

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 6 DECEMBER 1894**

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hon. member will remember that he will find that instead of there being an overdraft there is always necessarily a large credit balance. We pay no interest whatever on the overdraft.

FORFEITURE OF ARMS, ETC.

Mr. McDONALD asked the Colonial Secretary—

1. What arms and ammunition have been forfeited under the provisions of the Peace Preservation Act up to 1st December, 1894?

2. Is it the intention of the Government to return such arms and ammunition to the persons from whom they were taken?

3. Are any persons permitted (other than the authorities) to carry or possess arms or ammunition in the proclaimed district of Flinders; if so, who are?

The COLONIAL SECRETARY (Hon. H. Tozer) replied—

1. As well as can be ascertained at present, twenty rifles, ten guns, three revolvers, and a small quantity of ammunition.

2. Each application will be dealt with on its merits.

3. The police magistrates at Winton, Muttaborra, and Hughenden (the three districts within the proclaimed district of Flinders) were authorised by the district magistrate to exercise their own discretion in the matter of granting permits to have or carry arms or ammunition; and perhaps twenty persons (such as men who were leaving the district, and who received permission to carry arms along the main road leading to their destination—persons who could produce satisfactory evidence that they had been and still were earning a livelihood by destroying marsupials, and who were otherwise eligible) were granted permits. Storekeepers who had arms were permitted to register, but were not allowed to sell without authority.

REPORT OF OTTAWA CONFERENCE.

Mr. TURLEY asked the Premier—

When will the report of the proceedings of the Ottawa Conference be available to members of this House?

The PREMIER replied—

Only four copies of the report have been received so far from the Canadian Government; but a further supply is expected shortly, which, on arrival, will be available for distribution amongst hon. members.

LIMITATION OF SECURITY BILL.

Mr. CROSS moved that the resumption of the debate on his motion—that the Order of the Day for the second reading of this Bill be discharged from the paper—be postponed until after the consideration of Order No. 3.

The SPEAKER: The hon. member for Woolloongabba was speaking at the time the debate stood adjourned. If that hon. member is not here to resume the debate, the hon. member in charge of the Bill cannot move that the Order of the Day be postponed.

Question—That the Order of the Day be discharged from the paper—put and passed.

GRATUITY TO MRS. GRIFFITHS.

COMMITTEE.

Mr. WILKINSON moved—

That an address be presented to the Governor praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for the present year the sum of £100, being a continuation of the allowance hitherto made to Mrs. Griffiths, widow of the late Engineer-driver Griffiths, who lost his life in the discharge of his duty, by a railway collision at Darra, in 1884.

The question had already been sufficiently discussed, and he now desired that a vote might be taken to ascertain the will of the Committee on the matter.

The COLONIAL TREASURER (Hon. H. M. Nelson) said that though it went very much against the grain, he felt compelled to vote against this claim upon the Treasury. The utmost generosity had been extended towards the widow of Driver Griffiths. From 1884-5 to 1892-3 the sum of £100 had been paid to her annually, and in 1892-3 £100 was paid to her as a final payment in accordance with the distinct wish of the House.

LEGISLATIVE ASSEMBLY.

THURSDAY, 6 DECEMBER, 1894.

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

QUESTIONS.

PRIVATE MEMBERS' BUSINESS.

Mr. CROSS asked the Premier—

1. If he will move, immediately, previous to the House dealing with private members' business, That so much of the Standing Orders be suspended to enable private members' business passing through all stages?

2. If he will not do so, to enable all private members' business to be dealt with in that way, will he do so as regards the Limitation to Security Bill?

The PREMIER (Hon. H. M. Nelson) replied—

The present suspension of the Standing Orders applies to private business as well as Government business.

GOLD FIELDS BILL.

Mr. CROSS asked the Secretary for Mines—

If it is the intention of the Government to go on with the Bill to amend the Gold Fields Act, 1874, this session?

The SECRETARY FOR MINES (Hon. R. Philp) replied—

The Government have no intention of proceeding with the measure this session.

INTEREST ON GOVERNMENT OVERDRAFT.

Mr. RAWLINGS asked the Premier, without notice—

What interest are the Government paying on the cash overdraft, which, according to the Auditor-General's report, stood at £295,680?

The PREMIER replied—

I presume the hon. member is referring to the revenue account of the colony. He ought to be able to discriminate between the revenue account proper and the consolidated revenue. All the accounts in the bank, numbering some 300 or 400, are so far as the balance is concerned, consolidated into one account, and if the

Mr. WILKINSON : Without her sanction.

The COLONIAL TREASURER said the payment was a pure act of generosity on the part of the House, so that there was nothing in the fact that she was not consulted. Since the matter was previously under consideration he had obtained some further information. One of the sons had been employed in the railway service since 1886, and was now receiving wages at the rate of 8s. a day.

Mr. WILKINSON : He is a married man.

The PREMIER said another son named George had received special favour from the Railway Commissioners, who had rather strained the Railways Act of 1888 to give him employment purely for the sake of his mother. He passed the ordinary examination for a labourer on the 11th August, 1893, and was given the first vacancy over the heads of a good many that were on the list, and had, if not a better, at least an equal right to employment in the service. He was appointed on the 20th November, 1893, and was now receiving 6s. a day. On the whole, Mrs. Griffiths had no great cause for complaint against the State, and unless a better case was made out he felt it his duty to oppose the demand now made on the Treasury. He was not so sure either that the money, if granted, would do the widow any good, because he believed the agitation had been got up by two storekeepers in Ipswich to whom she was indebted, and who saw no other means by which they could get their accounts paid.

The Hon. G. THORN said that if the payment made in 1892-3 was intended to be a final payment it was unknown to Mrs. Griffiths; and the hon. gentleman ought to know that a resolution only bound the Assembly for one session. With regard to the children, he believed that the two sons the hon. gentleman mentioned were both married, and he knew that the widow had younger children whom she had to keep. When an accident happened to the father of a large family under such circumstances the country might very well pay the widow £100 a year for the remainder of her life.

Mr. DANIELS said it was pretty well understood at the time of the accident that Driver Griffiths sacrificed his life in trying to protect the lives of other people, and to save Government property. Had the widow brought an action against the Government for damages she would have got more than £100 a year for life. The Government paid her the £100 a year until the time passed by when she could legally bring an action for damages, and then they stopped the payment.

Mr. GROOM was conversant with the whole of the circumstances of the case, and he knew that the then Minister for Works stated in the House that he intended to place £100 on the Estimates to be paid annually to Mr. Griffiths as long as she remained a widow.

The COLONIAL TREASURER : Why was not a Bill brought in ?

Mr. GROOM said he was not going into that question. The House was led to pass one Bill which had entailed a heavy expenditure for the last twenty-five years, which was likely to be continued for years according to all accounts; and those who had a hand in passing that Bill had since regretted their action. Mr. Griffiths lost his life in the faithful discharge of his duty. There were passengers injured in that accident who entered actions against the Government, and Parliament was called upon to vote something like £16,000 for costs and compensation in connection with those cases. After Mrs. Griffiths had received £100 a year for a certain number of years the then Secretary for Railways, Mr. Unmack, thought she had had enough, and though a great

many members were of a contrary opinion he had a sufficient majority to carry his proposal, and the sum of £100 was voted, on the understanding that it was to be accepted as a final payment. Had he been present he would have voted for the continuation of the payment to Mrs. Griffiths, because he had no sympathy with the action taken by Mr. Unmack. Another officer of the Railway Department, who was injured in the Darra accident, received £100 a year from 1876 until quite recently; but he had a farm and horses and other property, and it was stated to the Government that he had almost recovered from his injuries. But that was a very different case from that of a widow who had lost her breadwinner. Engine-drivers and firemen travelled with their lives in their hands, and at all hazards had to consider the public safety before their own; and when such a man, in the moment of danger, lost his life by doing his duty, it was the duty of the country to make some compensation to his widow and children. It would be an encouragement to those men to discharge their duties faithfully if they knew that, should anything happen to them, those they left behind would be provided for. He intended to support the motion.

The COLONIAL SECRETARY said he hoped the Committee would not treat the motion from an individual point of view. It was not merely a matter of £100; it involved many thousands of pounds. In his own department, if the motion were passed, there would be at least 100 claimants whose husbands, like the husband of Mrs. Griffiths, had died in the discharge of their duty. For instance, the wife of the policeman who was shot the other day at Herberton would come under the same category. And yet all that man's widow would get was one year's salary out of her husband's own payments. In 1889 Parliament provided a superannuation fund under which, if a man died in the discharge of his duty, his widow was entitled to be paid out of the fund one year's salary. That had been done in numerous cases. It did not follow that because a man did not die a violent death he did not die in the service of his country. There were hundreds of policemen who had died in the service of the country.

An HONOURABLE MEMBER : From natural causes.

The COLONIAL SECRETARY : If an officer was sent into the bush, caught cold, and died, the result was just the same as if he went into a train and got killed. It was immaterial to the widow whether her husband died a violent or a lingering death, so long as he died while in the discharge of his duties. The hon. member for Cambooya was quite wrong as to the widow's claim against the State. She had no claim whatever in law. Whatever claim she had on the country was a moral, not a legal, claim. But what had the State done for Mrs. Griffiths? It had paid her £875 in cash, and had given employment to two of her sons. The father's pay was 12s. a day. The wages of the two sons were 14s. a day. If the sons had since married, and incurred further obligations, the defect of the children did not create a further claim on the State. Several persons in the Railway Department had lost their lives under precisely similar circumstances. In one particular instance the State gave the widow nothing at all until last year, when she got £100. If she was to be treated as Mrs. Griffiths had been treated, the State would have to give another £775. Dozens of other claims would be established by the passing of the motion, and the State would have to make up some £15,000 or £20,000. The £100 asked for was, as it stood, a pension for life. Hon. members opposite had always been opposed to pensions,

and they would be very inconsistent if they voted for the motion; they would have to swallow something. The superannuation system had now been repealed, and the House would be inundated with claims. He trusted the hon. member, having done his best, would not compel the House to a vote they did not like. Nobody liked to vote against a woman. But, in spite of their sympathies, they had higher duties to discharge, and he hoped they would not put on record a precedent which would cost the country many thousands of pounds.

Mr. WILKINSON said that when working as fireman under Driver Griffiths he had often heard him say that, if ever he was placed in such a position as that in which he subsequently lost his life, he would never desert the post of duty. He said that no matter what happened he considered that his place was at his lever, and that was his place when his end came. What that man suffered no man could tell. Although he might not be qualified to speak as an expert on railway management, as the Secretary for Lands said last night, he claimed to know something about the running part of the business, and he could say that Griffiths died the death of a hero. He did not know what Mrs. Griffiths' obligations might be, but if her claims had been taken into consideration at the time of the accident, and she had received the same consideration as others who were injured, she would have received a sum which would have given her an income in perpetuity equal to the sum which had been granted to her from time to time, and the principal would have been there to leave to her heirs. In other cases money had been lavished on people far less deserving. There was the case of Mr. Manning, who had been drawing a pension of £600 a year for many years, because he had got a bit of a knock with a tomahawk, and he was physically just as good a man to-day as any member of that Committee. In another case £2,000 had been given to a widow. He did not look at the matter from the point of view of charity at all, but from that of justice. Driver Griffiths had been in receipt of something like £200 a year, and he had lost his life in the service of the country; and, although he might have been somewhat to blame, his death had been caused through the negligence of railway employees.

The SECRETARY FOR LANDS had supported the vote before, and he intended to do the same now, and he did so because the Secretary for Railways at the time the accident had occurred had made a great mistake in not settling the matter once for all. The circumstances were very much as had been stated by the Opposition member for Ipswich. Griffiths had died while committing an act of heroism. He could have saved his own life, but he had refused to desert the train. Some reference had been made to a sort of compromise which had been come to on the last occasion that the question had been before Parliament. He had made the best compromise that he could on the spur of the moment, because the then Secretary for Railways had a majority which would have enabled him to so amend the motion as to make the amount then paid a final settlement; but the compromise which had been come to had not been of such a nature as to preclude the case being reopened. He could not allow the other member for Ipswich to make any political capital out of any reference he had made. He had made no reference disparaging to the profession the hon. gentleman had once followed; but he said again that that profession did not qualify a man to manage the whole of the railways of the colony.

Mr. FOXTON said that he knew as much about the circumstances surrounding the Darra accident as any man, as he had been engaged professionally both in connection with the inquiry

and subsequently in connection with some of the claims against the Government. The great reason he had for supporting the claim of Mrs. Griffiths was that she had been led to believe that the amount which had been annually voted was a pension of £100 a year. The late Secretary for Railways had taken a most uncompromising stand, and said that they would give her £100 as a final payment, which was the amount that was really due to her for that year. Seeing that she had been previously voted a sum on which she had been able to live in comparative affluence—although it was nothing more than she was entitled to—it would have been a fair thing to have given her something which would have brought her in a little income. The justice of that view was emphasised by the fact that they had been told so often in that Committee that it was not a fair thing to retrench Civil servants, suddenly cutting off from them the incomes which they had enjoyed for many years. The hon. member for Ipswich had drawn a parallel between the case before them and that of Mr. Manning, but there was no comparison between the two cases. Mr. Manning was still alive, while Mrs. Griffiths had lost her husband, and was far more entitled to consideration than Mr. Manning. At the time Mr. Manning had got his pension it had been expected that he would not long survive on account of the injuries that he had met with; but the principal cause leading up to the death of Griffiths was the failure of the staff and ticket system on which the line had been worked. If it had not been that the heads of the department were to blame, somebody would have been indicted for manslaughter. It was the system which was at fault, and anybody remembering these facts would marvel that there had been no greater loss of life. Knowing what he did of the facts of the case, it was only due to the hon. member for Ipswich and the widow of the unfortunate driver that he had said what he had, in the hope of inducing hon. members to vote for this amount.

Mr. PLUNKETT said he thought that matter was settled long ago. He remembered it being brought up by the Secretary for Lands in 1892, and also that it was objected to by the then Secretary for Railways. They found that Griffiths had been nineteen years in the service, and was receiving 12s. per day. Under the Civil Service Act of 1893 he would have been entitled to about £187, but in place of that his widow had received over £800. A compromise was effected in 1892, the understanding being that the £100 voted in that year should be final. Since then several other men had been killed in the Government service, and their widows had received nothing at all, therefore this particular case should not be singled out. He could not support the motion.

Mr. McMASTER said every hon. member would sympathise with this widow, and there was no doubt that her husband stuck to his post well. It had been said that it was understood that the widow was to receive a pension of £100 a year, but he could find no record of such a compromise. He had not searched *Hansard*, but had been told that there was no record there, and he was certain there was none in any of the departments. He remembered perfectly well that when the money was last voted there was a distinct understanding that that should be the last payment, and on account of that promise he refrained from saying anything. There were many other widows who had lost their breadwinners in the Government service, and if this amount were granted, Parliament would not be acting honestly if they did not take their cases into consideration also. Even-handed justice should be dealt out to all parties. Mrs. Griffiths had received something like £800, and there

were many widows who had fared very much worse. They had been told that one of her sons was married, and was receiving 8s. per day, while the other was receiving 6s. per day, both of them being in the service of the State. He did not think any man with the feelings of a son would see his mother in need, even if he were married.

Mr. WILKINSON: Would not the sons have been at work if their father had been alive?

Mr. McMASTER admitted that they would have been, but men in the position of their father went out in the morning with their lives in their hands, and with the facilities there now were for making provision in case of death there was not much excuse if they did not do so. Whether Driver Griffiths had made such provision or not he did not know; but such men ought to be doubly careful in that respect, and if he did not do so he ought to have done it. He remembered that the first session he was in the House an hon. member made out a very good case on behalf of a certain person, but he opposed the claim on the ground that he had always been opposed to pensions, which, if not prevented from increasing, would hang like a millstone round the neck of the people. He made a suggestion on that occasion to the hon. member for Rockhampton, Mr. Archer, who brought forward the motion, that he should open a subscription list and let the members supporting the claim put their hands into their pockets and subscribe the money, and he believed the amount asked for was contributed in that way. And if the hon. member for Ipswich could show hon. members privately that this was a case of necessity deserving assistance, he believed that within two hours the amount asked for would be subscribed.

Mr. WILKINSON: I am not asking for charity.

Mr. McMASTER said it would be charity to vote this money when it had been withheld from other deserving people who ought to receive the same assistance from the State. If this was allowed, other claims would be sure to follow, and as the last amount of £100 was voted as a final payment, the question ought not to be reopened. At all events, he intended to oppose the motion.

Mr. PHILLIPS said that when death was staring a man in the face, when he had to decide at a moment's notice whether he would keep his hand on the lever of a locomotive or jump off and save his life in order to protect his wife and children, a very little thing would turn a man at that moment. The lives of many people day after day were in the hands of engine-drivers; and as far as he knew this was only the second case of any claim having been made on the revenue of Queensland for such a purpose as this. He would much prefer that a lump sum had been provided years ago, and that the matter had been put on such a footing that it would not come up year by year; but as that provision had not been made, and as the woman had, to a certain extent, been led to expect that this provision would be made annually, he intended to vote for the motion.

Mr. FOXTON, replying to an interjection made by the Colonial Secretary, said that since he last spoke he had looked up the Estimates for every year from 1885 to 1891, and he found that in every case the allowance to Mrs. Griffiths was voted on the Estimates.

The COLONIAL SECRETARY: It is not put in as a "Gratuity to Mrs. Griffiths."

Mr. FOXTON said that in each case there was a footnote to the effect that part of the amount voted was an allowance—not a gratuity—to the widow of the late Driver Griffiths. That had appeared in the Estimates for seven consecutive years.

The COLONIAL SECRETARY said the item on the general Estimate was "Compensation for injuries"; and if anyone went deeply into the matter he would find a footnote in small print showing how the money was to be applied. In the year 1884 the claims brought forward on behalf of the widows of Judge Pring, Denis Murphy, and Daniel Crichton were thrown out; yet it was now stated that the House in the same year gave Mrs. Griffiths £100 a year for life. He could find no record of any promise different from the case of the widow Crichton. If he could see any promise that Mrs. Griffiths was to get £100 a year he would vote for it; at the same time, as Mrs. Crichton's case was a similar one, he would vote for her claim also.

Mr. GROOM said the hon. gentleman must remember that the discussion in 1884 took place in committee, and that the report was abridged; but he (Mr. Groom) was present at the time and had a distinct recollection of what took place. He would refer hon. members to the discussion as recorded on page 2031 of *Hansard*, vol. xlv. The Colonial Treasurer, in moving the vote, said the Committee would no doubt approve of the form in which the money was put down—as one annual allowance instead of a lump sum; and when Mr. Macrossan asked what would be done if the widow remarried, the Colonial Treasurer replied that the advantage of the system was that it would enable the Committee to consider her altered circumstances if she changed her condition. In his (Mr. Groom's) opinion the credit of the House and the country was pledged to the widow at the time.

Mr. FOXTON said the Colonial Secretary had attempted to justify his position by saying that the footnote was not a part of the Estimates. But in every year a certain amount was voted for compensation for injuries, and the footnote specified to whom the money was to be paid, and the amount; and no Government would have ventured to apply the money to any other purpose.

Mr. MORGAN said he had already expressed his views on the motion, and did not intend to repeat them. The facts were familiar to all hon. members, and no doubt they had made up their minds which way they were going to vote. If they were going to vote for every motion of the kind that came before the House he was afraid the demands on the Treasury would be very much larger in the future than they had been in the past. He was afraid the labour of the hon. member for Ipswich would be all in vain, even if he carried his motion. They were told the other night by the Premier that a certain motion for a sum of money would have no effect whatever if carried; that it would only end in failure. He wanted to know whether that rule was to be generally applied, or whether if the present motion was carried it would end in failure. If the vote of the majority was to be given effect to in that instance, it should be given effect to in every instance. The question involved a vital principle of representative government—whether the gentlemen who controlled the Treasury had a right to say, in defiance of the vote of the majority of Parliament, that they would do as they liked.

The Hon. J. R. DICKSON said that as far as his memory served him, he had no doubt it was intended to make an annual provision for the widow for a certain time, and under certain conditions. Indeed, the money was placed by him, as Treasurer, on the Estimates on the understanding that there should be a periodical review of the position of the widow. It was certainly intended to review the position should the widow change her condition, or when the children were able to earn money, so that her means of support should not be materially

affected. He did not think it was ever intended that there should be a permanent annual grant of £100. If that had been intended a Bill would certainly have been introduced, making it permanent by statute. Later on, when the boys were in employment and able to furnish her with some income, the position was reviewed, and it was decided that the allowance should terminate after a certain date. The weak point seemed to him to be that the widow did not receive sufficient notification that the payment would cease at a certain period. He should be inclined to support the motion if the hon. member would so alter it as to make the payment the final one.

Mr. WATSON said he recollected well when a similar motion was moved by the present Secretary for Lands. He was not aware whether the widow had been consulted on the matter, but *Hansard* showed that the present Secretary for Lands had withdrawn the motion on the distinct understanding that the payment was to be final. There were many cases in which widows had lost their husbands in the service of the State, and they should make a general rule that in all such cases a certain sum should be granted. The Colonial Secretary had said that it was the law that an allowance equal to one year's salary should be paid, but he knew of cases where sums of £100 had been put on the Estimates although the men had been in receipt of much larger salaries. He could not vote for the motion seeing that when the last vote had been made it had been understood that there was to be a finality to it.

Mr. WILKINSON hoped, as the time at the disposal of private members was so short, that hon. members would be brief. All he desired was to come to a decision on the matter.

Mr. GRIMES said that the general impression in 1892 had been that the £100 then voted was to be the last. The Government had, in addition to the money grants which had been made, placed the sons of Mrs. Griffiths in a position to earn their livelihood. Unfortunately the amount voted in 1892 had not been put down on the Estimates as a final payment, but still he was surprised that it should have been again brought up. It appeared that widows were not to be treated according to the merits of the causes which had made them widows, but according to whether they had friends who would introduce the matter into that Chamber. There were many other widows who had lost their husbands in the execution of their duty, although they might not have been engine-drivers; and if the hon. member succeeded in carrying his motion, he intended early next session bringing up the case of the widow to whom he had referred on the motion to go into committee; and he had no doubt other hon. members had similar cases which they were prepared to bring up. He could not vote for the motion unless it was proposed to treat all widows in the same manner. In order to place the question beyond all doubt, and to make it quite clear that that was to be the final payment, he moved the omission of the words "being a continuation of the," with the view of inserting the words "as a final," before the word "allowance."

Question—That the words proposed to be omitted stand part of the question—put; and the Committee divided:—

AYES, 20.

Messrs. Foxton, Phillips, G. Thorn, Wilkinson, Cross, Kerr, Smith, Fisher, Dawson, McDonald, Ogden, Groom, Dunsford, Cribb, Drake, W. Thorn, Daniels, Browne, King, and Powers.

NOES, 22.

Messrs. Archer, Tozer, Byrnes, Dickson, Philp, Tooth, McMaster, Hardacre, Midson, Stephens, Petrie, Watson, Cameron, Callan, Chataway, Crombie, Battersby, Grimes, Corfield, Plunkett, Morgan, and Stevens.

Resolved in the negative.

1894—5 B

Question—That the words "as a final" be inserted—put and passed.

On the motion of Mr. GRIMES, the words "hitherto made" were omitted.

The COLONIAL SECRETARY desired that the position of the Government in regard to the motion should be clearly understood. They considered that, however much sympathy they might have with Mrs. Griffiths, it was their duty to oppose the resolution as it stood, in order to prevent this being made a precedent which would apply to all future cases.

Mr. WILKINSON said if he could not get all he wanted, he would take what he could get.

Mr. FISHER said the Colonial Secretary might have made a further statement in answer to the hon. member for Warwick, and said whether the Government, in the event of the resolution being carried, would move the adjournment of the House. If so, they had better wait until they could get another roll-up of their supporters. Were the Government going to stake their existence upon the result of the division?

The CHAIRMAN: I would remind the hon. member that the House is in committee, and we have nothing to do with the question he is now raising. He should raise the question when the Speaker is in the chair.

Mr. MORGAN said this was the second time they had declared this was to be a final payment, but practically hon. members who had voted with the "Ayes" voted for a pension to Mrs. Griffiths for life. They had omitted the words "continuation of the," but it had since been stated that the omission would have no effect. He would like to know from the hon. gentleman in charge of the motion whether he had any authority to say that Mrs. Griffiths was prepared to accept the decision of Parliament in this matter, or whether the hon. member was going to prosecute her claim to a pension of £100 a year. The Committee ought to know that distinctly, and they ought to make no further terms with Mrs. Griffiths.

Mr. WILKINSON said he had no authority to make any terms on behalf of Mrs. Griffiths, but he believed that if she were met in a fair spirit by Parliament she would be willing to moderate her terms very much. He had no authority to accept this as a final payment, but so far as he was concerned it would be a final demand.

Mr. FOXTON understood and appreciated the position of the hon. member for Ipswich. It was the same as that the Secretary for Lands found himself in some years ago, and they remembered what the result was then. The House then said that was a final payment, but the other party to the contract was not here to give her consent to such an arrangement, and it would have been an extraordinary thing if she had authorised the hon. member to say that she was prepared to accept it. She had a fair claim to a continuance of her pension, and if the pension were to be commuted some substantial sum should be paid. The giving the sum now proposed as a commutation of her pension was a farce. Although he would vote for the motion as amended, he disclaimed any intention of making it a final payment, but would reserve his right to vote either for a continuance of the £100 a year or the payment of a lump sum.

Mr. McMASTER said it was evident from the hon. member's remarks that they were to be saddled with this pension as long as Mrs. Griffiths lived.

Mr. FOXTON distinctly repudiated that he had suggested anything of the sort.

Mr. McMASTER said that was the inference he drew from the hon. member's remarks. He could understand the position of the hon. member

for Ipswich, who had said that he would not bring the matter up again; but no one could say that the hon. member for Fassifern would not bring it up. All the needy widows who received assistance seemed to be located in Ipswich. Applications had been made on behalf of one widow at Gympie and another in Fortitude Valley, but they received nothing. He was surprised at the votes given by some hon. members on the other side who professed to be opposed to pensions. He was opposed to them, and always had been, particularly when the pensioners spent all their money out of the colony.

Mr. FOXTON: Are you going to talk it out?

Mr. McMASTER said the hon. member was the very one who told them Mrs. Griffiths would be a pensioner while she lived.

Mr. FOXTON said he had already denied that, and it was a rule of debate that an hon. member was bound to accept the statement of another. As a point of order he asked that the hon. member should adhere to the rules of debate.

The CHAIRMAN: No doubt the hon. member for Fortitude Valley is well aware that he must accept the statement of the hon. member for Carnarvon.

Mr. McMASTER admitted that the hon. member did not use those exact words, but he said there would be no finality until she gave her consent. He was aware that the hon. member for Ipswich could not consent on her behalf, although he had given his word that he would make no further demand, but some other hon. member would. He did not wish to talk the question out, and if hon. members on the other side had made fewer interjections perhaps it would have gone to a vote before now. If the motion was passed he felt sure there would be plenty more brought forward next session. There was the case brought forward previously by the hon. member for Gympie, Mr. Smyth.

Mr. CROSS rose to a point of order, and asked whether the hon. member was not guilty of tedious repetition?

The CHAIRMAN: I have been watching the hon. member closely, and I do not think he has been guilty of tedious repetition.

Mr. McMASTER said it might be tedious to the hon. member, but he need not listen to it. If the Committee voted the money and the Colonial Treasurer paid it there would be appeals next session for similar treatment with regard to equally deserving cases.

The Hon. J. R. DICKSON said he had promised to give his vote in favour of the vote as a final payment, and he intended to fulfil that promise. He trusted, however, that the money would not be paid unless it was received by Mrs. Griffiths as a final payment.

Mr. GRIMES had not altered his opinion about the desirability of voting the money, but he thought it ought to be plainly stated, if the motion was carried, that the money voted was to be a final payment. He intended to vote against the motion.

Question, as amended, put; and the Committee divided:—

AYES, 25.

Messrs. Barlow, Hamilton, Wilkinson, G. Thorn, Kerr, Dickson, Cross, Smith, Hardacre, Ogden, Crombie, Drake, McDonald, Groom, Fisher, Powers, Browne, Dunstond, Daniels, King, Cribb, Foxton, W. Thorn, Dawson, and Phillips.

NOES, 18.

Messrs. Nelson, Byrnes, Archer, Philp, Tozer, Morgan, McMaster, Tooth, Plunkett, Grimes, Battersby, Callan, Cameron, Watson, Chataway, Stephens, Corfield, and Midson.

Resolved in the affirmative.

The House resumed; and it was ordered that the resolution be received to-morrow.

## STALLION TAX BILL.

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

## JUDGES' DISQUALIFICATION BILL.

COMMITTEE.

On the motion of Mr. MORGAN, this Order of the Day was discharged from the paper.

## INDUSTRIAL CONCILIATION.

RESUMPTION OF DEBATE.

On the Order of the Day for the resumption of the debate on Mr. Glassey's motion (*vide* page 259) being read,

Mr. FISHER: I move that this Order of the Day be discharged from the paper, and in doing so I think I may fairly make the request that private business be taken after tea.

At 7 o'clock,

The House, in accordance with the Sessional Order, proceeded with Government business.

## MESSAGES FROM THE COUNCIL.

The SPEAKER announced the receipt of messages from the Council, intimating that they had adopted a resolution permitting the joint committee on reporting, printing, and circulating *Hansard* to sit during the recess, and to report to Parliament next session; and asking the concurrence of the Assembly thereto. Also, returning the Crown Lands Bill, the Pastoral Leases Bill, and the Civil Service Acts Amendment Bill, with amendments.

Messages ordered to be taken into consideration in committee to-morrow.

## WAYS AND MEANS.

RESUMPTION OF COMMITTEE.

The COLONIAL TREASURER (Hon. H. M. Nelson), in moving—

That towards making good the Supply granted to Her Majesty for the service of the year ending 30th June, 1895, a sum not exceeding £2,000,000 sterling be raised by the sale of debentures, or the creation and sale of inscribed stock, secured on the consolidated revenue fund of Queensland, and bearing interest at a rate not exceeding £3 10s. per cent. per annum, for the following purposes, namely—

Repayment of Loans—

To discharge the debentures issued under the Government Loan Act of 1870, falling due on 1st January, 1896	...	£765,600
To retire Treasury bills issued under the Treasury Bills Act of 1890, and the Treasury Bills Act of 1891—		
Falling due 1st January, 1896	£500,000	
Falling due 1st April, 1896	228,400	
Falling due 1st July, 1896	400,000	
		1,128,400

Towards making good the deficit on previous loans and the expenses of this loan	...	106,000
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£2,000,000

said he had already explained the items in Committee of Supply, and he did not think he had anything further to add to the observations he then made. They had agreed that the money must be found somehow or other to meet their engagements. The next question was whether the proposal submitted was a right, proper, and convenient way of raising the money. Another question was whether the present was the proper time to ask authority for doing so. With regard to the first item—to retire the 6 per cent. debentures falling due on the 1st January, 1896—there could be no question whatever. They must be met, and it was a fortunate thing for the colony that they fell due at a time when they would have an opportunity of redeeming them at a lower rate of interest. The question might arise as to whether it was a proper thing to fund the Treasury bills. Those bills would have to be paid when they were due, and

there was only one of two ways in which they could be dealt with. They could pay them out of the consolidated revenue, no doubt, if they were in a position to increase the taxation of the country, and raise by that means the very large amount of £1,128,400. He did not think, however, anyone would say that that would be an expedient measure to adopt under the present circumstances. They might do it also by sales of land.

Mr. REID: You cannot get rid of it.

The COLONIAL TREASURER said he was just going to observe that, even supposing that met with the approval of the House, it would not be practicable. No one would say that it would be advisable to sacrifice land at considerably less than they conceived to be its true value. The only other way, therefore, that he could see was to fund the particular amounts falling due between the 1st January, 1896, and the 1st July, 1896. On all the other items of their loans, amounting to £30,000,000 odd, they were able to show on the other side of the ledger a certain amount of assets therefor. They had borrowed and spent a large amount of money for railways. They had the railways to show for it. They had spent a large amount of money on immigration, and they had the people in the colony to represent that—the best asset the colony had. They had borrowed money for water supply—

Mr. McDONALD: And for the banks.

The COLONIAL TREASURER: We have not borrowed any money for the banks.

Mr. McDONALD: The *Courier* says so.

The COLONIAL TREASURER said he was not now dealing with the *Courier*. He was pointing out that they had borrowed and spent certain sums of money, and that they had something to show for the whole of it.

Mr. McDONALD: And have very bad security for £2,000,000 of it?

The COLONIAL TREASURER said the security, as far as he knew, was as good as that of any colony in Australia. But in that case they were simply funding a debt which had been incurred through the unfortunate circumstances of the colony extending over a considerable period. It was simply a question, after all, whether they could carry on that amount of debt on short dated bills at a proportionately high rate of interest, or whether they should take an extended accommodation at a small rate of interest. By adopting the proposals which he had submitted he anticipated, upon the most moderate calculation, that they would effect an annual saving in the interest charge of £22,000.

Mr. DUNSFORD: Perhaps lose the principal by putting it in a bank which bursts.

The COLONIAL TREASURER said he saw no danger of losing the principal. Hon. members in the corner seemed to be afraid that the money would not be devoted to the purposes for which it was to be raised.

Mr. DUNSFORD: You don't want it till 1896. What are you going to do with it in the meantime?

The COLONIAL TREASURER said he did not anticipate that any large amount of the money would be raised in cash. If the Government were authorised to negotiate with the holders of debentures and Treasury bills, he anticipated that they would be able to convert the one into the other before their due date with very little expense and without the passing of any money at all. There was nothing to prevent the Government from advertising in London, and inviting the holders of those securities to make an agreement whereby they would exchange the securities they now held for the new securities which the Government were asking authority to offer them.

Mr. McDONALD: Does that save the expenses attaching to ordinary loans?

The COLONIAL TREASURER: It would save a very considerable amount of expense. He was not, on the other hand, sanguine enough to believe that the whole of the loan and the Treasury bills would be converted in that way. Some of the holders would probably want their money on the 1st January, 1896, when the loan fell due. In that case a certain amount of inscribed stock would have to be put on the market. Hon. members must know that advertisements were published asking for tenders for a certain amount of stock by a certain date, and on the date named the tenders were opened. But the tenders were not all cash down. There was only a small percentage of cash paid down, and the bulk of the money offered was paid in instalments spread over a period of five or six months. Suppose, therefore, that by July next year they had not been able to convert some portion of the securities, and that they advertised in July next that a certain amount of inscribed stock was to be tendered for, it would take from July to December before the money would really come in, so that they would have the money in hand just in time to meet their engagements on the 1st January, 1896. That money would not go anywhere but into the Bank of England, which would receive both the deposits and the instalments.

Mr. McDONALD: And they get paid for it.

The COLONIAL TREASURER: Undoubtedly; they got a commission. Why should they not? By that process, a considerable amount of expense would be avoided, because on loans they had to pay 12s. 6d. per cent. Imperial stamp duty besides  $\frac{1}{2}$  per cent. for commission, and a small charge for brokerage, the total charges being about £1 10s. per cent. The conversion and floating of the loan in the manner I have mentioned could only be done by the authority of Parliament, and if they waited until next session the opportunity would be entirely lost.

Mr. McDONALD: Why not call Parliament together in May next year?

The COLONIAL TREASURER said that even if they did they would not gain much, because then they would be driven to the last resource and be compelled to put inscribed stock on the market, and that could not be done earlier than July next year. They would have no time to negotiate with the holders of stock, as that would have to commence very soon.

Mr. FISHER: Are you not negotiating now?

The COLONIAL TREASURER: No. How could he negotiate before he had authority? If he went to the holders of their 6 per cent. debentures they would ask him to make an offer.

Mr. POWERS: What do you propose to offer?

The COLONIAL TREASURER: The only reply he could make was that he would have to ask Parliament next session for authority to make an offer. He must be in a position to make them a firm offer, otherwise there would be no business done.

Mr. GROOM: Why could not a loan be floated in August or September next?

The COLONIAL TREASURER said that there would be no chance of floating a loan in the "dog days," as everybody was away from London grouse shooting. Summing up the whole thing, it meant this: That if they got authority to raise the money now, they would be in a position to at once commence negotiations, but if they waited until next session they would be landed in a hole, because by having to place a loan hurriedly on the market there would be an opportunity to "bear" the market and take advantage of the necessities of the colony. Hon. members seemed to have a great fear that the proceeds of the loan were going to be placed in the Queensland National Bank.

MEMBERS of the Labour party: Hear, hear!



The COLONIAL TREASURER said it was just as well to say so straightforwardly.

Mr. FISHER: We intend to prevent it.

The COLONIAL TREASURER: He intended to prevent it too; that was to say there would be no need for it going into the Queensland National Bank at all. The money would be paid into the Bank of England, and they would convert the stock. But even if the money were to go into the Queensland National Bank there would be nothing to fear. It would be just as safe there as in the Bank of England. It surprised him to hear hon. members on the other side who professed to represent the working man express such an antipathy and prejudice against the bank which had done more than all the other banks in the colony to find employment for men and to develop the resources of the colony.

Mr. DUNSFORD: We do not fix the market price of shares.

The COLONIAL TREASURER wished hon. members opposite would imitate their *confrères* in New Zealand. There the Labour Government had gone outside their proper functions, and had raised a loan of £2,000,000 in order to assist the Bank of New Zealand.

Mr. TURLEY: They made the Treasurer of the colony chairman of directors.

The COLONIAL TREASURER: That did not come to much. If hon. members opposite only knew what were the real interests of the colony, they would not attempt to damage that particular bank, because in doing that they were damaging nearly the whole of the people of the colony. Then as to security, under the Act which had been passed last year they were in a very strong position. If the bank ultimately paid everyone 20s. in the £1 everybody would be satisfied; and if the bank was unable to pay everyone in full the Treasurer would be able to step in, revive the Crown debt with its priority over all other creditors, and take possession of the whole of the assets, and pay himself in full before any other creditor got a penny. Could they have any more security than that?

Mr. HARDACRE: He can only take what is left.

HONOURABLE MEMBERS: No, no.

The COLONIAL TREASURER said the hon. member did not know what he was talking about.

Mr. HARDACRE: They are paying away all the time now. There will be nothing left.

The COLONIAL TREASURER said of course the hon. member knew more about banking than anyone else. The banking returns were published, and anyone could see them. He had examined the accounts of the bank more closely than most hon. members and could see no single item that was calculated to create a shadow of distrust. Hon. members opposite tried to prejudice the bank, for what reason he did not know.

Mr. McDONALD: Give us an inquiry; that will settle it.

The COLONIAL TREASURER said the Act passed last year gave him power to inquire at any time he chose.

Mr. McDONALD: That is not sufficient.

The COLONIAL TREASURER said he could hold an inquiry whenever he thought proper. He knew nothing would be sufficient for the hon. member unless he held the inquiry himself. If they allowed the hon. member for Leichhardt and the hon. member for Flinders to investigate the affairs of the bank they might be satisfied, but they would be the only people in the colony who would be. However, that was beside the question. The real question before them was whether it was for the benefit of the colony that this authority should be given now or postponed until they met again next year. He thought, in the interests of the colony it was most emphatically

and decidedly necessary that the matter should be taken in hand at once, so that they might be in a position to take advantage of any opportunity that might occur between now and this time next year. He felt perfectly confident that the scheme he had set forth would be successful, and he was also certain that it would be very much to the advantage of the finances of the colony.

Mr. HARDACRE: What available cash is there now to the credit of the Government?

The COLONIAL TREASURER said it was made up every Monday as a rule, and there was no reason why the hon. member should not know. He supposed the hon. member knew what the balance was on the 30th June.

Mr. HARDACRE: Yes.

The COLONIAL TREASURER: How much was it?

HONOURABLE MEMBERS: Hear, hear!

Mr. HARDACRE: According to the Auditor-General there was £1,090,000 available cash.

The COLONIAL TREASURER: That was rather too much for an hon. member to carry in his memory especially since the 30th June. Table I. showed that at that time there was in the Queensland National Bank to the credit of the current account £686,866 18s. 4d. That was the available working balance, exclusive of Treasury notes.

Mr. FISHER: What was the London balance?

The COLONIAL TREASURER: They were not dealing with London now. Hon. members would also recollect that there was £150,000 advanced by the Bank of England.

Mr. HARDACRE: You got money afterwards to pay that. Some money came in after 30th June which made that up.

The COLONIAL TREASURER wished the hon. member would make his financial statement at the proper time. Starting from that balance, the transactions had been as follows:—They had paid all the expenses of the colony up to the end of last month. Every voucher had been duly honoured, and he had remitted in gold, because he could not do it otherwise, £150,000 to pay off the Bank of England. He had remitted in drafts £600,000 to meet the half-year's interest due on 31st December; and to-morrow he would remit £300,000 towards meeting the interest due on 30th June next. The working balance that would be left in the bank after all those transactions were completed would be £650,000. No doubt that looked very rosy, but all the same they were doing little, if anything, more than paying their way. There was nothing in those figures to encourage them to go into any extravagance. He wanted to save every sixpence he could, and if he could save a few thousands of pounds by these transactions he should be very glad. He would say no more, but simply move the resolutions.

Mr. POWERS said the hon. gentleman in proposing these resolutions raised three points. The first was that these amounts were falling due and had to be paid; the second was—Was this the best way to do it? and the third—Was this the best time to do it? He failed entirely to show the necessity for taking the step proposed at the present time. They had to pay their way, and they had to meet these debentures and Treasury notes. They would all approve of the conversion, but there were two things to do. One was to arrange with the persons who held bonds to buy others; and the other was a conversion by way of raising a loan. The hon. gentleman proposed to raise the money by 3½ per cent. inscribed stock if necessary. But the hon. gentleman had already the authority of Parliament to raise £1,000,000 at 3½ per cent., and no step he could take would put him in a

better position than he had been put in already. Now he was asking for £2,000,000 more, so that he would have £3,000,000 to pay off £2,000,000. How much of that money would be wanted before July, 1896? Out of the £500,000 Treasury bills falling due in January only £285,000 were held outside Queensland, and all he wanted authority for was to convert the 6 per cent. debentures, which could be done next session. All there was to provide for outside the colony was £285,000.

**THE COLONIAL TREASURER:** The savings bank has £339,000.

**MR. POWERS** said he would take the £285,000 which the hon. gentleman mentioned.

**THE COLONIAL TREASURER:** The Australian Mutual Provident Society holds a large amount.

**MR. POWERS** said there was £500,000 worth of Treasury bills falling due in January, £228,000 in April, and £400,000 in July, 1896, making altogether about £1,100,000. Now the hon. gentleman had already authority to borrow £1,000,000, and there would be no difficulty about the £400,000 falling due in July. Everything beyond the £1,100,000 could be dealt with next session. The Treasurer wanted authority to borrow six months before the money was wanted; and if he did so the colony would have to pay more interest than it was really necessary to pay. The hon. gentleman did not intend to float the loan if he could get the exchange made, but if he could not get the exchange made he must float the loan, and then he would be paying  $1\frac{1}{2}$  per cent. in addition to the 6 per cent. already being paid before the people holding the 6 per cent. debentures would take up the new debentures. The hon. gentleman proposed to borrow money at  $3\frac{1}{2}$  per cent.; but if he could exchange at  $3\frac{1}{2}$  per cent. he could not do better than give out Government stock at  $3\frac{1}{2}$  per cent., because if he could float debenture stock or inscribed stock he could float Government stock at  $3\frac{1}{2}$  per cent.

**THE COLONIAL TREASURER:** How much Government stock do you think will be taken up?

**MR. POWERS** said he was not going to hazard an opinion. If the hon. gentleman did not expect that some would be taken up he would not have brought the Bill forward. It would be better to wait till he had had six months' experience of that Act, and then if he could get the money under that Act he would be able to provide for the 6 per cent. debentures out of it. He had authority under that Act to borrow that money for the purpose of paying off either those debentures or Treasury bills.

**THE COLONIAL TREASURER:** Do you propose to send Government Savings Bank stock to London?

**MR. POWERS** said he was proposing nothing of the sort. He was pointing out that if the matter were delayed they would have experience whether the hon. gentleman could make his scheme a success.

**THE COLONIAL TREASURER:** If we get £100,000 out of it, that is as much as we shall get.

**MR. POWERS:** Then it was a wonder the hon. gentleman did not agree to the limit of £500,000. That was also rather an admission that unless they paid through the nose for it, as they had done in the past, the Government could not get money at all. If the hon. gentleman could do what he wanted by conversion instead of by loan, he would have no objection to giving authority for that. What he wanted to avoid was the possibility of the Government being induced to go on the market simply because the banks said it was a favourable time; and the hon. gentleman had not made out a case why authority should be given for anything more than the possibility of exchanging one set of debentures for another. When he was talking about the conversion, he might have

taken the Committee into his confidence and stated what he proposed to pay for the 6 per cents. The proposal of the Government amounted to an admission that the colony could not pay its way, and that it was desired to make things easy for Governments to pay off deficits by means of a loan. But if ever there was a Government returned to power for the purpose of wiping off a deficit it was the present Government, and the same might be said with regard to the late Coalition Government. But he would far rather let the deficit stand as a rock of warning to future Governments than wipe it off by a loan which would add to the public debt and injure the position of the colony on the London market.

**THE COLONIAL TREASURER:** Will you undertake to pay the interest?

**MR. POWERS** said it was an unfortunate position to have to go to the London market and float an additional loan not for the purpose of reproductive public works but for the purpose of paying off a deficit. Money had been getting cheaper and cheaper from time to time, and he believed they need not fear that they would be unable at any time six months or nine months hence to get whatever money they required in London at  $3\frac{1}{2}$  per cent. Under the circumstances he believed the Treasurer ought not to be allowed to do more than change the stock at a lower rate of interest, and that they should not give him authority to borrow the money until the House met in May next year.

**THE COLONIAL SECRETARY** said he had had some experience in connection with loan matters in England, and he might tell the Committee that it was the short notice that did all the mischief. "Bears" were to be found in the Stock Exchange, and whenever they got an opportunity they beared down new stock. In the Stock Exchange in England was a ring of people who were prepared to make money whenever they could, and they would make Queensland's necessity their opportunity. When the 1887 loan was sold every conceivable slander was cast up against the colony and its prospects. In floating a loan you did not deal with the outside public in England who had money to invest, but with the jobbers, and they were the men who made or marred a loan. As soon as ever it became known that a loan was to be floated, they asked themselves how much they could make out of it. When he was at home, the difference between the price that Queensland stock realised and the price ruling in the market for the same class of stock, bearing the same rate of interest, was about £3.

**MR. DRAKE:** That was not a short notice loan.

**THE COLONIAL SECRETARY** said it was a very short notice loan. There were wars and rumours of war at the time, and the colony was compelled to get the money at short notice, and the result was that the colony lost very heavily over it. His knowledge of Queensland and its prosperity induced him to invest in that stock. He backed up the credit of the colony with his money, and profited by it. It was the right thing to do, and he would do it again if similarly situated. He believed that what he did and what he said had a moderate effect of inducing some whom he knew to purchase our stock. If the authority to borrow did not get home before next June nothing would be done by the brokers until September or October. It was the jobbers who took up the stock to sell; they paid down the percentage and waited for a rise in the market. Having closely observed the way things were worked in the money market, he could not too strongly impress the Committee with the necessity of taking time by the forelock. The people who bought the stock only looked at the colony and its solvency. The object for which the money was wanted was not so narrowly

inquired into as the hon. member for Maryborough seemed to think. The only question with the buyers was, Were they satisfied with the security? And he believed they would be perfectly satisfied with the security of Queensland. The colony had been straightforward and strictly honest in regard to the mode in which money had been expended on the railways; and as a large portion of the deficit was incurred in paying interest on railway construction, it might fairly be added to the capital value of the railways. He did not think the funding of the floating debt would induce any Government to embark on the reckless course that every Government in the past had done. Governments had come to their senses, and the same thing was not likely to occur again. The deficit had been incurred by men who were as well-intentioned as the hon. member for Maryborough or himself. It had often been stated there that members of the Government were interested in the Queensland National Bank. Speaking for himself, the only interest he ever had in the bank was the interest he was now receiving from it in consequence of his deposit being locked up. He had always been independent of banks in Queensland, and he had always been independent of the Queensland National Bank. He believed he was the only member on the Government bench who had had any business transactions with that bank. The Treasurer was as anxious as hon. members opposite to act for the good of the colony in getting the money and in keeping it safely when he did get it. Hon. members should drop those suspicions about members of the Government in connection with the loan and in connection with dealings with banks. The Government were trying to give timely notice to the holders of debentures so that they could convert them, and they wanted to be in the position to get the conversion effected at the best price for the colony.

Mr. POWERS asked, with reference to the "bulling" and "bearing" which the Government feared would take place in connection with their securities if extended notice were not given of a loan, if it was not usual to give very short notice? He remembered that a loan which had gone off badly when the hon. member for Bulimba had been Treasurer had been given notice of long before it was actually floated; while one loan which had been floated by New South Wales had gone off very well, although only about forty-eight hours' notice had been given. After all, it was not the brokers whom the Government consulted, but the Bank of England. The shorter notice that the money market had of the floating of a loan the better for the colony.

The COLONIAL TREASURER said that long notice had been given in 1884. As a rule short notice was given as a matter of expediency.

Mr. DRAKE: What becomes of the short notice argument then?

Mr. FISHER said that the discussion was an answer to the statement made by the Treasurer, that it was not necessary to talk about the matter at all. The hon. gentleman had asked them in the first place whether their obligations should not be met. That had never been denied. The only attempt that had been made to deny that had been by a gentleman who now occupied the chief judicial position on the bench. His second question had been whether it was wise at the present time to convert Treasury bills into a funded debt. He believed the financial authorities were on the other side on that question. He did not pretend to have any financial ability, but a little common sense was necessary in dealing with the question. Another question which he would have liked the Treasurer to answer was why he had not pro-

posed to convert the whole of the Treasury bills, and prevent what was now proposed going on continuously? If it was a good thing to convert some of the Treasury bills into funded stock, it was a good thing to convert the whole of them, so that they would not be a bugbear to future Treasurers. The total amount of Treasury bills was £1,433,500, and it was only proposed to convert £1,128,000. The hon. gentleman claimed that he would make a saving of £22,000 by converting the 6 per cent. loan into a 3½ per cent. loan, but surely he did not claim that that was a feat of financial genius, because ever since 1884 they had been floating loans at that rate of interest, all of which had been successful but the last. That had been a serious failure, although there was plenty of financial ability in the Government which had put the loan on the market. The present Chief Justice was Premier and Sir T. McIlwraith was Treasurer, and the Ministry contained all the talents. According to the report of the Auditor-General for last year the amount of the loan sold had been £1,182,400, which had realised £1,050,191 4s., an average of £88 16s. 4d., the net proceeds, after allowing for all charges, being £1,014,232 8s. That loan had discredited the colony in the eyes of the whole world owing to the surrounding circumstances. Those who manipulated the London market did not care for what purpose a loan was floated. The last loan had been ostensibly floated for public works, but it was known that it was floated owing to the private necessities of the Queensland National Bank. The brokers in London knew that it was only a blind when it was said that it was for public works. The report of the Auditor-General stated in regard to the disposal of loan balances that the Bank of England had advanced to the Government on the 17th June, 1892, a sum of £400,000 which had been repaid by the sale of Treasury bills in October, 1892. Another advance of £600,000 was obtained on 20th December, 1892, and repaid by the proceeds of the sale of inscribed stock in February and March, 1893. Both of those advances were obtained to provide funds for the payment of the half-yearly interest, and the latter should not have been required, there being sufficient funds to the credit of the Government in London to meet all liabilities, especially as £300,000 was sent from Brisbane, which, however, was only credited on 3rd January, 1893. That from the Auditor-General's report was quite enough to create a little distrust, although he admitted that there was a different kind of loan. He was pleased to hear that the money would be safe in the Queensland National Bank, and thought if things were managed in a more open and statesmanlike way, there would be none of the suspicion that existed regarding that institution. The sooner the real facts were made known the better, and great credit would attach to the first Minister who would have the courage to cause an investigation to be made. People had been prejudiced against it on account of the political influence it exercised. They had also had the Premier's statement that this loan had not been mentioned previously because it was only recently that it had been intimated that the market was favourable for the placing of a loan.

The COLONIAL TREASURER: No.

Mr. FISHER said that was what he understood. If the hon. gentleman was determined to come down with a loan proposal he should have given them a hint of it earlier in the session, and have taken hon. members more into his confidence. He had pointed out that they were trying to keep off the money market until it was absolutely necessary to float a loan. The hon. gentleman could let it be known that he was going to float a loan, and they would find the same thing occurring as had occurred when they talked

about exchanging lands on the Darling Downs, in which case the Secretary for Lands received offers before the Bill came before the House. Sometimes legislation was the outcome of previous events. He had no doubt that the Government had in their possession information which had led them to apply for this power, and it was a lamentable fact that notwithstanding the large amount of land sold at 10s. per acre, the deficit had been very slightly reduced. He did not believe the country was in such an impoverished state, or that their debt was such a mighty one. There were countries which had a larger debt brought about by wars or by the necessity to provide for war, and not by the construction of railways, even if they were political railways. The question at present was not one of borrowing money, but whether this was an opportune time. He thought it was not opportune, and believed it would be better to wait for another twelve months. He also objected to the policy of converting the floating debt, on the principle that it was right that there should be as great a check as possible upon the Ministry, so as to prevent them doing any harm to the colony in general.

The HON. J. R. DICKSON said he always drew a line of demarcation between the functions of Parliament and those of the Executive, and the province of Parliament was to criticise the dimensions and objects of loans proposed to be floated; but the manner and time of floating them entirely devolved upon the Executive, who would have better sources of information at hand. They had to accept the responsibility of floating a loan under the best circumstances, and if they made a mistake they incurred the censure of Parliament. But for a deliberative body to fix hard-and-fast lines in these matters was departing from the proper spirit of Parliament, and going outside the constitutional functions of that Assembly. He did not think they were at liberty to criticise the extent of this loan, because it dealt with obligations which must be met and was not to initiate new services. The Government had adopted a very proper course in taking time by the forelock, although he would deprecate putting the loan on the market at once because it would entail a double burden of interest; but after the explanation of the Treasurer he had no apprehensions upon that point. The conversion of these debentures would result in a saving of over £21,000, and he thought the Government had every encouragement to ask the House for authority, and to take the proper steps for making arrangements with the holders of stock in Great Britain. Within the last twenty years there had never been a time when stocks bearing a Government endorsement were so favourably received in Great Britain as at present; and the tendency was now to eschew the stocks of private or public financial institutions, capitalists being somewhat dismayed by the collapse of the large banking institutions in 1893. During the last month Queensland 3½ per cents had attained 99¼ or 99½, and the largest English brokers expressed the opinion that in a few weeks par would be readily obtained. Therefore, while there was such a tendency on the part of investors to go in for stocks issued by the dependencies of the British Empire, the time was remarkably opportune to offer an opportunity of conversion to the holders of the 6 per cent. stocks maturing on the 1st January, 1896. The longer term of the new loan would commend itself to the holders of the 6 per cent. stocks, a form of investment no longer obtainable. There were now very few issues of 4 per cent. stocks, and 3½ per cent. was considered a fair rate, which having a forty years' term to run would very likely commend them as a favourite investment. He would have

liked, if it could have been done, to see these Treasury bills eliminated from the Loan Bill.

Mr. McDONALD called attention to the state of the Committee.

Quorum formed.

The HON. J. R. DICKSON said that on two previous occasions there had been provision in a Loan Bill for Treasury bills issued to cover a temporary deficiency of revenue, and the experiment was now being repeated; at the same time, he regretted the necessity for it, and heartily endorsed the opinion that, had opportunity allowed of the further extension of the special sales of land to provide for these obligations, it would have been better to extinguish them in that way rather than by adding to the funded debt of the colony. Whenever Treasury bills were issued hereafter to provide for temporary deficiency in revenue, some provision should be made for establishing a sinking fund to provide for their extinction, otherwise they became a burden which had to be transferred to the funded debt. Under the circumstances, however, the Government could not be blamed for endeavouring to remove from the obligations of immediately approaching years the retirement of these Treasury bills by including them in the loan. He drew a marked distinction between the Bill relating to Government Savings Bank stock and the loan proposals now before the Committee. That stock would be operated upon locally and intermittently as opportunity arose with funds at present in the Government Savings Bank or with special funds to be invested in connection with the estates of deceased persons, for instance; it would not be inscribed Government stock issued in London and registered in the books of the Bank of England. The £1,000,000 of Government Savings Bank stock was merely a reserve fund to be operated upon chiefly in connection with Government Savings Bank transactions, with the view of facilitating the conversion by persons who had large sums of money in that institution of such deposits into savings bank stock. The issue now under consideration was entirely an issue for the specific object of converting the existing loan obligations and the Treasury bills, and Government were wise in taking the present favourable opportunity to get permission to issue this stock with the view of effecting that conversion during the ensuing twelve or eighteen months. He looked hopefully to the time when the colony would have to resume public works with the revival of prosperity, and he should be sorry to think that they were apprehensive of the ability of this great country to discharge far larger obligations than those for which it was responsible at present.

Mr. McDONALD thought it was very discourteous on the part of the Colonial Treasurer not to have been present for the last half-hour while a £2,000,000 loan was being considered. The hon. gentleman had said that the Labour party had a continual prejudice against the Queensland National Bank; but he (Mr. McDonald) had no prejudice whatever against the bank. At the time the banks had to close their doors during the financial crisis, there was a motion moved by a member of the Labour party, asking for an impartial inquiry into the management and position of that bank, and if that inquiry had been held, and it had been found that the position of the institution was sound, it would have gone further than anything else towards restoring confidence in the bank and in the colony generally. Another thing to which he wished to refer was the statement that there was not a man in the Ministry who had any interest in that bank. If Sir T. McIlwraith was not a shareholder, someone belonging to him was a shareholder in the bank. The Premier also stated that there was a suspicion amongst some members of the Labour

party that the money was wanted purely to assist that bank. He (Mr. McDonald) had been of that opinion until he heard the answer of the Premier yesterday to a question put by him. It appeared that the bank had voluntarily paid off £300,000 of the amount deposited. The bank, in doing that, showed that it had no use for the money, and instead of meeting the obligation made with the Government to pay  $4\frac{1}{2}$  per cent. on that sum, they returned it to the Government, and the Government replaced it in the bank at 2 per cent. On that transaction the bank would make  $2\frac{1}{2}$  per cent. With regard to the conversion of the old loan, it was no doubt wise to do that as early as possible; but he would repeat what he had often said before, that a sinking fund ought long ago to have been established, so that loans might be redeemed as they fell due. At present the public debt hung like a huge millstone round the neck of the colony. Instead of meeting the floating debt out of general revenue the Government were going to fund it; and no doubt they would be told next year by some of the Government supporters, if not by the Government themselves, that they had wiped off the deficiency, and people outside who did not understand the matter would imagine that it was a good sort of Government that could raise over £1,000,000 in one year. The colony had entered into certain obligations which had to be met at a certain time; if they could not be met without additional taxation, the sooner that taxation was put on the better. There was one good thing about the loan proposals of the Government—they would do away with the necessity for the Special Sales of Land Act; and for that reason alone he felt inclined to support the funding of the Treasury bills. That Act was a disgrace to the statute-book, and under it some of the most valuable assets of the colony had been sacrificed. Before concluding, he wished it to be distinctly understood that he had no prejudice whatever against the Queensland National Bank. The only thing he wanted to see was an impartial inquiry made into its affairs, and if the bank came out satisfactorily it would not have a warmer supporter in the colony than himself.

Mr. HARDACRE said that a few nights ago the Treasurer made an interjection to a remark of his that the advice of Sir T. McIlwraith would do more good in ten minutes than all his (Mr. Hardacre's) talk would do in ten years. The present proposal of the Government was an eloquent commentary on that remark. They were endeavouring to-night to clear up the blunders—the ignominious failures—of those heaven-born geniuses, Sir T. McIlwraith and Sir S. W. Griffith. The largest portion of the proposed loan was made up of Treasury bills to the extent of £1,128,000. That, however, was not the whole of the Treasury bills that had been floated to meet the deficit; the total amount was £1,430,000. It was worth while inquiring into the way that vast floating debt had been incurred. To do that they must go back to the year 1884-5. At that time, just prior to the £10,000,000 loan, and when Sir S. W. Griffith took office for the first time, there was a credit balance of £55,174. In 1885-6 there was a loss on the revenue of £260,221, leaving for the first time a deficit amounting to £151,000. In 1886-7 there was a loss of £456,796, increasing the deficit to £607,883. In 1887-8 there was a loss of £168,000, making the deficit £776,000. In 1888-9, when Sir T. McIlwraith came into power, there was a surplus of £63,000, but it was only manufactured for that particular year; for the next year they found the largest loss on revenue in the history of the colony, £494,229, bringing up the deficit to £1,206,507. In 1890-91, the period of the Coalition Government, which was placed

in power for the sole purpose of wiping off the deficit, there was a loss of £110,000, increasing the deficit to £1,303,576. Next year the loss was £276,564, and the deficit £1,701,085. In 1892-3 the loss was £260,000, and the deficit £1,961,826. Treasury bills to the amount of £1,400,000 were then sold, leaving a nominal deficit of £235,608. Out of the total deficit the colony owed to the McIlwraith Administration no less than £1,129,999. He was confident that hon. members on his side, however incapable they might be, could not have made a worse mess of things than had been made by the Coalition Government and that which had succeeded it. He was to some extent pleased that the Government intended to wipe out the mess which they themselves had made, so that any Government which came after them would not have the burden to bear which they had created. At the same time there was no necessity for the whole of the amount the Government asked for. According to the Auditor-General's report there was £1,250,000 available, and a further sum of £190,000, or even £240,000, might be taken from the surplus gold lying as an asset against the Treasury notes, so that even if they only took the small amount of £330,500 from those moneys they would leave a very large sum to meet all emergencies. A very large amount of the 6 per cent. debentures and of the Treasury bills were held by the savings bank. Debentures were held to the value of £347,500, and Treasury notes to the value of £222,000. Then they had passed a Bill recently to enable the Treasurer to issue savings bank stock to the extent of £1,000,000, and the Treasurer told them that he would be able to get £100,000 from that. Without going to the London market at all the Treasurer would thus be able to get £669,500, and that with the £330,500 which he could get from the sources he had already mentioned would give him £1,000,000, so that he would only require another £1,000,000 to meet all his liabilities. From the reports of the *Statist* and other financial journals the money market was likely to be quite as favourable next year for floating a loan as the present time. He objected to paying off the deficit by the issue of a new loan if it could possibly be avoided. But there was also this fact to be taken into consideration, that if in addition to the large amount now lying available in the banks the Government borrowed another £2,000,000 they would be able to commence public works for the purpose of bribing constituencies when they were approaching the time for a general election. Some members now sitting on the Government side had in the past strongly opposed a loan for unspecified public works, but if they allowed the Government to use the large sum which would be at their disposal they would be just in the same position as if they agreed to let the Government raise a loan for unspecified public works. He had no objection to the Government converting the loan, but he strenuously objected to their going upon the London money market when, according to the Auditor-General's report, there was no necessity to borrow such an enormous sum.

Mr. DUNSFORD said that that was an occasion when those who did not believe in running the business of the country on loan money should express their condemnation of the system. The time had come when the Government should see if they could not devise some scheme by which the national debt could be reduced instead of increased. Having to provide interest on some £32,000,000 was crippling the colony, and as something like £18,000,000 had been spent in improving the value of land by the construction of railways through them, it was

timethat a special land tax was imposed in order to establish a sinking fund for the redemption of that part of the debt. It was possible that the Treasurer might be able to convert some portion of the loan and of the Treasury bills by exchange, but if they passed the resolutions, they would give him power to borrow £2,000,000, and taking that in conjunction with the fact that he had been given power to issue savings bank stock, he would be able to increase the debt by another £1,000,000. He refused to agree to give that power to the Treasurer because they were already far enough in debt, but he also objected because he did not think the £2,000,000 would be required. With the money the Treasurer would get from the savings bank stock, he believed that if he came down next session and asked for permission to borrow £1,000,000 he would have sufficient to pay his way. The Colonial Secretary had given them many reasons why they should not go on to the London market if they could avoid it, and he had told them all about the way the market was first "beared" and then "bulled." The hon. gentleman had given them strong reasons why they should not go to the Britisher at all. If it was necessary to borrow money, they should try to get it from the people in the colony, so that the interest would remain in the colony. He intended to vote against the proposals.

The COLONIAL TREASURER said that there seemed to be some confusion over the Savings Bank Stock Bill, which provided for the investment of the funds of the depositors. That Bill gave him power to issue inscribed stock to the amount of £1,000,000, and he had listened with great surprise to the extremely sanguine anticipations of some hon. members on the other side as to the amount of money that was likely to be invested in the manner provided.

Mr. DUNSFORD: You would not accept £500,000.

The COLONIAL TREASURER said he had stated at the time that the amount was of very little consequence, because that Bill was not intended to be an annual Bill, but a measure which would remain on the statute-book he hoped for ever, and when the £1,000,000 limit was reached they would have to ask Parliament for authority to issue further debentures. He did not wish them to think that the Bill was brought in for the purpose of assisting the Government in paying its debts, because its real object was to provide a safe investment for people who had money which could be disposed of in that way. They did not want to draw money into the savings bank, but to induce people to take it out. No money would be drawn away from trade and commerce, but a safe investment would be offered to trustees and others. He did not anticipate that any large amount would come in during the present financial year, so that it could not be available for the purposes for which this loan was intended. If more money came in than they expected, the colony had a debt of £30,000,000, and it was always open to us to convert part of that. It was not necessary that all the Treasury bills should be provided for in this loan, but only those falling in up to July, 1896. The next lot would be due in October, 1898, and they were held mostly in the colony. The last lot, which fell due in January, 1899, were already the property of the savings bank, and could be converted at any convenient time. The two things should not be mixed up at all, because they dealt with quite different things.

Mr. LEAHY said that, as they were going in for retrenchment, the Treasurer might consider whether he could not float the loan at a reduced rate. Victoria and South Australia would float this loan at a cost of £5,000, while Queensland would have to pay £10,000. There was

not much to object to in the loan, and it was very satisfactory to know that it would not increase the debt of the colony. Whether this was the proper time to float it was open to argument. He understood the hon. member for Bulimba to say that the period of this loan would be forty years; and it was satisfactory to know that it would not fall due at a time when there were other heavy sums to pay in London. He hoped the matter he had referred to would be taken into consideration.

The COLONIAL TREASURER said all those things would be taken into consideration. For the present they were under an agreement with the Bank of England, and it would require considerable inducement to make the Government take its business away. The bank had always been friendly, and had given assistance to the colony which had been of great value. However, the matter would receive consideration.

Mr. RAWLINGS thought the Premier was quite right in asking for money to convert these loans, and there was nothing like taking plenty of time. The last loan had been a fiasco for no other reason than the hurried way in which it was floated, and which resulted in a loss of over £50,000. He had been wondering why the Treasurer wanted £2,000,000 when he already had £1,000,000, and he had only to pay £2,000,000. He could not see why the hon. gentleman should require to borrow more than £1,400,000 at the outside, unless he wanted it for public works, to which he (Mr. Rawlings) had no objection. It was a mistake to come down and say all the money would be required for conversion purposes. He did not think it was, and would vote against it, believing that £1,000,000 or £1,400,000 would be sufficient.

Question put and passed.

The House resumed; and the resolution was agreed to.

## GOVERNMENT LOAN BILL.

### FIRST READING.

The COLONIAL TREASURER presented a Bill founded on the resolution passed in Committee of Ways and Means, and moved that it be read a first time.

Question put and passed.

### SECOND READING.

The COLONIAL TREASURER: I move that the Bill be now read a second time.

Mr. FISHER: I think that private business should intervene between now and the third reading of this Bill. It is only fair that private business should be disposed of before this Bill is passed.

Question put and passed.

### COMMITTEE.

Clause 1 put and passed.

On clause 2—"Loan secured upon consolidated revenue"—

Mr. FISHER said it was absurd to have a Bill shoved into the hands of hon. members, and allow the clauses to be passed without being read. It was making legislation an absurdity.

The COLONIAL TREASURER said the Bill was word for word the same as any other Loan Bill.

Clause put and passed.

Clause 3 put and passed.

On clause 4—"Debentures falling due in 1896 and Treasury bills may be exchanged for stock at agreed rates"—

Mr. McDONALD asked whether the Treasurer could give any idea as to what rates would be agreed to? The rates might be exorbitant.

The COLONIAL TREASURER said the matter was one that must be managed by the

Government. A loan could not be managed by talking in committee. Of course the terms would be the best the Government could get.

Mr. McDONALD said the Colonial Secretary had let the Committee know something as to the "faking" that went on in connection with the floating of loans. He said that when he was in England he saw how they worked little dodges by which they made money out of Queensland, and he chipped in to make a bit too. He discovered that a ring of brokers were "bearing" the market, and doing everything they could to depreciate the credit of the colony, so that they might make exorbitant rates out of the floating of the loan, and it was possible that the same thing might be done again. It would not be judicious on the part of the Treasurer to enter into this faking up business, so that he might be forced, by those people "bearing" the market, to pay exorbitant rates for the floating of this loan or this conversion. It was one of those things they ought to have some idea about. The Treasurer had told the Committee he was going to make the best terms he could, but it was quite possible a blunder might be made, and the best terms might be very expensive.

Mr. FISHER asked, with regard to the loan maturing next year, whether holders who at once exchanged their stock for the new scrip would get more stock per £100 than they held at the present time, to counterbalance the lower rate of interest for the unexpired term.

The COLONIAL TREASURER: Not necessarily so.

Clause put and passed.

On clause 5—"Sums borrowed to be placed to the credit of the consolidated revenue fund"—

Mr. HARDACRE said that according to the wording of the clause the money to be borrowed could be used for general purposes.

The COLONIAL TREASURER said there was another Bill to be introduced which would provide for the specific appropriation of the money.

Clause put and passed.

Clauses 6 to 9, inclusive, and preamble passed as printed.

The House resumed; the CHAIRMAN reported the Bill without amendment.

#### THIRD READING.

The Bill was read a third time, passed, and ordered to be transmitted to the Council for their concurrence.

#### APPROPRIATION BILL No. 4.

##### FIRST AND SECOND READING.

The COLONIAL TREASURER presented a Bill to authorise the appropriation out of the consolidated revenue fund of a further sum of £2,000,000 towards the service of the year ending on the 30th June, 1895, and moved that it be printed.

Question put and passed.

The Bill was read a first and second time.

##### COMMITTEE.

On clause 1—"Appropriation"—

Mr. FISHER said that as most of the members on that side of the House were unused to parliamentary procedure, he thought it was only right that they should be supplied with Bills of that important character before they had been read a second time.

The COLONIAL TREASURER said everything it contained had been approved of already.

Clause put and passed.

The remaining clauses, the schedule, and the preamble were passed as printed.

The House resumed; the CHAIRMAN reported the Bill without amendment.

#### THIRD READING.

The Bill was read a third time, passed, and ordered to be transmitted to the Council for their concurrence.

#### MESSAGES FROM THE COUNCIL.

The SPEAKER read messages from the Council, returning the Meat and Dairy Produce Encouragement Bill, the Government Savings Bank Stock Bill, and the Agricultural Lands Purchase Bill, with amendments in which the concurrence of the Assembly was requested.

Messages ordered to be considered in committee to-morrow.

#### MUSGRAVE WHARF EXTENSION BILL.

##### COUNCIL'S AMENDMENT.

On the motion of the COLONIAL SECRETARY, the House in committee agreed to the Council's amendment in this Bill, and the Bill was ordered to be returned to the Council with a message intimating the concurrence of the Assembly in the amendment.

#### CRIMINAL LAW AMENDMENT BILL.

##### COUNCIL'S AMENDMENT.

The ATTORNEY-GENERAL said the Council insisted upon the amendment they had previously made in clause 6, for reasons which they gave at length (*vide* page 1483). On the last occasion he had moved that the amendment be agreed to, and having given his reasons very fully then he did not propose to reiterate them. He had given his opinion that the clause, even with the amendment, would fully protect those whom the Bill was intended to protect, and it allayed the fears of timorous people, who thought lines of trade entirely outside producing lines would be interfered with without it. It would do good in another respect, as it would call people's attention to an easy means by which they could protect themselves by the issue of definite instructions. He hoped the Committee would accept the amendment, as if it was rejected the Bill would be lost.

Mr. McDONALD: It is better that it should be lost than that we should knuckle down to them.

The ATTORNEY-GENERAL was as averse to knuckling down as anyone, but what he proposed was not knuckling down. They were dealing with a matter of detail, and legislation could only be carried on by compromise. He had given his professional opinion that the farmers of the country would be protected under the clause. Those who sold for cash would be absolutely protected, and those who sold otherwise than for cash had a means pointed out in the Bill itself by which they could protect themselves. It was paying a poor compliment to the intelligence of their farmers to say that they could not send written instructions with their consignments to show what they wished should be done with the proceeds of their sale. There were other portions of the Bill dealing with essential matters of the administration of the criminal law, and one clause dealing with commission agents and people of that class which it would be a great pity to lose. They could agree to the amendment without suffering the slightest loss of dignity, and he moved that the Committee did not insist upon their disagreement with the Legislative Council's amendment in clause 6.

The HON. G. THORN wished to ask the Attorney-General a question on a point of law. Suppose a consignor sold the goods of a consignee, and did not misappropriate the proceeds, but kept the consignee off from day to day and week to week, or suppose he put the proceeds into a trust account, and then put the consignee off, where would the criminal act commence



Would it commence at once when the money was not paid on demand, or would it not commence until after the consignor became insolvent?

The ATTORNEY-GENERAL said that the question was a very absurd one. The criminal act would begin at the commencement of the criminal act. It would be a matter for the jury to decide when the criminal intent began in each case. It need not necessarily be at the time of insolvency.

The HON. G. THORN said that the hon. gentleman would find when the Bill became law that his view of the law was the correct one.

Mr. McDONALD said that the Committee was deliberately insulted by being asked to accept what they had previously, after mature consideration and by a substantial majority, declined to accept. That should have been sufficient to have kept the Attorney-General from again proposing that the amendment should be agreed to. Another thing was that many members who had previously voted against the amendment had left, not expecting the question to come on, while the hon. gentleman had a big following on the other side. He had thought that the Attorney-General had more backbone; but the way in which he had backed and filled over the matter did not tend to strengthen his position as a future Premier. If he had fought the amendment to the end he would have had the good wishes of every hon. member.

Mr. GROOM said that he had previously opposed the amendment; but he did not feel justified in disregarding the assurance of the Attorney-General. He did not want to offer further obstruction to the matter, and he was prepared to accept the compromise of the Attorney-General. They could not expect to carry their point, as many members who had been opposed to the amendment had left, not expecting any business to be proceeded with after the loan proposals were disposed of. He would accept the interpretation of the hon. gentleman; and next session, if the clause was found to give insufficient protection to consignors, it could be amended. He knew the difficulty of dealing with the question, and that the merchants felt that the foreign consignment business would be very much interfered with by the clause.

Mr. FISHER regretted that the Bill was not before them. That was a piece of contempt towards hon. members. It almost looked like a conspiracy to defeat the ends of justice. They had to look up *Hansard* to find out what the amendment was.

The ATTORNEY-GENERAL: It is not my fault that hon. members have no Bills. I have not got one either.

Mr. FISHER contended that the Bill should be put before them as amended by the Council. If the Attorney-General had been right in the stand he had taken before he should have stuck to it regardless of the consequences. On the last two occasions on which the Bill had been before them it had resolved itself into a contest between the two Chambers, and now the Chamber which had the most backbone was to have its way. The very class whom the clause had originally been intended to get at had been the very class that had been trying to eliminate the clause. They evidently wished to carry on the same game in the future that they had carried on in the past. If the farmers' representatives had been going the other way there would have been a howl in both Chambers about the grievances of the farmers. He hoped the matter would not be allowed to drop. He would far rather sacrifice the whole Bill than allow the Committee to be put in such an undignified position. Let the question ripen, and then it would not be a ques-

tion of a clause in a Bill, but of the power of the other Chamber to mutilate legislation passed by the Assembly.

The SECRETARY FOR LANDS asked hon. members not to fight the matter to the end. Other parts of the Bill would enable them to get at embezzling scoundrels who had escaped in the past. He had tried hard in 1889 to get the matter remedied, and he asked hon. members to accept the compromise and give the farmers some measure of protection.

Mr. FOXTON said that most of the speeches had dwelt too much upon the dignity of the Committee, and not sufficiently upon the reasons which the Council had given for the amendment. If hon. members would show that the reasons were fallacious, he could understand their position. They were there to do business, irrespective of whether they lost dignity or not; and he had been shown by commercial men that the clause as originally passed by them would have had a very disastrous effect upon the trade of the colony. Unless they were able to show that the reasons were not good reasons it was a fair thing for the Committee to acknowledge that they had possibly desired more than was good for the country. At any rate, it was far better to pocket a little of the dignity that hon. members were so scared about, and get some measure of reform, than to run the risk of losing the whole Bill. As to the complaint that some members who were opposed to the amendment were absent, it was very likely that when its rejection was insisted upon previously, other members were absent.

Mr. LEAHY suggested that as they could not afford much time to discuss the matter, and several members were absent, they should postpone the matter and take a division to-morrow night without debate. He believed that members on that side of the Committee would agree to that.

The ATTORNEY-GENERAL had not the slightest wish to force his views on the subject on any member of the Committee. He had said all along that he would not make it a party question, and he had no objection to take a division when there was a full House, but only on the understanding that if the majority struck out the proviso inserted by the Council they should strike out the clause as well, and so save the rest of the Bill. By adopting that course there would be no loss of dignity on either side, as each would withdraw what they had put in the clause.

Mr. MORGAN hoped that the Committee would not strike out the whole clause. The hon. gentleman had a distinct object in introducing the original clause, and if they could not get all they wanted they should get as near to the attainment of their object as possible. He knew from experience that legislation upon that question was very much needed in the interest of a large section of the community, and he felt compelled in the interest of that section to accept the compromise offered by the Council, because he believed, from the opinion which had been expressed by the Attorney-General and other legal members, that if they passed the clause as amended the farmers would be able to protect themselves to some extent. While he had no desire to take a division on an important matter like that in the absence of a considerable number of members, he could not fall in with the suggestion to postpone the question till to-morrow, because if they then came to a determination to insist upon their objection to the amendment that particular clause and the whole Bill would be sacrificed. As representing a constituency which was largely interested in the question, he would appeal to hon. members to



agree to the motion submitted by the Attorney-General, and allow that to be the statutory law for one year, after which any defects which might be disclosed in its operation could be remedied by another Bill. He rather regretted that auctioneers had not been dealt with in one clause by themselves, and other consignees in another clause, which he believed might have been done satisfactorily. He thought, with some other members who had spoken, that there was something in the reasons which had been given by the Council, and rather than lose what protection the amended clause would afford farmers he was disposed to accept the proffered compromise.

The COLONIAL SECRETARY said that like the hon. member for Warwick he represented a constituency in which there were a great many farmers, and he knew that they were looking forward with a good deal of interest to the passage of this measure. The Bill dealt with other matters besides the one under consideration, among them being swindling in mining scrip, and if it was lost through the Committee insisting on their objection to that amendment the public would lose the benefit of that provision. He was convinced by the reasons given by the Council, and was not influenced by the fact that the Bill had been returned again, and he would ask the Committee to agree to the amendment so that some measure of protection might be given to the farmers.

Mr. LEAHY hoped that the Government would accept the very fair offer which had been made to take a division to-morrow night without debate. The whole of the members on that side, with the exception of the hon. member for Warwick, had agreed to that course.

Mr. CHATAWAY did not think there was any fairness in the offer, as members who were in favour of the amendment might be absent to-morrow.

Mr. McDONALD considered that the offer was a very fair one, and there was no use causing, at that late period of the session, any more ill-feeling than there had been. The amendment was objected to by a substantial majority on the previous occasion, and he believed that hon. members who were absent never thought for a moment that the Attorney-General would accede to the amendment after that vote. If they let the matter stand over until to-morrow the division could be taken, and the whole thing would not last ten minutes.

The ATTORNEY-GENERAL said he would have no objection to take the division to-morrow, on the understanding that if the Council's amendment were negatived he would expect hon. members to negative the whole clause, so that the rest of the Bill might be saved.

Mr. MIDSON said his opinion at first was that the original clause should stand, but he had made inquiries of some of the best business men in the city, and had come to the conclusion that the Bill as amended would afford all the relief required.

Mr. DUNSFORD said if the Bill were lost the responsibility would rest with the Council. The clause the Attorney-General asked them to throw out was the best in the Bill, and the Committee desired that it should remain. He refused to qualify his vote in the manner suggested by the Attorney-General, and should vote against the amendment and for the original clause.

Mr. BATTERSBY said that rather than see the Bill lost he would vote for the acceptance of the Council's amendment. Those who refused to adopt the clause in the other House were doing straight business, but it led people to think there was something wrong that they did not want to be known.

Mr. REID thought they should agree to take the division to-morrow without debate.

Mr. DANIELS said he had supported the Committee against the Council, but thought they had better accept the amendment than lose the Bill, which would be some good still. Had the Government been more stiff than they had, the Council would have acted differently. They seemed to think hon. members were there only to offer suggestions, while they governed the country.

Mr. McDONALD said a fair offer had been made to the Government, and they refused to accept it. It seemed as if there were a lot of hon. members who were prepared to sacrifice their own principles. The Bill came back from the Council with this clause struck out; and then the Attorney-General put his back up and started to fight the Council. The Committee were so much in accord with his action that his new clause was carried unanimously; but to their surprise, as soon as the Council set their back up against the Assembly, and it became a question as to whether the nominee Chamber or the representative Chamber should rule, the Attorney-General turned a complete somersault, and practically backed down to the Council.

The PREMIER: This is the way you get on with private business.

Mr. McDONALD said that if the Attorney-General had taken the course he should have taken there would not have been five minutes discussion.

The ATTORNEY-GENERAL: And the Bill would have been lost.

Mr. McDONALD said he would rather see forty Bills lost than back down to the Council.

The CHAIRMAN: I must ask the hon. member to confine his remarks to the question before the Committee.

Mr. McDONALD said they had got into a deadlock, and the question was whether the Assembly or the nominee Chamber should rule. That was why he felt so strongly on the matter, and he positively refused to knuckle down to the other Chamber.

Mr. MORGAN said that as there seemed to be very strong opposition to his suggestion, he would withdraw his appeal to the Attorney-General to take the division to-night, and raise no further objection to its being taken to-morrow night.

Mr. FISHER said the course suggested had been pursued a number of times, and the Government might very well concede it on that occasion.

Mr. GRIMES hoped the division would take place at once. It was not likely there would be a fuller House to-morrow night.

Mr. DUFFY said he hoped the suggestion to postpone the division would be accepted, but without conditions. In the event of the amendment being defeated to-morrow the clause would be struck out altogether, and he would like to hear that question fairly argued.

The ATTORNEY-GENERAL said that anything he had said about striking out the clause altogether if the amendment was negatived he withdrew. If the amendment was negatived the responsibility must rest on the heads of those who negatived it. The postponement of the division was asked for on behalf of hon. members who were absent. He thought it would be better to meet the wishes of those who were present, and settle the question at once one way or the other.

Mr. ARMSTRONG said that although he objected to the amendment, yet rather than see the Bill wrecked he would give his vote in favour of it.

Mr. REID said it was just as well to have the thing through to-night and done with. What he objected to was that the representative

Chamber was asked to back down to one individual. It was not a position the Assembly should occupy with regard to the Council. The farmers, whom it was intended to protect, were being sacrificed to the foreign importers. The Council were treating the majority of the Assembly with contempt.

The COLONIAL SECRETARY: They gave good reasons, which you have not answered.

Mr. REID said many farmers were not in a position to dictate to auctioneers to sell their produce for cash. They were so heavily mortgaged to them that they would be crushed straight away if they insisted on anything of the sort.

The COLONIAL SECRETARY: The farmer's representatives are against you.

Mr. REID said he knew that, but it did not follow that they were in the right and that he was in the wrong. The farmers' representatives were prepared to accept the amendment, because they had to compromise with their constituents in the matter, and they were willing next session to go through the same rigmarole. He thought the farmers were making a mistake in that compromise.

Mr. DAWSON said that all the strong arguments that could be used on the amendment had been used before, with the result that upon division the Government, led by the Attorney-General, were not permitted to cave in to the Council. The Council now insisted upon their amendment, and the question as to whether it was or was not better than the original clause had been sufficiently debated. It was now urged that some members were absent who desired to vote, and on the other hand that some members present to-night would not be present to-morrow. As between the two his opinion was that they should take the vote to-night, and let those who were absent put up with the consequence. They should not delay the business for the convenience of those who were not sufficiently interested in it to be present. He was as strongly as ever against the action of the Council in the matter, and would vote against their amendment with as much pleasure as before.

Mr. OGDEN echoed the sentiments of the senior member for Charters Towers. The Council insisted upon their amendment, and he was prepared to fight against it every time tooth and nail. The Colonial Secretary had said the reasons given for it were good enough for him; but they were not good enough for the Attorney-General and other members of the House, nor were they good enough for many hon. members who were prepared to support the amendment rather than wreck the Bill. If they backed down, the responsibility for doing so would rest with them and not with those who opposed the action of the Council. He was quite willing to go to a division any time. The other Chamber had set their faces against the wish of the Assembly for a number of years in regard to self-government for the North, and he was quite willing to take the responsibility of throwing the measure out, and of telling the people that the other House was of no use to the country.

Mr. TURLEY said that hon. members were entitled to leave early when they were given to understand that after certain business had been dealt with the House would adjourn, and that had been the case that evening. It had been a favourite device on the part of the Government during the session, after finishing off the business which was expected to be dealt with during any sitting, to then proceed with other business. In fact the major part of the business of the session had been done in the early hours of the morning, when there was a very

small House. The first reason given by the Council for insisting on their amendment was that the clause as amended would give the required protection to farmers and other consignors; but hon. members on the other side had said that it did not give the protection which Parliament should extend to producers. If there were a number of people who were being wronged deliberately, it was the duty of Parliament to protect them. It was no slur on the farmers to say that they would not know the law on the subject, because their life was such that they knew very little of what was done in Parliament. There was a great difference of opinion as to the construction of the clause as amended. The hon. member for Bulimba stated that farmers would have to give special instructions if they wished to obtain the benefit of the provision, and so did the Secretary for Lands; while other members contended that that was not necessary. As he understood the clause, if a farmer sent goods to a person in Brisbane for sale, and attached no conditions to the consignment, he would come under the provisions of the Bill; but if he sent no instructions he would be out of it altogether. If a man had to send instructions with his goods, then the clause would afford him no protection whatever. He was satisfied that every person would agree that they were doing what was right in insisting that the views of the majority of the representative branch of the Chamber should be put into law when they believed that it would be for the benefit of the community, and that was all that they were now contending for. The members who were absent would probably have remained if they had known that that business would come on that evening, but they had left under a misunderstanding, and under those circumstances it was only fair that the division on the question should be postponed till to-morrow.

Mr. DAWSON said that on several occasions during the session members on that side had sat till the small hours of the morning in order to allow members who were absent an opportunity to record their votes on important matters brought forward by the Government at a late hour, but that was no reason why they should do so in the present instance, as every member knew that that business had to be disposed of, and that the session would practically terminate to-morrow. All the arguments that could be brought forward had been urged on a former occasion, and the division was only being delayed through feelings of pique, which he objected to.

The SECRETARY FOR MINES said the clause was originally meant to protect the farmers and the foreign exporters. The farmers' representatives in the Committee were quite satisfied with the Bill as it was, and there was no reason for the Committee to object to it. He thought that not more than 5 per cent. of the farmers sent their produce to Brisbane, but they sold it all locally, and got paid for it by the local storekeeper. Those who did send it here were quite able to look after themselves. As for people who consigned goods from other parts of the world, in most cases they drew against it to the extent of 50 or 70 per cent. of its value, while the consignee had to pay all the charges, the duty in some cases amounting to quarter of its value. There were comparatively few people who could afford to go in for a consignment business, and the clause would protect the consignors.

Mr. McDONALD said they would have adjourned before this had it not been for the Premier, who told the Attorney-General not to adjourn. He was watching the conversation.

The ATTORNEY-GENERAL: You are saying what is not true.

Mr. McDONALD: I heard it.

The CHAIRMAN: The hon. member must accept the denial of the Attorney-General, and withdraw his statement.

Mr. McDONALD said he would withdraw it because it was parliamentary, and for no other reason.

The ATTORNEY-GENERAL said he was willing that the matter should be adjourned, but some hon. members objected to it, and he agreed that the convenience of those who were present should be consulted rather than that of those who were absent.

Mr. McDONALD said the hon. gentleman gave the Committee to understand that there would be no objection to taking the division to-morrow night, and afterwards he put a qualifying condition to that. Afterwards he got up and withdrew that proviso, and shortly afterwards he determined to go on. What he objected to was that the Assembly had been continually degraded by the Government benches. As to some members being actuated by pique at having missed their train, he was prepared to stay as long as anyone, and had already expressed the hope that the Assembly would sit all night to get rid of private business.

Mr. BROWNE said that as far as he was personally concerned, he did not care whether the division was taken now or to-morrow. It had been reiterated time after time that the farmers' representatives were satisfied, and that everybody else ought to be satisfied. He was a miners' representative, and he could say that men had been robbed of more money in one month on goldfields by this class of men than the farmers had been in five years. When he spoke in favour of the Bill previously, it was because of the scandalous way in which men had been robbed by men who were literally nothing but thieves; and he was glad the Attorney-General had brought it in. He only wished that the hon. gentleman had stuck to it as it was sent up to the Council. As far as the responsibility of throwing out the Bill was concerned, that would have to fall on the men who mutilated the measure.

Mr. LEAHY said that he had not spoken on the matter previously; and he now wished to say that after the Assembly had, by a large majority, come to a certain conclusion, he saw no reason why they should back down to the other Chamber. If they backed down now there was no knowing what the Legislative Council would do next session. He blamed the hon. gentleman in charge of the Bill for not fighting the matter out to the end. He supposed that, if they passed the clause as amended, there would be an opportunity of bringing the matter forward when the House met again next session.

Question put; and the Committee divided:—

AYES, 22.

Messrs. Nelson, Barlow, Byrnes, Tozer, Philp, Watson, Cameron, McMaster, Armstrong, Corfield, Chataway, Crombie, Battersby, Smith, Midson, Tooth, Morgan, Kingsbury, Grimes, Stephens, Dickson, and Callan.

NOES, 16.

Messrs. Fisher, Rawlings, McDonald, Dunford, Reid, Hardacre, King, Dawson, Turley, Duffy, Leahy, Jackson, Kerr, Browne, Ogden, and Wilkinson.

PAIR.

Aye—Mr. O'Connell. No—Mr. Cross.

Resolved in the affirmative.

The House resumed; the CHAIRMAN reported that the Committee did not insist upon their disagreement to the Council's amendment to clause 6.

Report adopted, and Bill ordered to be returned to the Legislative Council.

## PROBATE BILL.

### COUNCIL'S AMENDMENTS—COMMITTEE.

On clause 1—

The ATTORNEY-GENERAL said he might as well state on that clause the general scope of the amendments introduced by the Council. The Bill was brought in to amend the Probate Act. It was now a Bill to amend the Probate Act and the Succession Duties Act of 1867. An entirely new Bill had been grafted on to the measure as it left the Assembly. There was one amendment to the original Bill reducing the amount from £500 to £200. The new clauses, though not in themselves objectionable, were entirely outside the scope of the measure, and on that ground he intended to move that they be disagreed with. He wanted it distinctly understood that the clauses inserted by the Council in the latter part of the Bill were very good clauses. He thoroughly agreed with the principle of them, but they should form the subject of a separate Bill.

The Hon. J. R. DICKSON: Do you object to clause 22?

The ATTORNEY-GENERAL said he did not. That was an improvement. The matter he referred to was raised by the amendment on the 1st clause, and he proposed that it be disagreed to.

Mr. HARDACRE, after the course adopted in connection with the last Bill, was not prepared to support the hon. gentleman. If there was no real objection to the amendments they could be accepted, and when the new Bill referred to was introduced they could be struck out of that Bill. The clauses would be sent back to them, and it would save time to give way now.

The Hon. J. R. DICKSON was glad the Attorney-General did not object to clause 22, as it was a very good one and ought to be retained.

Mr. FISHER said the Bill had been recognised as an important one, and a move in the right direction. It was a legal Bill, and they had to rely upon the legal members to see that it was put through in proper shape.

Question put and passed.

On clause 2—"In estates not exceeding £500 application for probate or administration may be made to the registrar of District Court"—

The ATTORNEY-GENERAL said the Council had amended the clause by reducing the amount to £200. He was not in favour of the reduction, and moved that the amendment be disagreed to.

Question put and passed.

On the motion of the ATTORNEY-GENERAL, a similar amendment in clause 8 was disagreed to.

On clause 16—"Real estate to vest in executor or administrator with the will annexed"—

The ATTORNEY-GENERAL said the Council's amendment in that clause made the intention of the clause more clear, and he moved that it be agreed to.

Question put and passed.

On new clause 22—"Court may order that Act shall apply to real estate of persons dying before the passing of the Act"—

The ATTORNEY-GENERAL said the new clause was an improvement. It was wise to leave the matter in the hands of the court, and not a provision of general application, as there might be some cases in which it might not be desirable that the Bill should apply. He moved that the amendment be agreed to.

Question put and passed.

On new clause 24, Part IV.—"Administration of property under an intestacy"—

The ATTORNEY-GENERAL said that clause 24 and the following clauses were those which he considered outside the scope of the

Bill. They had already disagreed to the reference to the Succession Act of 1867 in clause 1, and he moved that the Council's amendment, inserting Part IV. of the Bill, be disagreed with.

Mr. FISHER said there was something good in the amendment. They might omit the word intestacy.

The ATTORNEY-GENERAL: That would not do. It should be a separate Bill.

The HON. J. R. DICKSON regretted that the amendments were outside the scope of the Bill, because provisions of the sort would be a boon to widows left with a small amount of property.

Mr. REID said that the Council having initiated a reform, had shown they were of some use, and they should be encouraged by the acceptance of the amendments.

Mr. McDONALD asked for the ruling of the Chairman as to whether the clauses should not be put separately. Hon. members might be in favour of some of the clauses although they might be opposed to others.

The CHAIRMAN said that it was quite in order to move that the whole of Part IV. be disagreed to, because all the following clauses depended on the 1st clause.

Question put and passed.

On the motion of the ATTORNEY-GENERAL, the amendment of the Council in the title was also negatived.

The House resumed; and the Bill was ordered to be returned to the Council with a message intimating that the Assembly had disagreed with the proposed amendment in clauses 2 and 8, because they thought the amount of £500 should not be reduced; disagreed to the amendment in clause 1 and to proposed Part IV. and to the title, because they were outside the scope of the Bill; and agreed to the other amendments in the Bill.

#### MINERAL LANDS (SALES) BILL.

##### COUNCIL'S MESSAGE—COMMITTEE.

On clause 3—"Governor in Council may grant licenses to construct drives through land intervening between leaseholds"—

The SECRETARY FOR MINES moved that the Committee agree to the Council's amendment in that clause, which substituted "one" for "two," making the clause applicable to one or more mining leaseholds.

Mr. FISHER agreed that the amendment was an improvement on the clause, but would suggest that when the Council made amendments in a Bill they should be tacked on as a schedule for the convenience of members.

Question put and passed.

The Council's amendment on clause 11 was agreed to.

The House resumed; and the Bill was ordered to be returned to the Council with a message in the usual form.

#### ADJOURNMENT.

The PREMIER moved that the House at its rising adjourn until half-past 6 this evening.

Mr. McDONALD: I am rather surprised at this proposal. I do not think it is the correct thing to place the business of the country second to a cricket match. We have business to do, and ought to go straight on with it, or meet at the usual hour this afternoon.

The PREMIER: I am rather surprised at your objecting after the matter has been arranged.

Mr. McDONALD: I was not aware that there was any arrangement, but in any case I positively object to adjourning the business of the country in order to go to a cricket match, especially as we have been kept here week after week to do that business.

Question put and passed.

The House adjourned at 1 o'clock.