to make ends meet to supply the necessary funds to make the roads they now want to meet their requirements. While I have not the slightest doubt that the Minister for Lands is actuated by the purest motives—for I have always observed that he is desirous to do what is fair between man and man—I have not the slightest doubt that in resisting this motion he is to some extent influenced by his desire not to make any precedent which might perhaps be rather detrimental to certain interests in future. But I do hope, seeing that some mistake was made in the first instance on the part of a number of residents, who perhaps did not go into the matter in detail with that degree of accuracy which under ordinary circumstances they might have done, and were perhaps sometimes misled unconsciously into signing a petition detrimental to their own interests—I do hope that under all the circumstances the Minister for Lands will waive his opposition and grant this very reasonable request for £98 and some odd shillings which have gone into the Treasury as a surplus from the lands which were sold, and afford some relief to the divisional board in putting the road which is now used by the inhabitants of that district in a passable condition. I trust that, notwithstanding what he has said, he will withdraw his opposition to the motion, when he takes into account the mistake the settlers made in signing that petition, especially when they afterwards found that they could not rectify the mistake. The inspector of roads, when he went into the neighbourhood found that some mistake had been made. It is not a very large sum to ask for, but it would afford considerable relief to the divisional board in putting the road in a passable condition for the settlers in that particular locality.

Mr. ARCHER said: Mr. Speaker,—I suppose this is a case that has arisen through the general method of surveying roads. Surveyors are sent out to a particular part of the country, and they pay very little attention indeed to the tracks previously made by the people living in the district, and who are likely to know the best course over which the road should be taken. They generally go by right angles and cardinal points running right across the tracks previously made, and where the road ought to be. I have had cases of that kind myself, which I have fought out before now, so that I have not the slightest doubt that the origin of this affair is that the surveyor, instead of noticing the tracks that had

been made by the settlers, had run his lines north, south, east, and west, and cut across the old tracks. A great many hardships have arisen in that way. I know of one case where a surveyor ran his road right through a waterhole, across which he put a bridge; and no doubt this particular locality is suffering from the stupidity or blunder of some surveyor who was trying to do as much as he possibly could in the shortest amount of time. But, although I believe that, I cannot see how the board in this case can ask for that money back again. I assume that the divisional board was formed after the survey of the road was made, because if there had been a divisional board in existence at the time, and allowed the surveyor to make such a survey, they were themselves to blame for not trying to find a remedy before the road was made. However, it was before the divisional board was formed at all that this road was made, therefore they could not intervene, and it was left to the settlers to take the matter up. They then appealed to the Government to rectify the evil that had arisen, and the Government said, "Yes, we will do what you wish; we have resumed the old road and we will grant you a new road where you want it, as it is the better road of the two." That, of course, was all the Government could do. Then for the divisional board to come down and ask that the land resumed should be handed over to them, or the price of it, which is exactly the same thing, is carrying the matter further than I ever knew anything of the kind carried before, and I have had a great many cases to look after. Of course I am, and always have been, very much in favour of divisional boards, and am one of those who have always been anxious to get as much out of the Government in the way of endowment for them as possible; but I cannot see that because the Government granted this divisional board what was really a great boon to them, they therefore should hand over to the board the money for which the land was sold. By refusing to accede to this motion, when similar claims are made by other divisional boards the Government will be able to point to this case and say, "No, thank you; we have had enough of closing roads and opening others, because after granting a new road an attempt was made to mulct us in the value of the land resumed." I do not think the Government would be very eager to rectify mistakes of that kind if they had to hand over the proceeds of the land sold. No doubt the exchange was a very good one; that the people got a good road instead of a bad one. They must have been satisfied with it, and, under all the circumstances, I cannot see my way to vote for the motion, nor do I think the proposal is one that will find favour in this House.

Mr. GROOM said: Mr. Speaker,—I think the hon. gentleman who has just sat down has really made out a strong case why the Government should give this proposal favourable consideration. I hope the hon. gentleman's sense of justice, which he shows in all cases, will not forsake him on this occasion. This is really an exceptional case. I had an interview with the chairman of the Mutdapilly Divisional Board the other day, for the purpose of getting from him the exact facts of the case, which are very much as have been stated by the hon. member who moved this motion, and also to some extent as explained by the hon. member for Rockhampton. This is exactly one of those cases where surveyors will not take the trouble to survey the best roads, but simply go straight on irrespective of the consequences altogether. The small bush track referred to by the Minister for Lands is not the road which the surveyor took, as hon. members may see from the plan. Instead

of taking the road desired by the divisional board, the surveyor kept straight on, and took it through the most rotten country he could find, which is utterly impassable in wet weather. In dry weather it is a practical road, but in wet weather, such as we have experienced lately, it is perfectly impassable. Moreover, it is very hard on this divisional board, which does not enjoy a large amount of revenue, that they should have to put this road in the same condition as the one that was taken from them. The road taken from them was, I am instructed, a really well-formed road, and in lieu of it they were given a road entirely in a state of nature. I quite admit that the divisional board has no legal or moral claim on the Government, and that the motion is purely one asking the House to grant a favour, and, under the circumstances, I think it should be granted. As to creating a precedent, when other similar claims are made, it will be for the House to decide the question. I know, and the hon. the Minister for Lands knows, that alterations of roads are now taking place in almost every division. I am a member of a divisional board, and I know that there is scarcely a meeting when we are not called upon to consider applications to alter roads, because the surveyors had taken their lines straight along over mountains and through swamps, when by making a slight detour they could have found good passable roads; but that seems to have been entirely out of the question. They must go straight on, no matter what physical obstacles there may be, and divisional boards have to go to enormous expense sometimes to construct roads when they have been surveyed; and this appears to be a parallel case. I hope the Minister for Lands will, on the present occasion, give way to the request of this board. I had the pleasure, as he also had, of meeting a number of the ratepayers of this division at the Rosewood show the other day, and I found a very strong feeling existing about the matter, not simply on account of the money in question, which is a small amount, but because the surveyor took the road where they did not want it, through rotten spewy country, which is absolutely impassable in wet weather, and the board have had to spend a considerable sum to make it at all passable. I do not think this is asking too much. The amount is small; in fact the time the question has taken up in the House is worth more, and considering the small income of the division, I think the House might very well grant this sum of £98. I hope the Minister for Lands will reconsider his decision and allow this small sum to be granted.

Mr. COWLEY said: Mr. Speaker,—In dealing with this question I think we should consider the principle involved in it. It is well known, as the hon. member for Toowoomba has stated, that divisional boards have continually to alter roads; in many cases they have to go to considerable expense to do so, and I certainly think that when there is a profit made by an exchange, the board should get whatever profit or benefit there is arising out of the transaction. I entirely fail to see why the profit should go into the hands of the Colonial Treasurer. I do not know the merits of this case, but I believe the board has no legal claim for the money, and I certainly think it is high time that they should have a legal claim. I trust that the Minister for Lands will take into consideration the necessity of bringing in an amendment in his Land Bill, to the effect that where exchanges are made the profits derived from the sale of the land so exchanged shall in all cases revert to the board. I do not mean to say that the board should get the gross amount, but that they should get the net proceeds after paying all

expenses. I think it is only fair and just and equitable that they should get the benefit of the transaction, and not the Treasury.

Mr. SALKELD said: Mr. Speaker,—I know something about this division, and the roads which have been closed, and I would point out that in one sense this matter has been partly brought about by laxity on the part of the ratepayers whose representatives petitioned to have the roads closed. The matter occurred in this way: The agent of the owner in question is a member of the Mutdapilly Divisional Board. I remember when he came to the district, as I was a ratepayer of the division at that time. He was not there very long before he was canvassing for a seat on the board. I did not vote for him, but he managed to get elected. When he got on to the board a petition was sent round and signed by forty-one ratepayers in favour of the closure of this road. It is, as we all know, very easy to get forty-one ratepayers in a division to sign a petition. I remember hearing of a case in which a petition praying that a man might be allowed to buy a certain water reserve, which contained the only water at that place during a dry season, was signed by a number of persons who had no land near, nor I suppose within ten miles of it, and were not likely to have recourse to the reserve. The next thing I would point out in connection with the matter under consideration is that a motion in favour of the closure of these roads, was carried at a meeting of the divisional board by three votes to two, and the agent of the owner of the land was one of the three who voted for it. An agreement was made by the owner of the land with the divisional board that he should pay all the expenses of survey and £1 per acre for the excess of land closed over the land resumed for a new road. That amounted to £98. When, however, the Land Board—whom I suppose all hon. members will admit were a competent authority, and likely to arrive at a correct valuation—came to go into the matter, they estimated the value at £220. Ultimately the owner got the land for £98 16s. 6d., and paid all expenses of survey. It is quite clear to anyone who has looked into the matter that the exchange was not undertaken in the interest of the ratepayers of the district generally, but in the interest of the owner of the land. When the ratepayers understood what had been done, forty-five of them signed a petition against the exchange. I know the Minister for Lands relies on the fact that the board and a number of ratepayers were in favour of the exchange, and it must be admitted that the ratepayers ought to elect men who will look after their interests properly. With regard to the remarks of the hon. member for Rockhampton, Mr. Archer, respecting surveyors making roads at right angles, we know that that is unfortunately true. I have seen roads made over precipices, where it was impossible to make a road, and the only way in which anyone could get down them would be by being lowered with a rope. But in this case I do not think the side roads were surveyed so badly; they were made to give access to certain farms. But the main road was not surveyed in the right place. The money paid for the excess of land closed over that resumed was paid by Mr. McKillup, and it went into the Treasury, so that the Government have had the benefit of the interest on it up to the present time. The question is, ought the Government to make a profit out of a transaction of this kind where more land is closed than is resumed? I am quite certain that a great mass of the ratepayers would have been distinctly against this exchange had they understood the matter properly, and I am informed that it will take a great deal more than £98 to make the new

road as passable as the road which has been resumed—that is, the main road, not the side roads. I think in a case of this kind the Government ought to consent to the payment of the money asked for by the motion; and I am of opinion that an amendment should be inserted in the Land Bill to the effect that the Government should not make a profit by the exchange of lands for roads. I believe there was no disposition to prevent the owner of the land in this case consolidating his property. In some cases, where there is no water on the land, and no access is required from behind, it is right that the owner of the property should be allowed to consolidate his holding, and very likely a feeling of that kind was the cause of more active steps not being taken to prevent these roads being closed. I hope the Government will give way in the matter, and that the motion proposed by the hon. member for Rosewood will be affirmed by the House, seeing that the payment of the money will not be anything out of the pocket of the Government.

The MINISTER FOR MINES AND WORKS said: Mr. Speaker,—The confusion which has arisen upon this question is extraordinary. One hon. member talked about the Government having no right to make profits. The Government is making no profit out of this matter. Another hon. member confused the whole subject, and talked about wrong surveys made many years ago. It is not a question of surveys or of profits that we have to consider, but it is a question whether the Government has a right to give away land, which it is provided by a certain Act of Parliament, passed by both Houses, should be sold at a certain rate to be fixed by the Land Board. That is the question, and hon. members might as well talk about the Government making a profit on all land sales, as of their making one by an exchange like this. Of course the Government will make profits, but they will be for the whole of the people of the colony. The matter before the House is simply this: A certain number of roads in the Muddapilly Division were found to be inconvenient, and the divisional board asked the Government to close those roads and give another in exchange. The Government consented to do that, and ninety-eight acres more were given than they obtained. The man who got those ninety-eight acres had to pay for them, and he got a very unfair concession when he was allowed to purchase the land at £1 per acre, seeing that the Land Board valued the land at £120 more than was paid for it. That concession has already been made. It was an illegal concession, made by the late Government, and it would be just as illegal now for the Government to pay the money received for that land to the divisional board. Besides, it would not end at £98. If this motion is agreed to, the Government will have to pay away thousands of pounds for land which may be sold hereafter, and may be called upon to refund many other thousands of pounds for land which has already been resumed. It is a question of opening and closing roads all over the colony. It is not a question concerning the Muddapilly Divisional Board only, but one concerning the divisional boards of the whole colony. I hope hon. members will have more sense, and not talk about profits which have not been derived by the Government. When a man obtains land he must pay for that land. That man obtained ninety-eight acres of land, and the hon. gentleman says he ought to get it for nothing, so far as the Government are concerned. He has paid only £1 per acre when he should have paid rather more than £2 per acre for it; but the Minister of the day, no doubt considering that the divisional board had entered into a contract with Mr. McKillup that he should have the land at £1 per acre, thought

it only right that the contract should be carried out, seeing that probably it was made before the Divisional Boards Act of 1884 came into operation through the *Gazette*. Otherwise I am inclined to think he would not have allowed it to be sold at that price. The present Government refuse to refund that £98, and I think very properly so. Even if this resolution pass, the Treasurer will be quite justified in refusing to refund the money; he will be breaking the law if he does so.

Mr. ISAMBERT, in reply, said: Mr. Speaker, —I do not bring this motion forward because the divisional board demand it as a right; but they asked me as a favour to do so, because they think they are suffering a great hardship. The new road is not far from the old road, in some places it lies almost on the edge of it, and it does not in any case go more than eight or ten chains from it. So that the argument that it is shorter and more convenient is quite beside the question. Mr. McKillup undertook to pay the whole expense of the survey of the new road, and he had great influence on the board, and made an arrangement that he should have the land for £1 per acre. That shows how it was managed, and how the ratepayers were hoodwinked into the transaction. As I have said already, Mr. Mort, who was chairman, was on friendly terms with the parties interested. Mr. Brodie, Mr. McKillup's agent, was also a member of the board. A wrong was clearly perpetrated upon the ratepayers, who could have had no objection to close the roads not necessary; but they have been put to such a heavy expense that they cannot possibly afford to make a new road unless they borrow money. In consideration of this, the ratepayers have requested me to ask the House for redress. I hope the Government will take the matter into their consideration, and that hon. members will not abide strictly by the letter of the law. I know that similar transactions have taken place; but the officials in the Lands Office have now their eyes very wide open, and many such applications have been since disallowed in consequence of their experience in the past. A clear wrong was perpetrated in the case before us, and I am very sorry the then Minister for Lands allowed it. I hope, in consideration of this, the Government will take a lenient view of the question and grant this relief. It is simply a relief, as the money asked will not cover the expense the board has been put to.

Question put; and the House divided:—

AYES, 13.

Messrs. Isambert, McMaster, Cowley, Glassey, Grimes, Buckland, Groom, Macfarlane, Morgan, Sayers, Barlow, Salkeld, and Rutledge.

NOES, 25.

Sir T. McIlwraith, Messrs. Nelson, Donaldson, Black, Morehead, Hodgkinson, Jordan, Plunkett, G. H. Jones, Callan, Murphy, Adams, Lissner, Watson, Macrossan, Powers, Luya, Agnew, Smith, Crombie, Murray, Tozer, Unmack, Campbell, and Jessop.

Question resolved in the negative.

#### THE SANDSTONE QUARRIES COMMITTEE.

Mr. BARLOW said: Mr. Speaker,—In deference to an important motion to be moved by the hon. member for Carpentaria, I shall move this motion without comment. I beg to move—

That there be laid on the table of the House a return showing the cost in detail of the select committee appointed by this House, on 4th October last, to inquire into and report upon the Sandstone Quarries of the Southern districts of the colony; including the cost of any proceedings in the matter subsequent to the prorogation of this House on 14th November last.



The PREMIER said: Mr. Speaker,—I have no objection to the motion being passed. It will be an interesting paper when the hon. member gets it.

Question put and passed.

### ESTABLISHMENT OF SLAUGHTERING STATIONS.

Mr. PALMER, in moving—

1. That a select committee be appointed for the purpose of inquiring into and reporting as to the best means to be adopted for encouraging the establishment of slaughtering stations for fat stock in the interior, on the main lines of railways in the colony.

2. That such committee have power to send for papers and persons, and leave to sit during any adjournment of the House, and that it consist of the following—viz., Messrs. Crombie, Campbell, Murphy, W. Stephens, Tozer, Morgan, and the mover—

said: Mr. Speaker,—I am not in the habit of putting motions on the paper for academical purposes or useless discussion, and I have brought this motion forward believing that it will be of practical benefit both to the consumers and the producers of the colony. I feel certain that if the House will allow the select committee to be appointed, they will bring up a report that will show the necessity for a great alteration in the present system of railway freights, and also in the management generally of the trade to which the motion has reference—namely, the chilled meat trade. I may explain that no part of the world stands in a better position for encouraging this trade than Queensland, which contains more cattle than all the rest of Australia, a large number of sheep, and a small population. Queensland has a total population of 367,000. There are 13,000,000 sheep in the colony, and 5,000,000 head of cattle; and the value of the frozen meat we exported in 1887 was only £24,000. New Zealand has a population of 620,000. There are about 16,000,000 sheep in that colony and about 850,000 head of cattle; and the value of frozen mutton exported in 1886 was £768,000, the amount in 1887 being £841,000. A few years before the export of frozen mutton from New Zealand was started it was reported that they would not be able to meet the demand, and the shipments have been increasing year by year. And the fact that large steamers loading at Rockhampton have been supplied with a certain tonnage of meat per month, and have gone over to New Zealand to take in mutton there, is a proof that we might have retained a great deal of that trade in our own hands. If the proposal contained in the motion is carried into effect, it will benefit not only the pastoral industry, but the farming industry also, because butter and farm produce will, perhaps, be carried along the railways at cheaper rates than at present, and facilities will be afforded for storing produce. I have been induced, amongst other reasons, to bring forward this motion from the results of very successful experiments carried on in New South Wales lately. It has been proved that meat by being merely chilled in Sydney can be taken out to Bourke.

The POSTMASTER-GENERAL (Hon. J. Donaldson): No; the other way about, meat chilled in Bourke has been taken to Sydney.

Mr. PALMER: The experiment I allude to was one in which meat chilled in Sydney was taken out to Bourke, and then brought back again to Sydney in a condition fit for consumption. It was subjected to the test of the transit both ways at a time of the year when the temperature was high, and it was proved beyond a doubt that the experiment could be carried out safely. So satisfactorily has this been proved that the Railway Board in Sydney have promised to

construct buildings in Sydney to receive this chilled meat and hold it, in case of any pressure in the market, pending a sale; and also to assist in the freightage from Bourke or other places along the line. The elasticity of trade, I believe, will encourage us in doing anything we can to further the objects of this motion. The enormous waste that is going on now throughout the colony from the present extravagant way we have of droving, is sufficient to show that we are not travelling on right lines to make the most of our produce. Even cattle carried in trucks for any great distance are not, I believe, what we might call fit for food. By the time they have been thirty-six hours without water, have been knocked about, and perhaps their horns knocked off, their very appearance indicates that they are not in a marketable condition. Droving is still worse, and is the cause of a great deal of the enormous waste that goes on. We are not getting one-half of what we should get out of our produce, and I believe cattle stations could be made to pay if such a system as this was inaugurated; because I believe the chilled meat trade would act as a feeder, as it were, to the frozen meat trade, and would tend to swell our exports considerably. We see by to-day's telegrams that a member of the Victorian Parliament has moved a motion for the increase of the present stock tax of that colony. The present stock tax is 5s. per head on cattle, and although that may seem small, after droving a great number of miles it may mean all the profit that remains to the grower of cattle; and I believe we shall do a good thing for the people of Victoria if we obviate the necessity of their putting on this additional tax, or even continuing the present one, by taking the shipping trade into our own hands. We have in Europe an unlimited market for the supply of frozen meat, and the teeming millions who I suppose very seldom taste beef would be very glad to have Australian beef brought to their doors at a moderate price. I am quite certain that, with the assistance of our railways and the development of science on this question, meat can be landed in Europe at prices that would place it within the reach of those millions who desire it, and also leave a profit for the grower that he does not get at the present time. In addition to that may be considered the increased freight that will be brought to our railways and the increase that will take place in our shipping trade. This is a matter Queensland must look into fully, as statistics show us that we cannot measure the time when the demand here will be anything like the supply—at all events, it will not be in this generation or probably for many generations. The surplus annual meat supply of Australia, on the basis of population, is 54 per cent., and that would supply food for 1,500,000 more people than there are in Australia at present. Even in Queensland alone I am certain we might increase our 5,000,000 cattle to 10,000,000, as the colony is not half stocked with cattle. The number of sheep might also be increased 50 per cent. or more, and that within a few years. The prospects before us of such a trade as this are stupendous, and I hope the House will agree with me that it is necessary for us to undertake some measure of reform with regard to encouraging the transit of chilled meat from the interior to the seaports of this colony, not only to the advantage of the consumer, but also to the advantage of the grower of the article. I need not say that we are not getting as much out of our products as we should get, as I have shown by the extraordinary waste that goes on annually under our droving system. About £800,000 or £850,000 is all the value we get for cattle exported across the border, and those cattle arrive in such a state that they have wasted about

50 per cent., and then, after the tax has been paid upon them, they are taken to the other colonies—South Australia and Victoria—and after a certain period of recovery and fattening, they go to swell their exports, and bring a profit to the people of those colonies which we ourselves should receive. This is a matter which the Railway Department have taken in hand in New South Wales, and I went to the trouble of getting a report from them of the experiment that took place in New South Wales, and I shall trouble the House with a short extract from it. It says:—

"The results of the experiment prove that it is possible to convey chilled meat in simple insulated cars, without the aid of any refrigerating appliances, over the longest journey in this colony in the hottest weather, so long as the cars are brought down to 30 degrees Fahrenheit at starting, and that for shorter journeys this last is unnecessary if the cars are fully charged with chilled meat, as sufficient cold is stored up in the chilled meat, and the insulator is quite sufficient to answer all the practical requirements of the journey."

That is all I will quote, and it shows that the simple insulation of chilled meat, with cars fitted up in a very inexpensive manner, was successful in one case in carrying meat over a journey of 500 miles to Bourke and 500 miles back to Sydney without any extra assistance, and that the meat when tested proved to be quite sweet and wholesome, and was sold at the best market prices. It is further stated that the journey could have been prolonged for eight or ten hours more, even bringing it up to 70 degrees Fahrenheit, and the meat would then have been in a marketable condition. There is so much involved in the question that I shall not detain the House longer. I ask for this committee that we may be able to examine witnesses and bring up a report. I believe that last year, in helping to bring up a report with regard to pleuro, the action then taken has had a very marked effect upon the cattle produce, one of the main products of Queensland, and I am certain this is a practical motion which must recommend itself to the House. I believe if this motion is carried I shall be able to bring up a report that will be favourable alike to the consumer and producer, and will tend to such action being taken as will add materially to the freight of our railways and increase the importance of our shipping industry. I beg to move the motion standing in my name.

Mr. MURPHY said: Mr. Speaker,—I have very much pleasure in supporting the motion that has been moved by the hon. member for Carpentaria, and I hope that this House will agree to the appointment of this committee, as asked for by him. I think that some very valuable information may be collected by the committee that would be of great assistance to the House, and may result in inducing the Government to do something upon the lines of this motion. As most hon. members are aware, the stockowners of this country must in the future look for some market for their produce beyond the markets of this colony. We can see there is a tendency to legislate in the southern colonies in such a way as to rob us of our principal markets. One market that we have at present may be before long barred to us, or made so difficult to get at that it will not be worth going to at all. I allude to the Victorian market. In all probability a very heavy and exclusive stock tax will be put on by the Victorian Government, for the purpose of protecting their own farmers and graziers. Of course hon. members are aware that there is a fairly heavy stock tax at present—6d. a head on sheep, and 5s. on cattle. That is a fairly heavy impost which at present has to be paid by Queensland farmers and graziers sending their stock to the market in Victoria. We

grow already a very much larger number of sheep and cattle than our local markets can absorb, so that we must before long—in fact, the time has already arrived when we must look for a market beyond the shores of Australia, and that market will be the market of the world—the English market. As mentioned by the hon. member for Carpentaria, a company in Rockhampton has already sent two shipments of frozen meat from Rockhampton to London, and I hope—in fact, I am quite certain—that that is the beginning of a very large trade. All persons connected with the grazing industry know that stock are very much knocked about during their transit by train in a live state from the point at which they are entrained until they reach their destination. They are knocked off their legs, numbers are killed, and others are very much bruised. All that tends to deteriorate the meat, and deteriorate its price in the London market, whereas the establishment of slaughtering stations would obviate all that. The meat can be killed there and sent to the seaboard in a frozen state, and would then suffer no deterioration whatever in the transit by rail. But this cannot be done in such a climate as ours, unless the Government provide some special means by which the cars can carry the meat from the termini to the port, in a partially frozen state. I have not sufficient experience, nor have I ever been able to find out whether, in a climate such as ours, it is possible, merely by chilling the cars and the meat before the meat leaves the railway station, that it can be carried long distances without suffering, but I think it is quite within the bounds of possibility that a machine can be made upon the principle of the machines that are at present used for freezing meat on board ship which would be suitable for the purpose, that is, the compressed or cold air process. A machine can be manufactured and put on a car, and it would keep the meat in such a state that it would not suffer from the heat. I do not think it is possible to do that merely by pumping cold air into a car, unless the car is thoroughly refrigerated, and then started on the journey. I think, in this climate, the temperature would rise very high in the car, so that the meat would suffer. That point would be one into which the committee could inquire. I am sure, looking at the matter purely from the railway point of view, such a traffic would be highly remunerative to the department. Moreover, it would assist greatly the settling of a larger population upon the grazing areas or resumed portions of runs. It would have a strong tendency towards settling upon the Western lands small graziers holding five, ten, or twenty thousand acres, because it would give them at once what they lack now, a market for their produce. Of course they have always got a market for their wool, but any man connected with the industry knows that wool-growing alone does not pay. A grazier must get something for his surplus stock as well as for his wool, in order to make both ends meet, and make a profit. The small grazier is thus at a greater disadvantage in this respect than the large grazier. So that, if the House will agree to this motion, the committee may confer more than one benefit upon the colony, if they can, by inquiry, convince the Government and the House that it is possible to convey meat from the termini of our railways to the ports. If it is possible to get some machine by which we can keep the meat in the train in a frozen state until it arrives at the port it would be a very good thing. I have very much pleasure in supporting this motion.

Mr. PLUNKETT said: Mr. Speaker,—As the representative of a district which fattens more cattle to the square mile than any other district in

the colony, I desire to give this motion of the hon. member for Carpentaria my very hearty support. This subject has been in my thoughts for many years, and I have had more than one interview with the Minister for Railways on the subject. That hon. gentleman, I am bound to say, promised to do all that he could, so far as his department is concerned, in making the business a success. Several meetings have been held in my district for the purpose of initiating a scheme of this kind, but up to the present time they have not been able to come to any definite conclusion in the matter. From what I know of the district I have the honour to represent, I can say that the scheme will be considered very valuable, and it will not only benefit the graziers, but the farmers and dairymen—in fact, nearly all the settlers in the district. I give the motion my hearty support.

The MINISTER FOR RAILWAYS (Hon. H. M. Nelson) said: Mr. Speaker,—Before the motion is put, I shall only remark that this subject has on several occasions received very serious consideration from me. There are two distinct points connected with the subject. The first is not referred to at all in this motion—that is the export of meat. The motion merely refers to the construction of slaughtering places upon the main lines of railway. As far as that question is concerned, and as far as supplying large cities like Brisbane with meat is concerned, I have told all the deputations which I have received on this subject, that as soon as they establish the slaughtering places, the railway department will bring their produce to market, and provide the necessary cars. This question is of very material consequence in this way: It may obviate the necessity in the future of establishing abattoirs near the city of Brisbane, and the same remark applies to other large towns. It simply amounts to this: That the Government are prepared on every occasion, not with regard to this only, but with regard to any other industry, so long as private enterprise will find the capital, and establish the industry, to do all they can to foster and encourage that enterprise. As far as the Railway Department is concerned, I can guarantee that that will be done. A larger subject is in regard to exporting frozen meat. That is a subject upon which the proposed committee will be able to lay before the House some valuable information. I am not so sure that this scheme will succeed; but, as I said with regard to the other part of the subject, private enterprise must take the initiative, and hon. members do not require any further assurance than this: That if that is done, and it is shown that the thing will succeed in bringing traffic to the railways, I am perfectly certain that the Railway Department will find means to carry the produce to market.

Mr. MELLOR said: Mr. Speaker,—I do not rise for the purpose of opposing this motion, but to refer to what has fallen from the Minister for Railways. I think it is evident that if the Government encourage the industry spoken of in the resolution, the whole of the city of Brisbane will be supplied—perhaps at the expense of the Government—with meat from the Western districts. At present Brisbane is supplied by the Eastern districts, where the squatters have to pay very much higher rents than those in the Western districts, and the former will never be able to compete with the Western men. The whole of the market will be lost to the graziers about here. The better country in the west, and the lower rents, enable the Western graziers to grow stock and send it to market at present at a lower price than it can be sold for in the Eastern districts; and if the Western graziers

obtain the facilities spoken of by the Minister for Railways, they will be able to supply Brisbane and all the coast towns where railways terminate, with meat. What will then become of the graziers in the Eastern districts? I do not rise to discourage the scheme, as I believe it will be of great benefit to the country if we can export meat to the old country, but in the motion there is not a word about exporting meat. As I understood the motion as it first appeared on the notice paper, it was for the purpose of supplying Brisbane with meat, and I consider it would be wrong for the Government to go to a great deal of expense to supply Brisbane with Western cattle, when by doing so they put the squatters in the Eastern districts out of the market.

The MINISTER FOR RAILWAYS said: Mr. Speaker,—I rise to explain to the hon. member what my remarks to the House were. I had no intention of saying that meat was going to be conveyed to Brisbane or anywhere else at a loss to the State. Of course if the trade is established it will have to be established on such a basis that it will pay the Railway Department to carry the meat to market.

Mr. STEVENSON said: Mr. Speaker,—I cannot understand the argument of the hon. member for Gympie at all. He seems to want to protect the coast districts at the expense of Brisbane, but I do not see why he should object to the people of Brisbane getting cheap meat. At the present time I believe they are paying 5d., 6d., and even 7d. per lb. for meat, and if they can get it from the Western districts for perhaps 2d. or 3d. per lb., I do not think there will be any objection on the part of the people of Brisbane. As the Minister for Railways has said, the trade will not be carried out at the expense of the State. I suppose the people who go into the trade will have to pay freight, and bring the meat to market without any loss to the Railway Department. I am quite certain that when the time comes that we can get our meat down to the port, as is proposed in this motion, there will be very little difficulty about exporting it, because we can then supply a far better class of meat. We shall be able to get it down without all the handling that there is at the present time, and that will enable us to supply a far better article.

Mr. MURRAY said: Mr. Speaker,—I have much pleasure in supporting the motion. It is evident from what has been said during the debate, and from what we know from other sources, that this export meat trade will be something enormous, especially if we have a few good seasons. The difficulty of bringing down by rail dead and live meat must be patent to everyone. At the present time we are exporting from Rockhampton between 400 and 500 tons of frozen meat every month, and I believe a contract for a supply at that rate has been made, to last for five years. That, I believe, is only the initiation of what will be an enormous trade very soon. It is high time we made a beginning to encourage the trade by offering some inducement for the slaughtering of stock in the interior, and sending it down by rail to the seaboard in a frozen state, instead of as at present sending live cattle.

Question put and passed.

#### CASE OF WIDOW OF WILLIAM H. GREENAWAY.

Mr. PALMER, in moving—

That the House will, on Thursday next, resolve itself into a Committee of the Whole to consider the following resolution:—That an address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates

for the year 1889-90 the sum of £500, as compensation to the widow of William H. Greenaway, sub-collector of Customs, who met his death at Normanton in the performance of his duty and in the service of the colony—

said: Mr. Speaker,—The facts of this case are very plain and simple. Mr. Greenaway was a young man who had been about seventeen years in the Civil Service. He had served the country well; had been promoted from one post to another, and was in the confidence of the authorities from first to last. He had given his best energies to the Government, and what he had done in that service resulted in the failure of his eyesight, which was the immediate cause of his death. During most of that time he had been stationed in the Northern part of the colony, where the dangers to health are much greater than in the South. The former part of his service was spent at Bowen and Mackay, and for the last eight or ten years of his life he had been in the Gulf country. While in the Gulf country he had been requested on several occasions to form expedition parties about the Gulf. He went to Point Parker, and returned so ill from fever contracted during the trip that he was laid up for many weeks. He had been to the mouth of the Mitchell River, and on one or two other arduous and fatiguing expeditions, and on every occasion, after his return, he had to lay up for several weeks owing to illness. Those journeys were undertaken in the service of the Government, and have resulted in great advantage to the country. He certainly did make provision, which every man ought to do, for his widow and family by taking out a policy in a life assurance society, but he was so reduced in circumstances by having to send his wife and family, who also suffered from ill-health, south, and from the heavy expense of his own illness, that he had not sufficient money to pay his premium, and the consequence was that his policy lapsed just before his death. That his eyesight was injured is certain—whenever I saw him at Normanton he was wearing goggles—and that was the immediate cause of his death. Not being able to see where he was going he fell off the Customs verandah, and the fall resulted directly in his death.

The HON. SIR S. W. GRIFFITH: What time of the day was that?

Mr. PALMER: I am not certain, but I think it was early in the morning. The Customs verandah is very high from the ground, and he fell on to some timber and fractured his skull. His widow and children are now absolutely destitute. As I said before, he did attempt to provide for them by insuring his life, but being unable from poverty to pay his premiums, the policy lapsed. These are the simple facts of the case, and I think it is one which the House might well take into consideration. I certainly would not have brought it forward if I had not been fully impressed with the necessity of the case. I believe I have the sympathy of the Colonial Treasurer in this matter—he told me he sympathised with the motion, and I wish he had been here to have stated so. I do not think I need add more. I believe every statement I have made is genuine. I might perhaps have told a more pitiable tale. I could not have stated the facts more modestly than I have done, and I sincerely commend the motion to the consideration of the Government and the members of the House.

The PREMIER said: Mr. Speaker,—The Government cannot see their way to support this motion. In the first place, all that the House has before it are some statements made by the hon. member for Carpentaria, who, I am sure, is perfectly convinced of their truth. But am certain that it would be very unwise indeed

for the House to allow a resolution of this sort to pass without having the whole case fully gone into, as is generally done in matters of this sort, by referring the question to a select committee. That has been almost invariably the practice, unless some extraordinary accident has happened which everybody is cognisant of; and the select committee sends up a report on the whole case, based on the evidence adduced before it. On that ground alone I do not think the House would be justified in passing the motion at it stands at present. We have heard that Mr. Greenaway—who was, I have no doubt, a good servant of the Government—met with his death by an accident. Many other Government officers meet their deaths by accident, and if we allow a motion of this sort to pass it would be a very dangerous thing indeed. Before this session is over we should be deluged with applications of the same nature. I trust these applications will be stopped for the future by the passing of the Civil Service Act. The statements of the hon. member clearly show the necessity there is for either one or other of the two systems proposed with regard to Civil servants—either compulsory payments into a superannuation fund, or compulsory life assurance. I think a clearer case could not be made out in favour of one or the other modes of dealing with such cases than has been made out by the hon. gentleman. I do not think the House or the Government would be justified in consenting to this motion, unless we have some more explicit and detailed information than has been given by the hon. gentleman. The Government therefore intend to oppose the motion. They are bound to do so for more reasons than one, and one is that, if passed, it would probably lead to a raid upon the Treasury, and we do not know where it would end. I think all hon. members who have been in office, as well as those who are now in office, will agree with what I have said.

The HON. SIR S. W. GRIFFITH said: Mr. Speaker,—Of course we cannot help regarding matters of this kind with a great amount of sympathy. An officer who had been in the Public Service for a great many years died, leaving his wife and family unprovided for—that is really the whole of the case. True, he died by accident, but if he had died from fever or through any other cause, I do not see that it would make any difference. Of course we all feel great sympathy for the widow and children under the circumstances, but the question arises, are we, merely on the ground of this sympathy, to make a gratuity out of the public funds? The question has often arisen before in this House. We used to have three or four such cases every session, and at that time I know every Government set their face against those applications, not because they did not sympathise with them, but because it was not right, in the interests of the public, that these sums of money should be granted. Sometimes they got through, but very rarely. Certainly of late years they have been less numerous, and, unless I am mistaken, it has been the general feeling of this House for a good while past that these applications should not be entertained, unless under some very extraordinary circumstances. I have expressed that opinion myself before, and I think that, no matter on which side of the House hon. members may sit, they should always adopt the same principle in dealing with these matters. They should act upon some general principle, and not be influenced by a desire to do a generous or kind action to persons who have really no claim that can be formulated upon the country.

The PREMIER: With other people's money.

The HON. SIR S. W. GRIFFITH: Of course it is always disagreeable to oppose motions of this sort, and I have had, in my previous experience,

to oppose similar applications under very painful circumstances indeed. I think, in the absence of any extraordinary circumstances, the House has no alternative, and will be only doing its duty by refusing to entertain this application.

Mr. SMITH said: Mr. Speaker,—I consider that there are extraordinary circumstances connected with this case. The gentleman who is the subject of this motion was in the service of the country for seventeen years; that is a very long time; he rendered faithful service, and was promoted to the very responsible position of sub-collector of Customs. He was appointed to Normanton, a very unhealthy part of the colony. Owing to his being transferred there his health and that of his wife and family failed; he was obliged to send his family to Brisbane for medical treatment, and, as my hon. friend has explained, he himself was almost blind through living in that climate. I think, Sir, these are extraordinary circumstances which should warrant this House in looking favourably upon this application. He met his death by accident whilst in the service of the country, and we recognised in the Civil Service Act of 1863 the principle that gratuities should be given to the families of Civil servants who met with an untimely end. We have also acknowledged in the Civil Service Bill we have just passed the principle that Civil servants who die while in the service of the State, whether by accident or from natural causes—that their representatives should get a gratuity from the State. Having acknowledged that principle, I think it is not stretching it very far to extend it to a case of this kind. This man has left a widow and three children totally unprovided for, and I think they have some claim upon the country. If something is not done, what is to become of the widow and children? The widow herself is sickly, and really not able to battle with the world and provide for her family. Mr. Greenaway tried in every way to provide for his family in the event of his death. His life was insured, but owing to the fact that he had to spend a large amount—in fact all the money he could get—in order to send his family to Brisbane for medical treatment, he was obliged to allow his policy to lapse, not being able to pay the premium. Under all the circumstances, I hope and trust the House will look upon this as an extraordinary case, a case that is well worthy of their serious and generous consideration.

Mr. PAUL said: Mr. Speaker,—I intend to support the mover of this resolution on these grounds: the Government has introduced a measure providing for the superannuation of Civil servants; hitherto that has not been the practice, and I think it is only fair, the House having admitted that principle, that when a case like this occurs the Government should come forward and support the widow and family of a Civil servant. I have all through my life been in favour of pensions, but I think the system of superannuation adopted is better than pensions. I thoroughly approve of the superannuation measure the Government has introduced, and as this case has occurred before the adoption of that measure, I think the House should pass the motion which the hon. member for Carpentaria has proposed.

Mr. UNMACK said: Mr. Speaker,—I am very much afraid that if we were to adopt the line of argument taken up by the hon. member for Bowen, we should be directly encouraging improvident habits. The hon. member seems to think that because an officer has died without leaving anything for his family, that family should be provided for by the State. The hon. member for Stanley appears to have entirely mistaken the object and intention of the Civil Service Bill

which has occupied so much of our time lately. That Bill provides for the payment of superannuation allowances and gratuities in certain cases out of a fund supplied by the Civil servants themselves, which is an entirely different matter from the one now before the House. I must say that, as far as sympathy goes, my sincere, earnest, and deepest sympathy is with all those who are left in distress and dependent upon charity or the support of others when the bread-winner of the family has been taken away. I deeply sympathise with children who are left in this deplorable condition, but at the same time we are not here to extend sympathy at the expense of the country in such a case as this. I do not look upon this matter from any different point of view than I would regard a similar case occurring in the service of a private individual. There is no employer who would find a sum of money for the widow and orphans of those who had been in his employ for some time, unless in very rare cases, where extraordinary circumstances have arisen, and probably if extraordinary circumstances had been shown to have existed in this case the House would have taken them into consideration. But I have heard no argument whatever adduced to justify this application. In consequence of the mover of the motion having stated that this officer had been for some time in the service, and having his life assured was unable to pay the premium, I have taken the trouble to look at the Estimates. I look at all these matters from a practical point of view, and naturally the first question which occurred to my mind when I heard that statement was, what salary did the officer in question receive? I find that he had been a long time in the service, and was in receipt of what I may call not only a good, but a very handsome salary. His salary and allowances amounted to £573 per annum, and if a man could not afford out of that sum, no matter what sickness overtook him or his family, to pay a small annual assurance premium, he or his family must have been improvident. The salary allowed him as sub-collector of Customs was £375 per annum; he received as sustenance £73, as shipping master £25, as savings bank officer £25, and he had quarters valued at £75; total, £573. There are hundreds of men, I might say thousands, in the service and out of it, who could have made, and do make, liberal provision for those who may be left behind them out of a salary less than one-third of that. If a man in receipt of a salary like that does not make provision for his family, I do not think the country is obliged to make that provision.

Mr. SMITH: What about his being obliged to send his family to Brisbane?

Mr. UNMACK: There are ways of doing that out of a salary of £573 without being obliged to omit the payment of his assurance premium. There must have been some other grounds which have not been disclosed which brought this officer to such a state of poverty. In this case, as in any other similar case, unless some very special reason is shown, I shall be one of those who will oppose such attacks upon the Treasury of the country.

Mr. SALKELD said: Mr. Speaker,—I wish to point out that in 1885 there were two or three cases similar to this brought before the House. There was the case of the widow of Denis Murphy and that of the widow of Daniel Crichton. In one case the man lost his life by a slip in an embankment, and in the other the man, who was a guard on the railway, was killed while looking after his van. The hon. member for Carpentaria voted against the proposal to grant gratuities to the widows of both those men, and I cannot understand what has altered

his opinion now. Of course I sympathise with anyone who is left in an impoverished position; but I think it is recognised that this House cannot entertain such cases. If we do we shall, as the Premier has said, have any amount of them brought before the House.

Question put and negatived.

## WESTERN AUSTRALIAN CONSTITUTION.

### TELEGRAM FROM THE SPEAKER OF THE LEGISLATIVE COUNCIL.

The SPEAKER said: I have to report to the House that I have received the following telegram from the Speaker of the Legislative Council of Western Australia to the Premier:—

“Perth 15th August 1889.

“Resolution unanimously passed by Legislative Council thanking Australasian colonies for their support. Resolution forwarded by mail. Please inform President and Speaker

“JAMES G. LE STEERE.”

At 7 o'clock,

The SPEAKER said: In compliance with the Sessional Order, the House will now proceed with Government business.

## CIVIL SERVICE BILL.

### ADOPTION OF REPORT.

The PREMIER: Mr. Speaker,—I beg to move that this Order of the Day be discharged from the paper.

Question put and passed.

### RE-COMMITTAL.

The PREMIER: Mr. Speaker,—I move that the Bill be re-committed for the purpose of further considering clauses 1, 4, 12, 13, 16, 17, 18, 20, 28, 37, 40, 44, 48, 49, 50, 51, 53, 54, 57, 58, 60, 65, 66, 67, 68, 70, 82, and the introduction of new clauses.

Question put and passed.

On clause 1, as follows:—

“In the construction of this Act the following terms shall, unless the context otherwise require, have the meanings hereinafter assigned to them respectively, that is to say—

The expressions ‘Civil Service’ or ‘service’ shall include all persons in the Public Service in receipt of a fixed annual salary paid out of the consolidated revenue or out of any special fund, with the exceptions following—

- Officers appointed by the Governor alone;
- Judges of the Supreme Court and District Courts;
- Officers of Parliament;
- The Auditor-General;
- The Land Board;
- The Queensland Railway Commissioners, under the Railways Act of 1888.
- Crown prosecutors;
- The police force;
- Officers and employés under the Railways Act of 1888, except as hereinafter provided;
- Officers, non-commissioned officers, and men of the defence force;
- Officers whose whole time is not required to be engaged in the Public Service;
- Persons employed for temporary purposes only;
- Any officer or class of officers excepted by the Governor in Council from the operation of this Act:

‘Minister’ — The Minister for the time being charged with the administration of this Act, or the Minister administering the Department of the Public Service in which the officer concerned is employed, as the context may indicate;

‘Permanent head’—Under Secretaries and officers discharging functions similar to those of Under Secretaries:

‘Officer’—Any person employed in the Civil Service as herein defined:

‘Board’—The Civil Service Board appointed under this Act:

‘Prescribed’—Prescribed by this Act or by regulations under it:

In the case of officers employed as teachers in State schools the expression ‘salary’ shall include any sum paid to such officers by way of capitation allowance.”

The PREMIER said there were two amendments necessary in the clause. One was to strike out the words “except as hereinafter provided” after the words “officers and employés under the Railways Act of 1888;” and the other was to insert the words “who are also in the Imperial service” after the words “officers, non-commissioned officers, and men of the defence force.” The reason for the second amendment was that there were some Civil servants in the defence force who were not in the Imperial service, and he did not think it right that they should be debarred from enjoying the privileges afforded by the Bill when it became law.

The HON. SIR S. W. GRIFFITH said that before those amendments were moved it would be necessary to insert an amendment excluding the Agent-General from the operation of the Bill. His title, according to the Immigration Act, was “The Agent-General for Immigration to Queensland in the United Kingdom of Great Britain and Ireland”; and he might be put in after the judges.

The PREMIER moved the insertion of the words “The Agent-General for Immigration” after the words “Judges of the Supreme Court and district courts.”

Amendment agreed to.

The PREMIER moved the omission of the words “except as hereinafter provided” after the words “officers and employés under the Railways Act of 1888.”

Amendment agreed to.

The PREMIER moved the insertion of the words “who are also in the Imperial service” at the end of the next paragraph.

Mr. DRAKE said he rose to point out that he thought the expression “Imperial service” was incorrect, and it was also inconsistent with what had been inserted as the definition of “Agent-General,”—“The Agent-General for Immigration to Queensland from the United Kingdom of Great Britain and Ireland.”

The PREMIER: No. That has been put in as “The Agent-General for Immigration.”

Mr. DRAKE said that that at all events was his title under the Immigration Act; and the “United Kingdom of Great Britain and Ireland” could not at the same time be a kingdom and an empire.

The PREMIER: It is as a matter of fact.

Mr. DRAKE said the hon. member would pardon him; it was not. An attempt had been made to change the kingdom into an empire and it had failed. The Queen’s title was “Queen of the United Kingdom of Great Britain and Ireland and Empress of India.” So that the only Imperial service they had was the British service in India. He knew that ever since the attempt to which he referred in 1867, the attempt was continually made, to use the words “empire” and “imperial” wherever they could be used, though at the same time it was wrong. The term should not be “Imperial service” but “British service.”

Amendment agreed to.

The HON. SIR S. W. GRIFFITH said there appeared to be no definition in the Bill as to what the term “salary” meant. He had been

under the impression that there was something of the kind in the Bill but he could not find any definition upon looking through it. The expression "the emoluments, salaries, allowances, and fees paid to" was used in the 10th section, but there was nothing to distinguish what the word "salary" meant. That was very important, because the classification was based upon the salary. He understood that allowances were not to be taken into account in ascertaining salaries for the purposes of classification. There was no doubt the question was one of difficulty, especially in the case of officers receiving salaries from several departments. To take the most familiar case of officers employed by the Colonial Secretary's and Mines Departments—and there were a good many of them—the "salary" ought, of course, to include all the sums such an officer received from every department by way of salary for the various offices which he might hold, however many they might be. The difficulty would give rise to a great deal of trouble in classification.

Mr. POWERS: Look at clause 3.

The Hon. Sir S. W. GRIFFITH said the term used in clause 3 was "the fixed salaries appropriated by Parliament for their offices," but they did not determine what "salary" meant. It should be provided for, and it occurred to him that it should be dealt with in this way:—

The term "salary" means the sum or sums appropriated by Parliament for the payment to any officer by way of fixed annual remuneration for his services, and does not include any sums paid to him by way of fees or allowances.

The words in section 3, referred to by the hon. member for Burrum, were not as clear as they should be, and he was afraid the absence of a distinct definition of "salary" would give rise to a good deal of trouble in the classification of officers who derived a considerable amount of their remuneration from fees and allowances, or house accommodation. In classifying an officer receiving £400 a year and house accommodation worth £100, that officer would be put down at £400, though he would be much better off than a man getting £475 a year without a house. The only way to do justice in that respect would be to correct the Estimates; but, unfortunately, the Estimates were not framed on the new basis, so that the Civil Service Board would have to enter upon the performance of their duties, in regard to classification, upon the existing basis, and they might do a great deal of injustice in that way. Suppose a man was getting £350 per annum and a house, he would be put in the third class, whereas he might be in a very much better position than many persons who would be included in the second class; that was the difficulty. Then there were the cases he had mentioned of officers drawing salaries from two departments, and there were the cases of allowances which in some instances extended to £100 or £200 per annum. That was part of the remuneration of the officers, but they would not be classified according to that, and a very serious injustice might be done. He would like to know what the Premier thought of the importance of defining the term "salary," as it was used in a great many clauses of the Bill, and the only case where an attempt was made to define it was in the 3rd clause, by an amendment moved in committee.

The PREMIER said the salary of an officer, as the Bill at present stood, would only be what was voted on the Estimates as the salary; there was no doubt about that. In New South Wales the matter was arranged in a strange way. The deduction for superannuation purposes was

based upon the fixed salary, and the retiring allowance and gratuities were based upon the salaries and allowances, or emoluments; that was the way it was worked there.

Mr. HODGKINSON said the difficulty would occur in the case of a warden who was employed by the Mines Department and by the Colonial Secretary's Department, and his remuneration would vary according to the place to which he was appointed. For instance, special allowances were made in the North to a warden, and he might be removed at a moment's notice down South, where the allowance would cease. The allowance undoubtedly formed part of his remuneration, and he might possibly be classified by the board in one class, and if removed by the Minister of the department to a place in which his remuneration would be less, it might disqualify him from remaining in that class. Take the case of a warden on the Etheridge. He received so much from the Colonial Secretary's Department for acting as police magistrate at Georgetown, so much for acting at Gilberton, and there used to be 3s. a-day allowance made for supposed increased cost of living. He would be paid as warden by the Mines Department, and in some cases men occupying those positions also acted as land commissioners. It would be very unfair to take any one salary that such an officer received, and classify him upon that. All the payments he received were recognised by the Government as due to him for the performance of certain duties. There was a certain amount of economy practised by the Government in concentrating in one officer the performance of various duties, and every shilling such officer received was, practically speaking, a part of his salary. He might be moved from one place to another at any time, or, through ill health, he might apply to the Minister in charge of his department to remove him down South. He might be sent to Eidsvold, at which place his salary would be very much reduced. If those extra payments were struck off a man might be getting £800 a year, and yet not be classified in as good a position as one only drawing £500.

The PREMIER said what the hon. gentleman said was perfectly true. Many of the gentlemen drawing high salaries were paid those salaries for the reason that they were subject to certain conditions which those who performed similar services elsewhere were not subject to. Take the case of the police magistrate at Warwick, who might get £400 or £500 a year. A man performing similar duties up North might get £800, but the man in the North would probably sooner draw £500 a year and live at Warwick than £800 a year and live in the North. The superannuation should not be based upon the allowances which were only contingent upon climatic differences.

Mr. HODGKINSON said the Government adopted the policy of paying one man a number of salaries for performing different work, for economical reasons. It would not do to appoint a number of officers to discharge duties that were not sufficient to occupy one individual's time, but the payments were nevertheless part of the salary of the one person who performed those various duties. A person might be paid as police magistrate, warden, and land commissioner. He might get allowances also for acting as police magistrate in two portions of a district 100 miles apart, but those allowances were part of his salary. Here was a case in point. The mining surveyor at Gympie drew £300 a year as salary, and £300 as allowances. Surely he would not be classified as an officer of the fourth class. That man occupied a most important position, and was a professional man.



There were many cases of the same sort, and it would be throwing a very ungrateful task on the members of the board if salary was not defined.

The MINISTER FOR MINES AND WORKS said the hon. gentleman was correct in quoting the case of an officer who was paid as warden, police magistrate, and mineral lands commissioner. There were such cases, and the combined salaries were the salary of the officer. The offices were given to one man for economical reasons, as the hon. member said. One officer performed the work of three, because there was not sufficient work for three officers. But when they came to allowances of 3s. a day for extra cost of living, that could in no sense be called salary. It was paid away because the cost of living was greater than it was down South. The same with forage allowances. They were paid away for food for horses. Those were extra expenses incurred by living in particular places. The same remark applied to mining surveyors. The £300 a year allowance which had been granted, all went in expenses incurred, and that was not salary. The salary was the amount voted as salary.

Mr. HODGKINSON said: Did he understand that all those amounts which were paid for the performance of individual duties were to be regarded as salary, excluding simply the local gratuities, as they might be called, which were given owing to the extra cost of living and for forage? They knew perfectly well that the allowance for forage did not more than defray the expense any officer was put to. He did not advocate that that should be called salary, but did he understand that all amounts placed on the Estimates as remuneration for certain fixed offices would be considered as salary?

The PREMIER said the words were perfectly clear, "fixed annual salary paid out of the consolidated revenue or out of any special fund."

Mr. TOZER said he knew of one class of officers that the clause would be particularly hard upon, the officers under the Lands Department. He knew of one officer receiving a salary of £300 a year and £100 allowances, who was a land commissioner, and who had most important duties to perform. That officer would be put under the Bill in the third class. He referred to Mr. Board, the land commissioner at Gympie, and without wishing to pass any eulogy on any particular officer, he must say that in all his experience he had never come across a more efficient man. He (Mr. Tozer) happened to look through the Estimates, and noticed that particular case, and he thought it would be a great hardship if that £100 a year was not included as salary. Was it not practicable to do justice to such officers—there were not many of them—by putting the whole sum as salary on the Estimates?

Mr. AGNEW said he agreed with the remarks of the hon. member for Burke. He had drawn attention to the subject in the earlier stages of the Bill, and had quoted the case of an officer who was paid £500 a year and allowances. He thought, with the hon. member for Burke, that it would be manifestly unfair that an officer should be included in the second class, when his salary clearly entitled him to be placed in the first class. He quite agreed with the remarks of the Minister for Mines and Works, but that was not the contention of the hon. member for Burke. Forage and cost of extra provisions were not salary, but all sums paid by way of remuneration for work performed should be included as salary. He should very much like to see the Government

accept the suggestion that had been made, so that the question could be put beyond all possibility of dispute afterwards.

Mr. POWERS said, so far as the objection that had been raised was concerned, if hon. members would look at clause 3 they would be satisfied that all those different salaries were fixed salaries appropriated by Parliament, and therefore the officer's classification would be fixed according to the amount of the one, two, or three salaries which he drew. If a person was appointed at £500, he would be classified accordingly. That had been fully debated when the Bill was under discussion previously, and, after a long discussion, it had been agreed that allowances should not be included in the salary in fixing the amount of superannuation allowance to be granted to an officer.

The HON. SIR S. W. GRIFFITH said that there was an amendment introduced in the 3rd clause putting in the words, "according to the fixed salaries appropriated by Parliament for their offices." He believed that had been inserted upon his own motion, perhaps hurriedly, as was sometimes the case in committee, but now it appeared to him that the amendment was not satisfactory, and did not really express what was intended. The intention was not to consider as salary the amount voted by Parliament for the offices, but the amount voted to the officers filling those offices. A man might hold two offices, for one of which he received £300, and for the other £200, and in that case the words of the 3rd section were not apt. That officer was voted £500 by Parliament as salary, if salary meant all the money he got for the work he did, whether for one department or more. Although he had moved that amendment in the 3rd clause, he did not now consider it satisfactory, and now that they were revising the Bill it could be amended. He would move that the following definition be inserted after the 26th line:—

The term "salary" means the sum or sums appropriated by Parliament for payment of an officer by way of fixed annual remuneration for his services, whether in one or more departments, and does not include any sum paid to any officer by way of fees or allowances.

The PREMIER: I have no objection to the amendment of the hon. gentleman.

The HON. SIR S. W. GRIFFITH said that would make the matter clear, and might be a great saving of trouble. It would necessitate a corresponding amendment in clause 3.

Mr. MELLOR said that he wished to refer to the case already mentioned of the mining surveyor at Gympie, who was in receipt of a salary of £300 and an allowance of £300, which really was not an allowance, but part of his salary. Why should that officer be placed in the fourth class because the whole sum was not placed on the Estimates as salary? Of course there were some allowances which could not be considered as salary, but a great many allowances appearing on the Estimates were really portions of the salaries of the officers receiving those allowances, and he would like to see some amendment made to include the latter class of allowances.

The MINISTER FOR MINES AND WORKS said if any injustice was likely to take place that could easily be remedied in the Estimates, but they were not now discussing the Estimates. He would remind hon. members of what his experience had been—and possibly that of the leader of the Opposition had been the same. He knew cases where officers had got allowances added to their salaries, and in a year or two they got other allowances put down on the Estimates.



The HON. SIR S. W. GRIFFITH said that he wished to move a verbal amendment in the next line, to follow the previous amendment. He moved the insertion of the word "except," so that the last paragraph would read, "Except in the case of officers employed as teachers in the State schools."

Amendment agreed to.

The HON. SIR S. W. GRIFFITH said he also had to move, as a further amendment, the omission of the words "the expression 'salary' shall include" in the 28th line, with the view of inserting the words "in which case the term includes."

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

Clause 4 passed with a verbal amendment.

On clause 12—

The HON. SIR S. W. GRIFFITH said that if clause 12, and especially clause 13—which might be treated together—were allowed to pass in their present form, serious differences would be certain to arise. With respect to clause 12, which related to persons in the professional division, it might be fairly assumed that the higher paid officers did the higher class work; but that was by no means the case with persons employed in the ordinary division. Yet clause 13, which related to that division, provided that—

"The board shall, after such inspection and examination as aforesaid, classify the work performed respectively by the officers in the ordinary division, and determine the class of officers to which the performance of such work is to be assigned, and such officers thereupon shall be placed in the ordinary division in the respective classes to which the work performed by them is assigned."

In that division it did sometimes happen that the work of a higher clerk was performed by a junior officer, and if the board carried out the provisions of the section the officers must at once be classified according to the work they were doing. It might happen that an officer doing high-class work was only getting £150 or £200 a year, and it would hardly be fair to put a junior at once in a higher class simply because he was doing a higher class officer's work.

The PREMIER said it was perfectly true, as stated by the hon. gentleman, that many clerks who were receiving smaller salaries than some who received much higher pay did the work of the higher paid officers, but there was no doubt the difficulty pointed out would be rectified in time. He did not think the board would unduly promote or unduly degrade officers; they were not likely to make any radical changes. They would gradually ease off in some other direction those who were getting the higher pay and promote those younger men who were at present doing the higher work.

The HON. SIR S. W. GRIFFITH said there was no doubt it must be done gradually, but the clause as it stood made it imperative to be done at once. There ought to be some provision inserted enabling the board to make provisional classifications. If the board did their duty under section 13, they must do injustice to the State, by giving unduly rapid promotions to junior officers, or do injustice to the older officers by unduly reducing their salaries. If they did not do their duty they would violate the law.

The PREMIER said that probably there might be a little violation of the law by the board starting in that way, but the matter might be safely entrusted to the class of men who were likely to occupy that position.

The HON. SIR S. W. GRIFFITH said he was suggesting that the power should be given them to make provisional classifications without violating the law.

The PREMIER said the board might be safely entrusted to let the older officers down gently.

The HON. SIR S. W. GRIFFITH said he was speaking more particularly of the junior ones to be suddenly pushed up. Several of them would be at once raised from the fifth to the third class. He did not like the idea of creating duties by Act of Parliament, knowing that they could not be performed; it was demoralising. He did not think there could be any harm in saying, in order to make it lawful, that the board might, in any special case, with the approval of the Governor in Council, classify any officer provisionally. That would be only fair, because it would be a long time before the board would know how officers ought to be classified, and it would get over a very serious difficulty in that part of the Bill, which was a part that he approved of and wished to see made as useful as possible. If the hon. gentleman thought the idea worthy of consideration, he (Sir S. W. Griffith) would formulate a proviso to meet the case.

The PREMIER: Yes.

Clause put and passed.

On clause 13, as follows:—

"The board shall also, after such inspection and examination as aforesaid, classify the work performed respectively by the officers in the ordinary division, and determine the class of officers to which the performance of such work is to be assigned, and such officers thereupon shall be placed in the ordinary division in the respective classes to which the work performed by them is assigned."

"The board shall also recommend to the Governor in Council the number of officers in each of the classes it considers necessary for the efficient working of the several departments of the service."

The HON. SIR S. W. GRIFFITH said he thought the following proviso would effect what both he and the Chief Secretary had enunciated:—

Provided that the board, with the approval of the Governor in Council, may in the first instance exercise the powers and perform the duties aforesaid provisionally only, with respect to any officer or officers.

He moved that it be inserted after the first paragraph of the clause.

Amendment put and passed.

The clause was further amended verbally and agreed to.

Clauses 16 and 17 passed with verbal amendments.

On clause 18, as follows:—

"The board shall, subject to the approval of the Governor in Council, make regulations for the examination of persons desirous of being examined for admission into the Civil Service. The regulations shall prescribe a preliminary examination as to the health of the candidates, the period of residence in Queensland before examination, and the subjects for examination in each division, and may also prescribe a maximum or minimum age of candidates for admission to any class or division of the service or any office therein. The regulations, when approved by the Governor in Council, shall be published in the *Gazette*, and shall then have the force of law."

"A copy of such regulations shall be laid before Parliament within fourteen days from the publication thereof if Parliament is then sitting, and if it is not then sitting, within fourteen days from the commencement of the next session."

The HON. SIR S. W. GRIFFITH said that clause dealt with regulations, and was very much to the same effect as clause 33, but the two clauses did not correspond. In clause 33 they omitted the words "the force of law," and substituted for them the words "full force and effect." He would take advantage of that opportunity to say that he doubted whether that part of the Bill dealt with cases—which were continually happening, and which were well known to everybody having Ministerial experience—where

there was a necessity to remove officers from one place to another without assigning any reasons. That was a thing which continually happened in managing a department, and he did not think it was dealt with there. The Bill seemed to give a man a sort of vested right to the place he was in. A transfer or removal was almost as important a matter very often as an ordinary promotion. Ought that to be free entirely from the control of the board? Ought not the board to be consulted? He thought they ought—that they should advise in that as well as on matters of less importance. If the Premier made any provision to give effect to his suggestion, it should be inserted in that part of the Bill, or it could be done by a modification of the language of section 27 to the effect that “when it appears desirable to transfer an officer from the office he holds to some other office, the board shall submit to the Governor in Council the name of the officer whom they recommend for the position.” There might be cases in which police magistrates, for instance, who had been in one place for a long time might become too much mixed up with the people in such place, and it would be desirable to transfer them.

On the motion of the PREMIER, the words “the force of law” were omitted, and the words “full force and effect” inserted in their place; and clause, as amended, put and passed.

On clause 20—“Candidates to be examined before admission”—

The HON. SIR S. W. GRIFFITH said the last paragraph of the clause was inconsistent with the provisions of clause 19. In fact, he did not consider it was necessary at all.

The PREMIER said he agreed with the hon. gentleman, and moved the omission of the paragraph.

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

The HON. SIR S. W. GRIFFITH moved the following new clause to follow clause 27:—

When it appears to the Minister to be necessary or desirable to transfer an officer from the office which he holds to some other office, the Minister shall refer the matter to the board for its advice as to the office to which he shall be transferred, and as to the officer who shall be appointed in his place, and as to any transfer or appointment which may be rendered necessary in consequence of such transfer.

The clause would, he was sure, be an immense relief to Ministers.

New clause put and passed.

Clause 28 passed with a verbal amendment.

On clause 37, as follows:—

“If any officer be convicted of felony or any infamous offence, he shall be summarily dismissed, and if he become insolvent, or apply to take the benefit of any Act now or hereafter in force for the relief of insolvent debtors, he shall be deemed to have vacated his office. Provided, however, that if he prove to the satisfaction of the board that his pecuniary embarrassment has not been caused or attended by any fraud, extravagance, or dishonourable conduct, the Governor in Council may, on the recommendation of the board, reinstate him in the position he held, or may appoint him to some other inferior position in the service, and on any such reappointment within six months his vacation of office shall not be deemed to affect the continuity of his service.”

The PREMIER said he proposed to move an amendment which would make the clause more clear. It was to the effect that the vacation of office by any officer reappointed under the circumstances provided for in the clause should not be deemed to affect the continuity of his service as regarded his superannuation allowance.

The HON. SIR S. W. GRIFFITH said the clause would be better without the amendment.

The PREMIER said he thought it would be better to insert the amendment. When an officer vacated his office, not through fraud, but through some misfortune which resulted in his pecuniary embarrassment, and was afterwards reinstated, he thought that such vacation of office should not be deemed to affect his continuity of service or his superannuation allowance.

The HON. SIR S. W. GRIFFITH said one object of the clause was to enable a man under certain circumstances to retain his seniority, which might be a matter of importance in considering the question of promotion. As the clause stood, the continuity of service was not affected for any purpose, but with the amendment the continuity of service would be limited to the question of superannuation.

Mr. POWERS said that when the clause was previously under consideration, it was so amended that an officer who was reinstated within six months of his vacation of office should not be deprived of the benefit of his contributions to the superannuation fund.

The HON. SIR S. W. GRIFFITH said that was already provided for by the clause as it stood, but if they put those words in nothing else would be provided for. The clause as it stood provided also that seniority should remain as it was before, and that was important, because under the 10th section, in the month of January in each year, a list had to be made up of all officers, their emoluments, and length of service, and seniority might be a matter of great consequence in promotion. If they put in the proposed amendment the service would only be continuous for one purpose, and for all other purposes the reappointment would be equivalent to a new appointment, and that might be a great hardship.

The PREMIER said he would not press the amendment.

Clause, as read, put and passed.

On clause 40, as follows:—

“The Minister, on receiving notice of any pecuniary penalty imposed under the authority of this Act, shall cause to be deducted the amount thereof from the salary or next payment made on account of salary to the officer incurring the penalty.”

The PREMIER moved the addition of the words, “and the same shall be paid to the credit of the superannuation account,” at the end of the clause.

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

Clause 44—“Voluntary retirement through ill-health before sixty”—as read, put and passed.

On clause 48, as follows:—

“Any officer in the service shall be entitled to have any portion (not exceeding one-half nor in any case more than ten years) of his past services immediately preceding the commencement of this Act, counted in the period of service required in computing his superannuation allowance or gratuity, as the case may be, if within five years after the passing of this Act he pay to the superannuation account hereinafter mentioned, in one sum, or by five or less instalments, an amount equivalent to four pounds per centum on the total salary received by him during the period of his service in respect of which the payment is made, together with interest at the rate of five pounds per centum per annum on such amount, from the commencement of this Act.

“Upon such payment being made, he shall upon retirement from the service as hereinbefore prescribed, if all other necessary conditions have been fulfilled, be entitled to the superannuation allowance or gratuity herein provided.

“Notice of such intended payment must be made within six months after the passing of this Act.

“If the officer die before having completed the payment herein mentioned, the instalments paid on account thereof shall be refunded to his legal personal representative. Provided that if within three

months from the death of such officer his will be not proved or letters of administration taken out, as the case may be, the Governor in Council may authorise such instalments to be paid to his widow or children, or falling such to his father or mother."

The PREMIER said there were several amendments necessary in the clause; but the main alteration was the substitution of 5 per cent. for 4 per cent., in accordance with a promise made by the Government to make such a charge upon the officer paying up back payments to make it equal to 4 per cent. The other amendments were merely for the purpose of making the clause more complete. He moved the insertion of the words "to be approved of by the board" after the word "instalments" in the 8th line of the clause.

Amendment agreed to.

On the motion of the PREMIER, the clause was further amended by the substitution of the word "five" for the word "four," in the same line, and by the insertion of the words "until payment" at the end of the 1st paragraph of the clause.

On the motion of the PREMIER, the clause was further amended by the substitution of the word "herein" for "hereinbefore" on the 31st line, and the insertion of the words "given to the Civil Service Investment Board" after "must be" on the 34th line.

Clause, as amended, put and passed.

Clauses 49, 50, and 51 agreed to with verbal amendments.

On the motion of the PREMIER, clause 53 was amended to read as follows:—

"If any officer die while in the service leaving a widow or children, the Governor in Council may, on inquiry into the case by the board, and upon its recommendation, grant out of the superannuation account to his widow, or to his children under sixteen years of age if he does not leave a widow, the gratuity to which the officer would have been entitled if he had retired under the provisions of section 50 of this Act: provided that such gratuity shall not exceed one year's salary at the rate payable to the officer at the time of his death."

Clause 54—"Gratuities payable in certain cases to widows of officers in receipt of superannuation allowances"—as read, put and passed.

On clause 57, as follows:—

"For the purpose of providing a fund for the payment of superannuation allowances and gratuities, every officer other than female officers shall contribute a sum equal to four pounds per centum of the annual salary received by him, and such contribution shall be deducted monthly from his salary, and shall be paid to the credit of an account to be called the superannuation account, which account shall be kept in some bank or banks in Queensland, to be from time to time approved of by the Governor in Council."

The PREMIER said that he moved the omission of the words "other than female officers" in the 7th and 8th lines, as that was dealt with in clause 67.

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

On the motion of the PREMIER, clause 58—"Superannuation account to be liable for moneys misapplied by officers"—was passed with a verbal amendment.

On the motion of the PREMIER, clause 60 was amended to read as follows:—

"Nothing in this Act shall affect the power or right of the Government of Queensland to proceed against any person for the recovery of any moneys stolen, embezzled, misappropriated, or misapplied by him while in the service, and any amount recovered from him, which shall have been made good in the first instance out of the superannuation account, shall, after deducting expenses, be paid over or recouped to such account."

Clauses 65 and 66 passed with verbal amendments.

On clause 67, as follows:—

"The provisions of Part IV. of this Act shall not apply to female officers, and they shall not be entitled to any superannuation allowance or gratuity under this Act."

The PREMIER moved that the following words be added to the clause: "or be required to contribute to the superannuation fund."

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

On clause 68, as follows:—

"When the services of any officer are dispensed with in consequence of the abolition of his office, but he has been reappointed to the service within six months thereafter, such vacation of office shall not be deemed to affect the continuity of his service, if he repays to the superannuation account the amount which may have been paid to him by way of gratuity for loss of office."

The PREMIER moved the insertion of the following words after the word "if," "within one month after his reappointment."

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

Clause 70—"Certain officers to have prior claims to reappointment"—was verbally amended, and agreed to.

On clause 82, as follows:—

"Nothing in this Act contained shall prejudice the rights or privileges secured to any officer or other person in the service under the provisions of the Civil Service Act of 1863 or the Civil Service Act of 1863 Extension Act: Provided, however, that any officer who may be hereafter entitled to retire under the provisions of those Acts or either of them may, with the permission of the Governor in Council, be permitted in lieu thereof to retire under the provisions of this Act."

The PREMIER moved that the proviso be omitted.

The HON. SIR S. W. GRIFFITH said he thought Civil servants under the Act of 1863 would be obliged to pay the 4 per cent.

The PREMIER: No.

The HON. SIR S. W. GRIFFITH said he thought they would. They would get nothing under the Act, but they would have to pay the 4 per cent. There was nothing to exempt them.

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

The PREMIER said he had a new clause to insert after clause 82. Some doubts had arisen as to whether the acceptance of office as a Railway Commissioner by Mr. Robert Gray would affect the pension he would be entitled to under the Act of 1863; and as the leader of the Opposition had suggested that it would be as well to make the matter perfectly certain, he now proposed the following new clause:—

It is hereby declared that the acceptance of office as a railway commissioner under the Railways Act of 1888, whether before or after the passing of this Act, by any officer who has contributed to the consolidated revenue under the Civil Service Act of 1863, or to the superannuation fund under this Act, shall not prejudice the right of any such officer to the benefits and advantages to which officers contributing to either of those funds are respectively entitled under the Civil Service Act of 1863 or under this Act, as the case may be.

Mr. UNMACK said, as Mr. Gray's name had been mentioned, and that clause was introduced in his behalf, he would like to ask whether, as Mr. Gray's rights arose under the Act of 1863, that gentleman would be entitled if he retired, to draw his pension on his present salary of £1,500 a year?

The HON. SIR S. W. GRIFFITH said Mr. Gray would be entitled to draw a pension in respect of his present salary of £1,500 a year,

as the limitation fixed by the Bill did not apply to officers under the Act of 1863. It was not intended to give a pension to any officer on more than £1,000 a year; that was stated all along, and it would therefore be necessary to add a proviso to that new clause similar to the one in clause 47.

The PREMIER said if Mr. Gray's salary had been increased to £1,500 a year under the Act of 1863 the pension would be on the £1,500 basis, as there was no maximum under that Act. The question was whether he would under the present circumstances be entitled to a pension on £1,500.

Mr. TOZER: His pension will be £1,000 a year—two-thirds of £1,500.

The HON. SIR S. W. GRIFFITH moved that the following proviso be added at the end of the clause:—

Provided that no such officer shall receive or be entitled to any superannuation allowance or gratuity in respect of any salary received by him in excess of £1,000 per annum, or be liable to any deduction from his salary in respect of any salary in excess of that amount.

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

On the motion of the PREMIER, the House resumed, and the CHAIRMAN reported the Bill with further amendments.

#### RE-COMMITTAL.

On the motion of the PREMIER, the Speaker left the chair, and the House went into Committee to further consider clauses 3, 31, and 82.

On clause 3—"Classification"—

The PREMIER moved that the word "their" be substituted for the words "the fixed," in the 2nd line.

Amendment agreed to.

The PREMIER moved that the words "appropriated by Parliament for their offices" be omitted.

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

On clause 31—

The PREMIER moved that the word "fourteen" be substituted for the word "thirteen."

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

On clause 82—"Existing claims not prejudiced"—

The MINISTER FOR MINES AND WORKS moved the insertion of the following words at the end of the clause:—

Nor shall any officer entitled to the benefit of either of the said Acts be required to contribute to the superannuation account under this Act, or be entitled to superannuation allowance or gratuity under this Act.

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

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

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

#### ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House do now adjourn.

Question put and passed.

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