Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 10 DECEMBER 1896

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The SPEAKER took the chair at 7 o'clock.

ADDITIONAL SITTING DAYS.

On the motion of the PREMIER, the following formal motion was agreed to:—

That the House will meet for the despatch of business at 3 o'clock p.m. on Friday and Monday next, in addition to the days already provided by Sessional Order; and that Government business take precedence of all other business on those days.

GOVERNMENT LOAN BILL.

THIRD READING.

On the motion of the TREASURER, this Bill was read a third time, passed, and ordered to be transmitted for the concurrence of the Legislative Council.

SUPPLY.

REPORT FROM COMMITTEE.

Mr. ANNEAR, as Chairman of Committees, presented a report from the Committee covering the resolutions passed in connection with the Departments of Mines, Railways, Postmaster-General, Auditor-General, Trust and Special Funds, Supplementary Estimates, 1895-6, Supplementary Trust Fund Estimates, 1895-6, and Supplementary Loan Estimates (No. 2.), 1895-6.

Resolutions agreed to.

RAILWAYS ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR RAILWAYS: The main object of this Bill is to alter the salary of the Chief Commissioner, and also to appoint a deputy commissioner. It is within the recollection of hon. members that last year we passed an Act reducing the three commissioners to one, giving him a salary of £3,000 a year. Since then we have found that we can get a commissioner at a salary of £1,500 a year, and a deputy commissioner at £1,000 a year. That £1,000 is not an extra £1,000. The present General Traffic Manager is getting £700 a year; he will receive an increase of £300, so that the salaries are £1,800 as against £3,000. We have appointed Mr. Gray, one of the original commissioners, to the position of Commissioner, and on the whole I think that his appointment will give general satisfaction. As far as I can see, Mr. Gray has taken up his duties with great spirit; he is doing his very best, and bringing all his energies to bear on the management of our railways. I think the railways will not suffer under his management, with the assistance of Mr. Thallon. There are some minor amendments to be made in the Act, which have been found necessary during seven years' experience of its working. The first which is necessary is that the Commissioner should report upon surveys. We have spent a great deal of money upon surveys in the past which have afterwards been found of no use, and it will be as well to get a report from the Commissioner and his engineers and surveyors before any survey is undertaken. Under the principal Act the annual report of the Commissioners had to be laid on the table of the House before the 1st of August in each year, but as it has been found impossible to have it ready by that time, the date has been made a month later. Then the Commissioner is to have power to take easements over land for railway purposes, to resume more land, and to compel sales of land for additional accommodation, which he had not power to do before. The other alterations are necessary owing to the substitution of one Commissioner for three. I do not know that there is anything debatable in the Bill, and it can be fully considered in committee. I have much pleasure in moving that it be now read a second time.

Mr. GLASSEY: It is not my intention to offer any opposition to the second reading of the Bill. It is merely intended to give legislative effect to certain arrangements already made by the Government for the appointment of Mr. Gray as Commissioner and Mr. Thallon as deputy commissioner. The latter gentleman has held the position of Traffic Manager for a number of years, and, without exaggerating his work, I may say that he has always given satisfaction, and I believe he will give equal satisfaction in the higher position in which he is to be placed. Years ago it was considered by some people—and I believe it was considered by the Government last year before they introduced the Railways Bill—that it was scarcely possible for our railways to be managed without three commissioners. When the principal Act was introduced the idea was that one commissioner should be a man with a practical knowledge of the details and technicalities of railway management, the second was to be a man with commercial experience—that, I presume, was the position filled by Mr. Gray—and the third was to be a scientific engineer. After some years' experience of that system it was found that a trinity of commissioners did not work satisfactorily, and the Government came to the conclusion that the simplest and best plan was to have the railways managed by one commissioner. But we were told that the one commissioner must be paid a very large salary, otherwise it would be scarcely possible to obtain a man with the necessary ability. I and others acting with me held the opinion, on the other hand, that it was quite possible to get a commissioner to take upon his shoulders, with the aid of the officers of the department, the complete management of our railways for a far less sum than the Government said was necessary. We were told by hon. members on the other side—I believe by the Secretary for Railways among others, and especially by the Premier—that one could not be got to do the work for less than £3,000 a year. This side of the House has, therefore, the right to take credit for foresight seeing that Mr. Gray is doing for £1,500 all the work for which Mr. Mathieson was formerly paid £3,000 a year. I observe that it is provided in the Bill that there shall be monthly conferences between the Commissioner, the deputy commissioner, and the heads of the different departments in the service. That is a system which has worked admirably, and I believe that the results will continue to be satisfactory; but it is a pity that the Minister has not gone a step further, and acted on the advice tendered by hon. members on this side, and included in this body at least one man to voice the opinions and aspirations of the railway employees. I believe that, in order to give that consultative body the force and stability it ought to possess, a representative man ought to be appointed by a vote of the employees, to act not only as a check on the others, but to give them advice and information when disputes arise in which the employees are concerned. Such an appointment would not only result in great good to the service, but would also give satisfaction to the people, and I hope some day to see that carried out. I expressed my opinions fully on the matter in 1892, in an article that appeared in the *Warwick Argus*, and I have not swerved from the opinions I then expressed. Another excellent provision in the Bill is that which gives the Commissioner power to enter into arrangements with persons for carrying goods over the lines at special rates. Many years ago, in the old country, I had a deal to do with railways in the north of England, and when bringing goods on consignment at one time from the south of Scotland the rates were reduced to such a degree that we were able to bring them a long distance at an extremely low figure. Special rates were made to meet special emergencies, and I believe this provision will result in considerable gain to the department. I have nothing more to say on the Bill, but I regret very much that this and other measures—some being of considerable importance—were not brought in at an earlier period of the session. It does not show very good management on the part of the Government to rush in a large number of Bills at the end of the session.

Question put and passed; and committal of the Bill made an order for to-morrow.

DEFENCE ACT AMENDMENT BILL.

SECOND READING.

The PREMIER: This is a Bill to amend the Defence Act of 1884. As I have already mentioned, one reason for introducing the Bill is that when revising the present regulations I was advised by the Crown Law Officers that some of the regulations under which the force has been acting for some time back are very doubtful as to their authority, and may be considered to be *ultra vires*—not authorised by the Act as it now stands. It is important, therefore, to make our practice and our statute agree. I have also introduced into the Bill one or two amendments which are expected to be very advantageous to the force. Section 2 provides that, in addition to the ordinary strength of any corps, supernumerary members may be enrolled in such proportions as the Governor shall appoint, and every such member shall, on compliance with the regulations as to drill and training for supernumeraries, receive such pay as may be prescribed. I may mention here that the Act in no way appropriates any expenditure. That is all regulated by the amount voted annually by Parliament on the Estimates. If Parliament does not vote enough to carry out the regulations, of course an alteration of the regulations will ensue, because the pay under the regulations cannot go beyond the amount voted by Parliament. When the Estimates were before us it was considered desirable that a reserve force should be established, and that money should be voted for that purpose. I find, however, on referring to the principal Act, that the reserve mentioned there is not the kind of reserve we intended. The reserve force includes every male of the population of Queensland, with a few exceptions, between the ages of eighteen and sixty. But the reserve we want is a reserve of men who have done some training, and who are willing to continue the training and keep themselves ready to be called out whenever their services are required. In the Bill, therefore, we have given them the name of "supernumeraries" instead of "reserves," so as not to interfere with the "reserves" provided for by the present Act. The Bill provides that the Governor in Council shall make regulations for their training, drill, and pay. Section 3 of the Bill repeals clause 37 of the principal Act, which directs that commissioned officers shall provide their own uniforms, arms, and equipment at their own expense. That has been found to be a great bar to promotion from the ranks, because, while there is a very large number of men in the capacity of privates who are thoroughly efficient and qualified to take the position of captain, they refuse to do so for the simple reason that they cannot afford it.

Mr. GLASSEY: Because they would be penalised to the extent of £30 or £40.

The PREMIER: Yes, they cannot afford the cost of uniform, equipment, and subsequent expenditure involved, and they prefer rather to remain in the ranks than to take the position of

commissioned officers for which they are qualified, and to which in many cases they are fairly entitled. In consequence of this obstacle the selection of officers is limited to persons having sufficient means to warrant their incurring the expenditure. The annual pay and allowances of an officer below the rank of a field officer is a good deal less than to a private in the Defence Force. The total amount a captain can draw under the present regulations is £8 8s. per annum, whereas a private entitled to deferred pay can draw a much higher amount, at least a few shillings more, in addition to the prizes to which he may be entitled for shooting. It is not intended by this Bill that the whole of an officer's uniform, arms, and equipment shall be provided for him, but by altering the Act in the way proposed in this Bill we will enable the Commandant to assist a man in providing the necessary uniform and equipment and in keeping it up afterwards as required. By these means men qualified by education, training, and ability will be enabled to accept positions as officers when offered to them without any misgivings. Section 4 of the Bill repeals the 46th section of the principal Act and substitutes for it an amended section. The section proposed to be repealed provides that for each day's drill every officer and man shall receive payment according to rank, but they can only get the exact pay prescribed by the regulations. We have been in the habit of giving deferred pay, and it is doubtful whether it is legally paid under the present Act. By the amendment proposed all doubts upon the subject will be removed. The section proposed to be repealed also lays down a period of eight days over which the Land Force might be assembled for continuous drill and training, and provides that that period shall be included in the annual period of drill and training, the maximum period being thus fixed at sixteen days, and the minimum at eight days. The new section excludes the period of camp drill from the annual period of drill, and thus increases the maximum number of days to twenty-four, and the minimum to sixteen days. This is done principally with a view to increasing the efficiency of the force by providing for additional training, and it is also done for the purpose of assimilating our legislation with the legislation of the other colonies. One effect will be that a minimum of sixteen days training will be assured. Hitherto when only twelve days' pay has been allowed with eight days' camp, only four days' pay has been available for ordinary drill and training during the year. If this amendment is passed eight days will be left even when a camp is ordered. At the same time the present expenditure will in no way be increased, and in all cases the money must be kept within the amount voted by Parliament. Under this alteration the pay for all ranks will be spread over the whole year, and will be regulated by the work performed by the men. Section 5 of the Bill is intended to enable the Governor in Council to frame regulations governing classes of instruction, examinations, and such like matters. Section 6 is intended to validate the regulations under which deferred pay has already been granted. I move that the Bill be now read a second time.

Mr. GLASSEY: The Bill introduced by the Minister for War is a very unpretentious one. I do not know to what extent the heads of the military force expect to gain from the 2nd section dealing with supernumeraries. I have some doubts whether very much will be gained by making that provision, but, like other matters of an experimental nature, I suppose time alone will tell what its advantages are likely to be. I have never been a very ardent supporter of the military force, and I have oftentimes said that it has cost too much for any good we are likely to get from it. The money expended since the Defence Act of 1884 was passed has not been expended in a very wise or judicious manner, and I would like to see some means taken by which weak points likely to be attacked by an outside foe—which I do not anticipate is likely to land upon our shores—might be strengthened. If a well-equipped and thoroughly effective force were stationed there to protect those points, I think that would be of some service to the country; but to spend large sums of money on mere tinpot military arrangements, such as we have experienced in Queensland during the last few years, is not wise. There is not much in this Bill to arouse our military ardour, and it may be of some service. That being so I do not intend to offer it any opposition—certainly not any factious opposition. With regard to the validity of the existing regulations, it might be as well, if it is not too much trouble and will not cost too much, for the Minister to have those regulations circulated among hon. members, so that we may see what they are.

The PREMIER: They are published in small pamphlet form.

Mr. GLASSEY: I like to post myself up in matters that involve expenditure, and if the regulations are easily obtained, and are not too bulky, I should suggest the desirability of having them put into the hands of hon. members, as they may be of use in furnishing information on the various points mentioned in the Bill. I do not think we need alarm ourselves very much that we will be attacked by a foreign foe. I never joined in the fear of a Chinese invasion; I do not join now in the cry or fear about a Japanese invasion, and I certainly do not join in any fear of a European invasion. The people of Europe have their hands full of various other matters in that part of the world, and are not likely to disturb us in Queensland. I believe that if the people of Australia mind their own business, behave in a peaceable, quiet, rational manner, and provide the best and most efficient means of developing the resources of these great colonies, they are not likely to be disturbed by persons in other parts of the world or by persons in Japan.

Mr. BELL: I am inclined to doubt if the hon. member for Bundaberg is quite accurate in his criticism of the Defence Force here, when he calls it a tinpot force. As far as I know expert officers of the Imperial army who have been asked to criticise the force here, and report upon it from time to time, have borne testimony that it is in a very fair fighting condition, and have given the country to understand that it gets a reasonable return for the money it spends. I hardly think it is a fair tribute to the many men throughout the country who give a great deal of time to the force, for which the remuneration they receive is an altogether inadequate recompense, to make the general sweeping observation that they are members of a tinpot force.

Mr. GLASSEY: That remark was not made by way of disparagement; but by way of comparison with forces in other parts of the world.

Mr. BELL: I have no doubt that the hon. member in his criticism was perfectly benevolent and had no desire to hurt the Defence Force, but whether he said it absolutely or relatively I venture to differ from him. I believe that for our particular purpose we get a return from the men who offer their services to a degree that does not make it accurate comment to say that they are a tinpot force. The artillery is an efficient force, and as a fighting body of men I do not think the mounted infantry have any superiors in any part of the world.

Mr. TURLEY: Draw it mild.

Mr. BELL: I shall not draw it milder than I have already done. I say the mounted infantry force we have got in this colony is equal to any force of mounted infantry in any part of the world. Mounted infantry have only been in the course of formation during the last few years, and probably there were mounted infantry in existence in Queensland almost as soon as there were in any part of the world. I have served in the mounted infantry in Great Britain, and have seen mounted infantry in various parts of the world; and I say our mounted infantry are as practical a body of men as any mounted infantry to be found anywhere. But, apart from its value as a defence, I believe that the expenditure upon the Defence Force can be looked upon as an educational expenditure. I believe that under a military system we get a return, not merely from the point of view of defence, but also in the way of teaching lessons of discipline and obedience which it is necessary to inculcate upon the people and youths of any country, and even with the inconsiderable amount of drilling given under our present defence system I consider that it renders some return from an educational point of view. I think there is one defect in our Defence Act, or perhaps it is in the Education Act, and that is that greater provision is not made for the drilling of our boys in the public schools. If we did it as they do it on the Continent, not merely from a defensive point of view, but from an educational point of view, and had our children in the public schools undergoing a much more vigorous system of drilling than they are doing at present, it would be very beneficial to them physically, and would in every way aid them to become good citizens. The hon. member for Bundaberg does not apparently anticipate that there is any danger of this country being attacked. If we could make quite sure of repelling the enemy I think that one of the best things that could happen to the community would be to suffer an attack, as it would give us a national and a moral tone that in my opinion we are sadly in need of. The only danger is that we might not be able to repel the enemy. The hon. member talked rather slightingly of the Japanese, but we cannot shut our eyes to their military and naval prowess, and it seems to me that if there should ever be war between Japan and Great Britain there is nothing more probable than that we should see Japanese cruisers coming down the coast. The Japanese are an audacious, daring race, and Australia would be the first place they would make an attack upon. Nothing is easier than to endeavour to minimise the possibilities of invasion. If we read the history of Europe we find it teeming with evidence of politicians, and especially politicians of a liberal complexion, who have minimised the dangers of invasion that their country was exposed to. The latest is the action of the Liberal party in France. Twenty-six years ago they were continually crying out for disarmament, and pointing to the millions of francs that were annually expended on their army and navy. Yet the time came when that country, unprepared, was suddenly overwhelmed by a nation that was prepared; and the Liberal party, which came into power immediately after the overthrow, have ever since been spending sums of money on their army and navy compared with which the sums they had previously been criticising were mere drops in the ocean. Any community which wishes to be an independent, self-sustained community, cannot, in this nineteenth century at all events—what it may do afterwards I cannot say—ignore the obligation of having an efficient body of men both on land and sea to defend itself.

Question put and passed; and committal of the Bill made an Order of the Day for to-morrow.

NAVIGATION ACT AMENDMENT BILL.

SECOND READING.

The TREASURER: A codification and consolidation of the Navigation Acts is in preparation, but it will be impossible to deal with the whole subject during the present session. There are one or two matters, however, of rather urgent importance with which the present Bill proposes to deal. The first is with regard to the survey of passenger steamboats. The 43rd section of the principal Act provides that the owner of every steam vessel plying in Queensland waters shall cause such steam vessel to be surveyed twice at least in every year, at the times hereinafter directed, by a shipwright surveyor and an engineer surveyor appointed under the Act. That has been found to work badly. It also very often causes vessels which might otherwise be surveyed in Queensland to be surveyed in the other colonies, because in the other colonies instead of a survey twice a year it is only necessary to have them surveyed once. I propose, therefore, to assimilate our legislation in that respect to the legislation which prevails in the other Australian colonies. For the survey small fees are paid, and as the amount of surveying done in Queensland is not large the colony is put to some considerable loss. As those fees, instead of being paid twice a year, will only in future be paid once a year, it is necessary that they must be somewhat greater than is provided in the principal Act. In Brisbane—that is, in Brisbane only—we have an engineer surveyor and a shipwright surveyor constantly on the staff, who are paid salaries voted by the House. In all the other ports surveys are made by competent persons who receive fees for their work. But the fees that we obtain from the vessels are not sufficient to reimburse us for the expenses that are entailed by the surveys required. For instance, at Townsville last year the amount of fees received by the board was £48, whereas the actual fees paid away to the surveyors amounted to £117. It is very much the same at all the other ports. At Rockhampton £24 only was received, and £42 10s. was paid away. It is hoped that by the 2nd clause of the Bill that will be to some extent remedied. The next part of the Bill provides for the repeal of sections 100 and 101 of the principal Act, which deal with the marks that are put upon ships to show their draught of water, and also to make the loadline. Our law as it stands at present is quite obsolete; in fact, it has not been acted upon for years. The proposed amendment, which extends from clause 5 to the end of the Bill, is simply an adaptation of the Imperial Navigation Act of 1894, and it will bring into operation the most recent regulations of the Board of Trade. Those regulations have already been published. Hon. members who take an interest in the matter will have seen them in the *Gazette* of the 10th October last. By this Bill these regulations will practically be brought into operation. There is one part of the Bill which I shall ask the House to alter when we get into committee; that is, the part contained in clauses 6 and 7, which deal with vessels of under fifteen tons engaged in the coastal trade. That is defined to be the minimum, but I think it is too small; there may be a difficulty in bringing it into operation, so that I shall propose that the minimum shall be fifty tons. In the Imperial Act it is eighty tons, and I do not think it is right to interfere too much with the small coasters which are trading in our waters. These are the principal points connected with the Bill, and I now move that it be read a second time.

Mr. TURLEY: I certainly think from the state our navigation laws are in that it would have been considerably better if the hon. gentleman had introduced a measure earlier in the

session that would have consolidated and amended them. They are now scattered all over the statute-book, one portion being contained in the Navigation Act, another in the Police and Seamen's Act, and there are a number of Imperial Acts in regard to which, according to the introduction to our statutes, it is doubtful whether they are applicable to this colony or not. The Imperial Acts were consolidated early in 1894, and there would have been plenty of time to have introduced this very necessary measure here early in this session. I agree with the hon. gentleman that the other colonies have all adopted the plan of surveying every twelve months, but I do not agree with him in thinking that by this means vessels will be surveyed here which are now surveyed elsewhere. If the hon. gentleman wishes to secure that, he will also have to make considerable alterations in the regulations connected with docking, because vessels are generally surveyed when they are in dock, and they will be docked in places where they will get the best accommodation at the most reasonable rates. Before we can offer those inducements our regulations and charges will have to be considerably altered and in some cases modified, but in all probability this will be done when the matter is brought under the hon. member's notice. In order to carry out his object, the hon. gentleman will have to amend another clause of the principal Act. Clause 43 provides for the survey of vessels, but there must be a declaration sent in from the surveyor to the board before the board gives a certificate, which has to be put in a prominent place or produced at any time required. Then clause 46 provides that that certificate shall not be in force for more than six months, so that, if clause 46 is not amended also, the amendment to clause 43 will be inoperative. Many other matters have been dealt with in the other colonies in such a way as to alleviate the positions of persons employed in vessels. At present there are no regulations relating to accommodation except those contained in the Imperial statutes which may or may not be in force in the colony, and I have known vessels on this coast which have had eight men in the forecastle when they only had accommodation for six, and the other two have had to go into the forecabin and do the best they could for themselves. The matter requires attention, and has already been dealt with in New Zealand, Victoria, and I think South Australia; and when we consider that this is the only home these people have for many months, we will see that better laws ought to be made for their accommodation. Another matter that requires to be dealt with is the status of the Marine Board. I do not know whether the hon. member is in favour of dealing with that matter, but we find that under the Imperial legislation these are practically local boards and are elective. Each of these local boards has more business to transact than comes before our Marine Board, and yet the major part of them are elective, and it is necessary to make the Marine Board here more representative of the conflicting interests of the people who are amenable to the power it wields than it is at present. Another question which I hope will be dealt with very shortly, when the hon. gentleman introduces a more comprehensive measure than this, is the question of rating. That also is dealt with in the Imperial Act. Before a man takes up any position on board a ship he should have to show some evidence of competency. If shipowners think it is good enough for them they can employ men who have never seen a ship before. It is altogether wrong to allow vessels manned by incompetent men to proceed to sea, considering that large numbers of people entrust their lives to those vessels, and that they are depending upon the efficiency of the crews. I would like to ask if any hon. member would advocate picking up the first man he met in the street, and sending him on board as a fireman?

The SECRETARY FOR PUBLIC INSTRUCTION: If you could not get anybody else—possibly.

Mr. TURLEY: The hon. gentleman knows perfectly well that it is compulsory for persons to have experience before they are allowed to fill similar positions on our railways, and I hold that in another form of travelling incompetent men should not be allowed to fill such onerous positions. When vessels have been lost on the Australian coast, the cry has sometimes been that the boats could not be got out, and that life-saving apparatus was not handy, but what will it be like if owners are allowed to send any men on board to form crews? Another question which should be dealt with is that of manning. In Queensland it is not compulsory upon shipowners to have more than a master and two officers on deck and two or three engineers below on any vessel. If it was absolutely necessary vessels could be sent to sea with valuable cargoes and carrying considerable numbers of passengers with about half the complement of men they should have to man them. For the protection, of property—if the hon. gentleman chooses to put it that way—but at any rate for the protection of human life, there will have to be something done with regard to the number of men on board vessels and their competency. If people who are travelling on vessels know that the crew are incompetent or that there are not anything like the number of men there should be, they are likely to have a very uneasy time on board. I mention these things because some of the other colonies are attempting to deal with them, and other colonies have actually done so. If we take the case of New Zealand, where proportionately I suppose there is more shipping than there is in Queensland——

The SECRETARY FOR PUBLIC INSTRUCTION: New Zealand has a longer coast-line proportionately.

Mr. TURLEY: Yes, and the outside trade between there and Australia is very considerable. At any rate, I think it is correct that they have far more shipping than we have on the coast of Queensland, and yet they have laws in New Zealand which compel vessels of a certain size to carry a certain number of men as crews, and a certain number of those men must be competent. That is a very fair proposition. As far as the loadline goes, that is a question which requires dealing with, but, as the hon. gentleman pointed out, this is simply taking six or seven clauses from the Imperial Act and bringing them in here as an Amending Act. Certainly a very large portion of the Imperial Act of 1894 would not be required in Queensland, but a considerable portion of it is really required, and if that portion was enacted here we should really know where we were. If anyone wants to look up anything in connection with shipping, he does not know where he is—there are so many Acts which may be applicable to Queensland, while others may not be applicable, in addition to which there are our own statutes. It would be a good thing to assimilate not only the portion of the Imperial Act relating to the loadline with our law but everything connected with shipping. It may be said that we are not a very big country, and that we have not got a great deal of shipping; but that is not a very effective argument, because the small number of people who trust their lives on board ships on the Queensland coast require to be protected as much as the larger numbers of persons who trust themselves on board vessels on other coasts. I do not know whether what the hon. gentleman said in connection with the regulations published the other day

is correct. I know there were regulations published in connection with the loadline. This is what the 444th section of the Imperial Act says on that subject—

"Where the legislature of any British possession by any enactment provides for the fixing, marking, and certifying of loadlines on ships registered in that possession, and it appears to Her Majesty the Queen that that enactment is based on the same principles as the provisions of this Part of this Act relating to loadlines, and is equally effective for ascertaining and determining the maximum loadlines to which those ships can be safely loaded in salt water, and for giving notice of the loadline to persons interested, Her Majesty in Council may declare that any loadline fixed and marked and any certificate given in pursuance of that enactment shall, with respect to ships so registered, have the same effect as if it had been fixed, marked, or given in pursuance of this Part of this Act."

Therefore, if the Bill is passed, power will have to be given by the home authorities before this can be carried out. I believe it is necessary to have the loadline fixed, because I have known a loadline placed on a coasting vessel here, and the inspectors have not had power to prevent the ship being loaded down to any degree thought necessary by owners and master. That has been the case for some time, and I welcome this small Bill, but considerably more should be done. If the Imperial legislation had only just been received, I could understand the plea of having no time; but, seeing that it has been here two years, something further should have been done for the protection of passengers and goods.

Mr. CALLAN: I agree with the proposals in this Bill; at the same time, if they should become law and be as badly looked after as the provisions in the Navigation Act, it would be just as well not to bother with them. The 62nd clause of that Act provides that whenever any vessel has sustained or caused any accident occasioning loss of life or any serious injury to any person, or has been stranded, the master must report the matter to the inspector at the first port of call and also to the board. I frequently travel by sea; and I stated on a former occasion that once when I was going from here to Sydney a casualty was avoided by six inches. That was many years ago, and I will say no more about it. But an instance occurred within the last six months, and I intend to give the name of the vessel, and to state that the 62nd clause of the Navigation Act was not adhered to. On the last occasion when I travelled to Rockhampton by the "Derwent," Howard Smith and Co.'s boat, she was run ashore in Sandy Strait, not on a sandbank, but on the land itself, and we were there from 5 o'clock in the morning till between 1 and 2 o'clock in the afternoon. If the weather had been as it was shortly before—a strong westerly wind blowing—the passengers might have been in a very serious state. I did not speak to the captain or officers about it, as I felt sure that there would have been an investigation in Brisbane; but there never was; and if this amendment is carried out with the same disregard of the safety of passengers as we have seen in the past, we are only wasting time. I see that there is a penalty of £50 on the master who does not give notice at the first port of the stranding of his vessel or any other accident, but in this case no notice was taken; and I could mention two others which were, if anything, worse than this. I would impress on the Treasurer the necessity of carrying out the Act in its entirety. If a master neglects his duty he should be punished to the full extent. Even now the hon. gentleman might take action in the matter to which I have referred. If any such accident comes under my notice in future, I shall make it known to this House at once.

Mr. BROWNE: I thoroughly agree with what has fallen from the hon. member for South Brisbane. I am glad to see this Bill as far as it goes; but I am sorry to see such a small instalment of what is required. I also agree with the hon. member for Fitzroy that the administration of the Act is of more importance than the amendment. We have regulations as to the loadline, and yet you can see vessels leaving every port in a state that should not be allowed in the case of any vessel carrying passengers and goods; and at present boats are allowed to go shorthanded, and the regulations with regard to room on deck are persistently violated. There is often scarcely room for steerage passengers to move about, and in bad weather the crew are just as liable to break their necks or fall overboard as to do any good, because so much room is occupied by horses, cattle, boxes, and goods. This is not the fault of the Act, but of the administration. I am sorry this Bill does not deal with the constitution of the Marine Board or with the carrying of explosives. Mining members have frequently drawn attention to the loss of life occasioned through importing defective explosives, and the hon. member for Gympie, Mr. Smyth, got a partial promise from the Secretary for Mines that a Bill dealing with the matter would be introduced. Even this year the Under Secretary for Mines in his annual report, in dealing with accidents and risks of miners, refers to the danger to miners from the use of bad explosives, and points out that we have practically no control over their introduction. He points out that the clauses in the Navigation Act that at present govern the law in connection with gunpowder and other explosives were passed at a time when the nitroglycerine compounds were practically unknown as a blasting agent, and require to be replaced by measures more consonant with modern conditions, so as to effectually prevent even the landing of any doubtful compounds. Unless a Minister strong in the back takes the law into his own hands we have no power under the present Act to prevent the landing of explosives dangerous to human life, and a clause dealing with this subject might easily have been introduced. The matters referred to by the hon. member for South Brisbane ought to be dealt with, and I hope we will have a further amendment of the Act next session. So far as this Bill goes it is a valuable instalment of legislation required, but I hope it will be followed by more comprehensive legislation on this subject before very long.

Question put and passed; and committal of the Bill made an order for to-morrow.

PEARL-SHELL AND BECHE-DE-MER FISHERY ACT AMENDMENT BILL.

Second Reading.

The SECRETARY FOR MINES: In moving the second reading of this amending Bill I point out that five years ago we passed a Bill to amend the Pearl-Shell and Bêche-de-Mer Fishery Act, the principal provisions of which fixed a limit to the size of the shell that should be exported, and also gave permission for the removal of small shell for cultivation purposes. After four years the Act has not been found to work satisfactorily. Two or three years ago 80,000 small shell were removed from the large beds for cultivation purposes, and a great number of the shellers at that time protested against their removal, as they considered it was not carrying out the spirit of the Act passed in 1891. Some two years ago when the Premier, Attorney-General, and myself were at Thursday Island a petition was presented to us by the majority of the shellers praying that the limit should be reduced to five inches, and that no small shell under that size should be removed for cultivation. This Bill now proposes to fix the limit to

the size of the shell at five inches inside and six and a-half inches outside. It think it was a mistake in the original Bill not to fix an outside measurement, because until the shell is opened the shellers cannot tell whether it is under or over the limit, and if cultivation is to be proceeded with there must be an outside limit, as the shell once opened is of course useless for cultivation purposes. I may say there is a difference of opinion on Thursday Island about the size recommended. I think two-thirds or three-fourths of the shellers wish the limit reduced to five inches, and the balance wish it to be left at the present six-inch limit. But it has been pointed out by the Government Resident in various reports that this limit has not been observed, and that a number of small shell has been opened to see if there are pearls inside, and after they are taken out if the shell does not measure six inches it is thrown into the sea again. That is, of course, great waste, and it is likely to be continued unless we reduce the limit. It may be said: "Why not enforce the law to prevent the opening of the shell?" I would point out that there are 200 boats licensed to fish for pearl-shell, and in order to carry out the law in its entirety we would require to have an inspector on board of every boat, because in some cases the boats proceed from Thursday Island on a three weeks' cruise, and on those boats small shelled fish are opened for pearls and then thrown overboard. It may be said that if the limit is reduced the beds will be the sooner exhausted, but there are only six or seven months in the twelve during which pearl-shell can be easily fished for, and that gives the beds a chance to recuperate.

Mr. GLASSEY: Two hundred boats, and how many men?

The SECRETARY FOR MINES: About 1,400 men. The Government Resident, in his report for 1894-5, goes fully into the working of the Act. He says that there are numbers of pearls found in shell as low as four inches and even lower, and that those engaged in the fishery almost unanimously declared against the six-inch limit and in favour of the five-inch limit, and urged a more stringent enforcement of the Act. He believed that if the limit was reduced to five inches the shellers would watch each other, and the Act will work better than at present. There has been a request from Thursday Island for a Royal Commission to inquire into the shelling business. At present the Government do not think the industry of sufficient importance to justify the appointment of a special Royal Commission, but it might be arranged that the mining commission should make inquiries at Thursday Island on their way round to Croydon. It is also proposed that an inspector should be appointed—a scientific man to be imported very likely from the old country, who will take some trouble to inquire into the habit of the pearl-shell oyster, and make experiments in cultivation, because I am sorry to say that at the present time very little is known about the cultivation of pearl-shell. We know all about the cultivation of the oyster; and we have tried in the same way to cultivate the pearl-shell oyster at Thursday Island, but I do not think it has been a success. If we get an inspector who knows his business, who resides at Thursday Island, and who continually visits the shelling grounds, he may find some means to make this a much more profitable industry to the colony than it is at the present time, and we shall be able to keep a better check on the industry than has been kept since the Act was passed. I move that the Bill be now read a second time.

Mr. GLASSEY: This Bill deals with a very important question, and affects an industry in which there are no less than 1,400 men directly engaged. The industry is increasing very rapidly, and there is a great difference of opinion with regard to the Bill now before the House. I rather regret that a measure of this sort should be introduced at this late period of the session. It deals with a matter about which there has been considerable agitation not only during the last few months but during the last few years. I have myself received much correspondence on the subject, letters and telegrams having arrived during the last month in rapid succession, and I am sure the Minister must also have had many communications about the matter. Considerable difference of opinion is expressed by the various persons who have corresponded with me; one says that the measurement of the shell is too large, and another that it is too small, etc. Considering the conflict of opinion which exists even among those interested in the industry, the hon. gentleman would act wisely if he deferred this Bill till next session, and in the meantime appointed a Royal Commission to inquire into and report upon the matter, so that members may have full and reliable information furnished to them dealing with so important a measure in detail. We have read three Bills a second time this evening. The Railways Act Amendment Bill and the Defence Act Amendment Bill are not measures of great moment, but the Bill amending the navigation laws of the colony is one that deserves a great amount of consideration. Now we have a fourth Bill submitted to us for a second reading. We were told some time ago that only measures of a non-contentious character would be introduced at this late period of the session; but I know, from what I have gathered from hon. members, that this Bill will cause a great deal of contention. There are a large number of persons engaged in the industry, many of whom are foreigners. I believe that about 400 are Japanese, and I regret that there should be such a number of those people employed in this industry, which is likely to be very profitable to the colony. There is not by any means unanimity on the question with which this Bill deals at Thursday Island. My hon. friend, the member for Croydon, being the "whip" of the party, has been absolutely inundated with correspondence on the subject during the last few months. Last year I received a lengthy petition requesting this party to take certain action concerning the matter, and this year I have had no end of correspondence on the subject. Some technical knowledge is required to deal with the matter properly, and the best thing we can do is to defer this measure till next year. In the meantime the Minister might appoint a small commission of two members to act in conjunction with the Hon. John Douglas, the estimable gentleman who watches over Thursday Island. A month or six weeks would probably be all that they would require to do the work, and they would very likely furnish us with valuable information as to what has been done during the past few years, as well as valuable suggestions as to what should be done to settle the question on a satisfactory and permanent basis. Viewing the matter in all its peculiar surroundings, and having regard to the conflict of opinion which exists as to how it should be dealt with, it would certainly be better to defer fresh legislation till next session. I do not intend to offer any factious opposition to the measure, but I may as well tell the Minister at once that, if the Bill passes its second reading, it is not likely to get out of committee without much more information being given by the Government as to its necessity than we have at present, and certainly many amendments will be proposed which may take a considerable time to discuss. Reluctant as I am to oppose the Minister, I cannot on the present occasion render him a help which is necessary to put this Bill on

the statute-book, and I shall most assuredly take the sense of the House as to whether the Bill should be read a second time this session.

Mr. BROWNE: I intend to oppose the second reading of this Bill for three reasons. The first is that it is very unreasonable to introduce such a contentious measure at this late period of the session; the second is that the pearl-shelling industry wants a good deal more looking into than this Bill provides; and the third is that I believe the Bill is bad in principle. No doubt hon. members have been getting shoals of wires on the subject during the last month or so. A certain number of the Thursday Island people have been making themselves heard very loudly in the House and in the Press on this question; and the diversity of opinion expressed on the subject has been so great that hon. members who are not familiar with the industry must find it very difficult to make up their minds upon it without further information. The chief thing in the Bill is the reduction in the size of the shell. Petitions on both sides have been sent down, and there is no doubt a larger number of names attached to those in favour of reducing the size than to those against it. But we must not look at it as a mere local matter affecting the interests of one or two companies. The pearl-shell beds at Thursday Island are one of the assets of the colony. The regulations under the Act of 1891 were framed after consultation with the most eminent authority we could get on the subject, Mr. Saville Kent. It is said that in spite of the regulations people take five-inch shells now. That is possible, and Mr. Douglas in his report says the same thing will happen if the size is reduced to five inches—smaller shells still will be taken. But it was pointed out by Mr. Saville-Kent that a fish with a six-inch shell has already thrown spat, so that it is reproducing itself, whereas under six inches no spat has been thrown, and by taking the fish you are leaving nothing to reproduce it afterwards. So that we should be simply denuding the beds and leaving nothing for future growth. I am not saying that that is absolutely correct; it is the opinion of those who are qualified to give an opinion on the subject. Why should we reverse legislation based on expert knowledge, without having either scientific opinion or further knowledge opposed to it? We are asked, for no reason that I know of, to reverse the legislation based on Mr. Saville Kent's scientific researches; and I do not think it is good enough. I do not want to pose as an authority on the subject. I go there every year, and I know that the majority of the small shellers at Thursday Island are distinctly against reducing the size of the shell. The Minister, in introducing the Bill, pointed out that Mr. Douglas thought the six-inch limit was not required, but he did not read that portion of the Government Resident's report where he stated that before anything was done a committee of inquiry should be appointed to investigate the matter. One thing that needs alteration is the system of measuring the shell. The Act provides that they must be measured inside. To do that the shell has to be opened, and if too small it is practically ruined. If it was measured overall, and did not reach the prescribed size, it could be thrown back again and no harm done. I do not think the House has at present sufficient information to pass a Bill like this. It has been contended that the industry is falling away. As a matter of fact the returns show a very large increase this year over last. I find that for the first eleven months of this year there were 975 tons of pearl-shell, valued at £85,310, exported from Thursday Island, in addition to 75 tons, valued at £6,600, sent away by the "Banffshire," not included in the return; making altogether 1,030 tons in weight and about £92,000 in value. For the corresponding period of 1895 there were sent away 875 tons of shell, of the value of £71,768; the increase for this year being 175 tons and over £20,000 in value. There is therefore no ground for those alarmist theories about the decay of the industry. I do not believe in expensive Royal Commissions, but I think if about three men were desired to inquire into the matter it would be better than rushing legislation through. The Hon. J. Douglas himself might be one, a scientist might be another, and there are one or two men there in the Customs Department in whom the people would have confidence. If this Bill is passed, possibly by this time next year there may be a cry for it to be repealed. There have been several amendments already.

The SECRETARY FOR MINES: The limit has only been fixed once.

Mr. BROWNE: The Hon. John Douglas has pointed out that he often thought it would be a good thing if the principle of self-government were introduced amongst the shellers themselves, because they would more readily approve of regulations that emanated from themselves. He has also pointed out the necessity for codifying the law and putting it in such a straightforward form that everybody could work under it. Of course I am only forming opinions from what I have heard and read, but I can assure hon. members that there is a strong impression up there that this Bill is to assist an attempt to denude the beds of the oysters. A few months ago a large company there issued a prospectus in England—the North Australian and Oceanic Pearl-shell Company—and it is thought that the object is to let this company get all the shell it can, and after that the deluge! It would be wrong for this House to pass this measure without stronger evidence of its necessity. Of course the Minister has not time to attend to all these things, but there was a gentleman in Brisbane a little while ago who has been residing at Thursday Island for years and has property there, and he is one of the strongest opponents of the reduction in the limit. There are many others who hold the opposite opinion, and therefore the best way out of the difficulty is to shelve the matter for this session, and appoint a commission to make inquiries and report upon the matter. If hon. members had a report of that kind before them they would support any measure based upon it, and it would go through without any trouble. For these reasons I shall oppose the second reading of the Bill.

Mr. HAMILTON: The leader of the Opposition said he regretted that this Bill had been delayed so long. We have passed four Bills to-night in a short time, but, judging by our progress at the commencement of the session, if they had been introduced earlier it would have taken four weeks to pass each of them. The hon. member for Croydon is not the only hon. member who has been inundated with correspondence on this subject. As there are great differences of opinion, it is generally desirable to consult the opinions of the majority who understand the subject. The great objection to reducing the limit is that the shell is said to spat at six inches. Mr. Saville-Kent proposed that the outside limit should be seven inches, which is only half an inch more than the limit proposed by this Bill. It is better that the shell should be measured outside, as proposed by this Bill, because when inside measurement alone is provided for, as under the existing law, much shell is destroyed through being opened to ascertain the inside measurement. Not only are there a larger number in favour of the reduction, but there is a majority of boat-owners. Out of 195 pearling boats, 127 have expressed themselves in favour of an immediate reduction to five inches inside and

six and a-half outside measurement; this leaves sixty-eight boats, of which only forty have expressed an opinion in favour of deferred legislation and increased size. It was stated just now that a strong attempt was being made to denude the beds by one company, but there are many companies there, and not only are the rival companies in favour of this but nearly all the small white boat-owners also. In fact, I have received communications from only two small white pearlers requesting deferred legislation, while all the rest who have communicated with me are in favour of the Bill. Cooktown is interested in this as well as Thursday Island. There were 120 boats at work once on what is known as the Cooktown beds, which extend from Cooktown harbour to 200 miles north, twenty of which belonged to Cooktown, but there are none now, the reason being that the beds are muddy, and when the shell grows to six inches it gets soft and flakey, is less valuable in consequence, and will not pay to collect unless the smaller shell, which is more valuable, is also allowed to be taken. The mayor of Cooktown has wired me, saying that he voices the opinion of the residents of Cooktown in favour of immediate legislation and the five-inch limit. When I find the residents of Cooktown unanimously of opinion that the passing of this Bill will have the effect of starting this industry, which formerly employed 120 boats, and when I find that that is also the opinion of the majority of owners of boats at Thursday Island and of the residents there, it is my duty to be guided by those practical men. I am very glad to hear from the Minister in charge of the Bill that before next session a Royal Commission will be appointed—or at any rate evidence will be taken—to inquire into all questions connected with the industry. No doubt the result of that inquiry will be very valuable, and will guide us in regard to future legislation. I hope the Bill will pass, as I believe it will be in the interests of the shellers in my district.

Mr. TURLEY: The hon. member for Cook informed us that he was glad to learn from the Minister that between now and next session there will be a small commission appointed.

Mr. HAMILTON: I said an inquiry.

Mr. TURLEY: Well, if a commission is to be appointed, why this legislation?

Mr. HAMILTON: Because the practical men want it.

Mr. TURLEY: The hon. members for Croydon and Bundaberg pointed out that what they were asking for, before they could agree to the second reading of this Bill, was that more light should be thrown on the subject. They stated that they were not in possession of sufficient information to give an intelligent vote on the question.

Mr. HAMILTON: But the shellers are, and want it.

Mr. TURLEY: I shall deal with that question presently. Surely if a commission of inquiry is appointed, it will be to inquire into the circumstances surrounding this industry, and to afford information to hon. members to guide them in their legislation? If that is not the object of the inquiry, then I would very much like to know why inquiries are to be made. All that hon. members on this side have been asking is that an inquiry should be held, that a report should be submitted to this House, and that legislation should then be introduced based on that report. Instead of that we are asked to pass this Bill with absolutely no information, and then we are promised that after that there shall be an inquiry. Was ever such a proposition submitted to any Assembly? It is absurd to make inquiries when all the harm may be done—that is, if there is harm in this Bill. The hon. member interjected just now that the practical shellers are satisfied with the Bill. That may be, but the practical men he talks about are men who are directly interested. What we want is not the evidence of practical men who are directly interested, but the evidence of practical men who have no personal interest in the industry. If we had adopted the course suggested by the interjection of the hon. member during the last few weeks, I wonder what sort of a measure would have been submitted to this House on a particular question which we have been considering. We had a suggestion made which was absolutely scouted, because the people who made it were pecuniarily interested in the question then under consideration. Here we have practically the same thing. Interested parties are asking us to pass this Bill, and then afterwards the Government will appoint a small commission of inquiry so that we may be able to get the information we are now asking for. The hon. member also told us about a great deal of shell that was going from Cooktown. I did not know there was a great deal of shell going from Cooktown. At one time I used to run along that coast fairly often, and I saw very little shell sent from Cooktown. Cooktown was chiefly the depôt for bêche-de-mer boats, and not for shellers.

Mr. HAMILTON: It is no fault of mine that you were ignorant of it.

Mr. TURLEY: I admit it is not the hon. member's fault that I did not know that; but my experience was that Cooktown was the main depôt for bêche-de-mer, while the great centre for pearl-shell at the present time is undoubtedly Thursday Island. The hon. member says that there are 195 boats there, some of which are laid up, and that the majority of those boats are in favour of the Bill, and that there were only sixty-seven boats opposed to it. But the small number of boats the hon. member spoke of as opposed to the Bill probably represent as many owners as the majority which are in favour of it, because the larger number that he spoke of are in connection with companies, and one particular company stands out prominently. That considerably discounts the statement that there are a very large number of boats in favour of the Bill. Practical men have submitted to this House the propositions and the evidence bearing on this legislation. If it had not been for the evidence given by Mr. Saville-Kent, it is probable that the legislation would not have taken place. On reference to "Votes and Proceedings," 1894, vol. ii., page 910, it will be found that the Government Resident at Thursday Island, Mr. Douglas, says—

"Mr. Saville-Kent was commissioned to report generally on the pearl-shell and bêche-de-mer industries of Torres Straits. During the greater part of two years, in 1889 and 1890, he was in constant personal communication with those who had the most practical experience of the industry."

This was not a new industry, but one that had been going on for twenty-five or thirty years, and a man of the attainments of Mr. Saville-Kent, after having been in personal communication for two years with practical men, submitted certain propositions to Parliament. One of the most important conclusions he arrived at, says Mr. Douglas—

"was that it was desirable to limit the size of shell to be sent to market. In this shellers and traders were alike agreed."

They were the practical men spoken of by the hon. member for Cook.

Mr. HAMILTON: And the same men have changed their opinions.

Mr. TURLEY: If they have, it is within the last six months. Whatever influences may have been at work to make those practical men

change their opinions within a few months, they had not changed when they interviewed Sir T. McIlwraith.

Mr. HAMILTON: There was no question brought up then requiring anything to be said as to the size of the shell.

Mr. TURLEY: Who is simple enough to believe that a number of men having a number of grievances would go to one who has power to redress those grievances, tell him one grievance, and walk away without telling him the remainder? It is evident that the limitation of size was not a grievance at that time. Mr. Saville-Kent, after his experience of two years in personal communication with practical men, was able to point out that until the shell attained a certain size it was harmful to remove them from the beds, because they had not produced any spat, and no shell would grow there again. In the report submitted to Parliament—on which this legislation was based—Mr. Saville-Kent pointed out that the limit suggested at a meeting of those engaged in the trade was seven inches from the butt to the opposite margin; but a full investigation of the subject and a personal acquaintance with the shell at every stage and condition of growth led him to recommend a double system of measurement. He recommended that there should be one size to guide the diver in measuring the shell before he sent it to the surface, and the other to be the minimum size of shell opened and trimmed for the market. Mr. Saville-Kent requested various station-owners and traders to select from their stacks a shell representing what they considered to be of the smallest marketable dimensions; and specimens measuring six inches across the mother-of-pearl—the white part of the shell—were almost invariably chosen. "Such specimens unbroken when taken direct from the sea would measure within a fraction of eight inches in diameter," and in the event of legislation being based upon the report he was submitting to Parliament he recommended that the outside shell measurement from the hinge to the lip should be eight inches. He says in his report—

"Such a minimum standard therefore of eight inches for freshly gathered, or diver's measurement, and of six inches across the nacre or mother-of-pearl for trimmed shell, would in my opinion represent the most appropriate gauge for adoption."

Then he deals with the dwarf shell, and all through points to the absolute necessity of protecting the small shell to prevent the exhaustion of the beds, which I consider form a pretty valuable asset of the colony. I prefer to accept the recommendations of that expert specially appointed to advise us on these subjects to those of the men who are considered so eminently practical just now, but who for twenty or thirty years previous to the legislation on this subject were not considered practical at all. The hon. gentleman in charge of the measure has told us that it is again considered necessary to introduce an expert.

The SECRETARY FOR MINES: A scientist.

Mr. TURLEY: The gentleman who submitted the report to which I have referred is admitted to be one of the most eminent men to be found in his own branch of science. If this scientist is to be appointed, let him go to Thursday Island with the other people appointed to inquire into the industry, and let them report to this House. If they report that it is necessary in the interests of the industry that something of this kind should be done, I take it that hon. members, without special knowledge, will be guided by that report. I see no reason for rushing this measure through when the figures quoted by the hon. member for Croydon show that the industry is not going down. The request that the House should be furnished with more information is a reasonable one. We have no evidence that the expert who reported some years ago was wrong but that of persons pecuniarily interested in the alteration of the Act. If we are to base legislation upon the evidence supplied by persons interested in an industry, our statute-book will in a few years become an awful jumble of Acts representing the opinions and interests of a few persons able to make a big noise as against a large number of persons without sufficient influence to make the noise they make heard in this Chamber. The hon. gentleman says it would require an army of inspectors to carry out the law on all the boats engaged in the industry, but it is a singular thing that an army of inspectors did not appear to be required before 1893. We then had only one or two inspectors employed to conduct the industry, and, if my memory serves me rightly, they were discharged in 1893. Another strange statement the hon. gentleman makes is that if we reduce the size of the shell the law will be observed. Why should the law be observed with a five-inch limit when it is not observed with a six-inch limit? We are informed that the people engaged in this industry open the small shell for pearls and then throw the shell overboard, but does the hon. gentleman mean to say that by reducing the limit to five inches instead of six inches he is going to do away with the law-breaking propensities of these people in this respect? I do not think so; we have no evidence of that, at any rate. All we know is that the hon. gentleman himself has told us that these people are continually breaking the law, because they wish to find out if there are pearls in those small shells. We should have some more evidence than has been given us as to whether these people are prepared to obey the law or not. If they are not prepared to obey it, then inspectors should certainly be appointed. Very few cases of exporting undersized shell came before the authorities previous to 1893, when there were inspectors on the ground; but after those inspectors were discharged, and the whole thing was left to Customs officials stationed at Thursday Island, there were far more cases of that kind. Another startling statement made by the hon. gentleman—I do not know whether he meant it or not—was that he believed the law would be more fairly administered.

The SECRETARY FOR MINES: I never said so.

Mr. TURLEY: If the hon. gentleman denies making the statement I shall say nothing more about it; but I certainly understood him to say that, and I was going to say that it reflected very badly on the department which has the administering of the law. The whole question can be dealt with far better in the way that has been suggested than by passing this Bill, which would simply be legislating in the dark. I shall oppose the second reading, because I want a great deal more information than we have at present before I can become a party to placing this measure on the statute-book.

Question—That the Bill be now read a second time—put; and the House divided:—

AYES, 29.

Sir H. M. Nelson, Messrs. Philp, Foxton, Dalrymple, Stephens, McCord, Grimes, Hamilton, Cribb, Curtis, Bell, Story, Chataway, Bridges, McGahan, Corfield, O'Connell, Battersby, Newell, Stephenson, McMaster, Lissner, Callan, Collins, Stodart, Crombie, Armstrong, Macdonald-Paterson, and Annear.

NOES, 20.

Messrs. Kerr, King, Hoolan, Glassey, Cross, Dunsford, Turley, Sim, Hardacre, Dibley, Fitzgerald, Jackson, Drake, McDonnell, McDonald, Dawson, Browne, Daniels, W. Thorn, and Stewart.

Resolved in the affirmative.

The committal of the Bill was made an Order of the Day for to-morrow.

BRISBANE TRAFFIC ACT AMENDMENT BILL.

COUNCIL'S AMENDMENTS.

COMMITTEE.

The PREMIER said the amendments made by the Council in the Bill were three in number. In clause 2 the words "shall be" were omitted, and the word "are" was inserted. He proposed to agree to that amendment. In the 9th subsection of clause 6, after "conveyance," the words "for hire or reward" were inserted, He proposed to agree to that amendment with an amendment omitting "or reward," because the word hire was used throughout the clause. He also proposed to accept an amendment in clause 8 similar to that made in clause 2.

Amendment in clause 2 agreed to.

The PREMIER moved that the amendment in clause 6 be agreed to with the omission of the words "or reward."

Mr. TURLEY: While the Bill was passing through committee they were informed by the Home Secretary that the chief object of that subsection was to get at a number of persons who ran drays in the name of firms for which they were doing business. That had been a great trouble all along. A man who owned his horse and dray and used it as his means of livelihood had to take out a license. He had to go to the stand, and might get four or five jobs a day or he might get nothing at all. There were other men who owned perhaps half a dozen drays, and who did work for certain firms. If they got the firm's name on the drays, those drays were considered private vehicles and the owners escaped the license fee. The hon. member for Toowong mentioned a case where a man came to him and asked him to allow his firm's name to be painted on a dray so that he might evade the license. And now, at the bidding of gentlemen in another place, who happened to be directly interested in this particular matter, the Government coolly proposed to accept the Council's amendment. After all that had been said by the Home Secretary and others, those men, who earned far more money than the licensed draymen, were to be allowed to go scot-free. It might be said that the men to whom such drays belonged could be easily ascertained. That was not the case. It could not be always said that because a man took his horse and dray to his place at night, and put them up, they were his property. There were numbers of men in business in the city whose horses and drays were entrusted to their drivers at all times; the drivers took them to their homes at night, and brought them back again in the morning, perhaps owing to want of accommodation on the business man's premises. It was ridiculous, after all the protestations and professions of the Home Secretary, to go back on what the House had practically decided should be a part of the Bill. They had been informed that the Traffic Board was not able to get sufficient revenue to keep it out of debt, and this Bill proposed to give it more revenue by allowing it to tax a larger number of people, but now the Government said it was necessary to accept this amendment because it had been submitted by hon. members in another place who were directly interested.

The PREMIER: The Bill simply dealt with vehicles that plied for hire; those that did not ply for hire would not come under the Bill.

Mr. McMASTER: As the hon. member for South Brisbane said, there were a large number of vehicles plying for hire which paid no license at all, which was very unfair to men who went on the stand and who had to pay for regulating the whole traffic. The grievance was that the few were taxed for the benefit of the whole, and that would be the result of this amendment. If they left in the words "for hire," there would be a difficulty in ascertaining when those people were plying for hire who had the names of firms upon their drays. The licensees in Brisbane were willing to pay for regulating their own traffic, but they objected to pay for regulating traffic they had nothing to do with. The commissioners were supposed to regulate trams, bicycles, and buggies, and therefore it was unjust to curtail these means of obtaining revenue. If this were passed, they would have to increase their revenue by levying higher rates upon those who were already taxed. He hoped the Home Secretary would be able to fix those words so that they would get at those drays. He was not quite sure how it would read with those words left in, but he took it that if it could be proved that drays were plying for hire or reward the drivers would have to take out a license under clause 10; but he was afraid there would be great difficulty in proving that they were plying for hire or reward.

The HOME SECRETARY advised the Committee, in the interests of the Traffic Commission and the public generally, to accept the amendment. He had stated most emphatically that there was no desire to get at the retail men and the wholesale men who used their own drays for their own business purposes, but he thought the clause even as amended was sufficient to enable the commission to frame their by-laws so as to get at all persons plying for hire under the names of wholesale houses. The difficulty lay in the words "plying for hire." Vehicles plying for hire were supposed to ply from stands, and if they did not ply from stands the commission might not be able to get at them. When he was coming into town that morning he had been informed that certain drays, bearing the name of Perry Bros., belonged to a man living in the Valley. The commission could frame a by-law by which that owner would have to pay a license, as his dray was "ordinarily used, kept, or let for the conveyance of goods for hire." On that ground, he advised the Committee to accept the amendment. If the clause as amended would not allow the commission to get at the classes of vehicle he had mentioned, he would send the Bill back to the Council; but he did not want to risk the Bill, which was necessary to enable the commission to raise revenue in a variety of other ways.

Mr. TURLEY: What other ways are there?

The HOME SECRETARY: Clause 7 was the principal clause in the Bill, and it required the owners of vehicles to obtain licenses for every vehicle. The Bill had been brought in because previously an owner had only been compelled to take out a license for one vehicle. If the commission framed their by-law so that the onus of proof with regard to vehicles bearing the names of wholesale houses being *bonâ fide* the property of those firms, and being used solely by those firms, was thrown on the user, they would be able to get at them. If they returned the Bill to the Council, and they insisted on their amendment, of course the Assembly could insert a definition of the words "ordinarily used, kept, or let for the conveyance of goods for hire"; but he was satisfied that under the Bill as it was the commission could overcome the difficulty. If their by-law was declared *ultra vires*, he would be the first man to ask Parliament to give the commission extended powers. He did not want to lose the Bill, as there was a great deal of good in it. With the additional revenue the commission would get from the tramways and from the greater number of vehicles under this Bill, he believed they would be able to carry on without extra taxation on the licensees. The clause as amended by the Council would still

enable the commission to attain the object he had in view when he introduced the Bill; and he hoped the Committee would not think he was backing down when he asked them to accept the amendment.

Mr. TURLEY: The hon. gentleman said the object he had in view would be attained now that the clause had been emasculated by the Council. What the hon. gentleman said was the object of the clause on a previous occasion would be seen on page 1549 of *Hansard*. The amendment would put matters back into the position that caused all the trouble and necessitated the introduction of the Bill. The hon. gentleman said when the Bill was in committee that the people whose names were on the drays would always say the drays were their own, and asked who was going to prove to the contrary. Nobody could. A man with six drays known to be plying for hire would have to pay six licenses, while a firm owning ten drays with the names of the draymen painted on them would not have to pay anything. He protested against the amendment made in another place through interested motives, and would vote against it.

Mr. McMASTER thought the Committee might accept the Bill with its many defects, because the Home Secretary would have to bring down a Bill next session to amend it. He was present as a stranger at a meeting of the Transit Commission when a request was received for the regulation of the traffic at the market, where as many as 120 or 140 drays and carts could be seen, and instructions were given to have an officer sent there to regulate that traffic. Why should the 'busmen, cabmen, and a few draymen be asked to pay for that? He knew why the Bill was asked for, and if it was not passed the commission would find themselves with a great deal less revenue than they had at present. He paid a license for each of nineteen 'busses, and under the present law, if he chose, he need only pay one license. They knew that was due to a defect in the law, and they did not take advantage of it, but it ought to be remedied, because if the Transit Commission got their backs up at present there was nothing to prevent the 'busmen doing the same thing, and paying one license instead of ten or fifteen. If those gentlemen were determined not to pay a license for the regulation of the drays they used, they should either make them pay through the municipal council by having a precept, or they should have a wheel-tax under which all would have to pay their share, including those who used bicycles.

The HOME SECRETARY: He did not recede in the slightest degree from the position he had previously taken up. But the Council had evidently made up their minds that they would not allow a tax to be put on wholesale houses when it was not put on retail houses, and there was something in the contention. Since he had been driven into a corner by the Council he had given the matter more attention, and he had come to the conclusion that the Transit Commission could, if well advised, frame a by-law under the subsection as amended that would enable them to get at those men who were working their drays under the name of some firm. If, however, it was proved by a test case that they could not get at those men under that subsection, he would then come to Parliament and ask for further powers to be given to the commission. He had no motive in accepting the amendment except in the interest of the commission, and he hoped the member of the Transit Commission, who was in the House, would express his views as to whether it was advisable to accept the amendment or send the Bill back to the Council with the possibility of losing it.

Mr. DIBLEY hoped the Committee would agree to the amendment, as the commission would rather have that Bill than none at all. The idea of the commission was to get at both the wholesale and the retail houses, as they considered that they would be doing only what was right in protecting the men who paid license fees. The old traffic board considered that nothing but a wheel tax was the proper thing to regulate the traffic, and he was still of that opinion, and believed the time would come when such a tax would be imposed. With regard to the remark of the hon. member for Fortitude Valley concerning the regulation of the traffic at the market in North Brisbane, he might say that the commission had a man at the market.

Mr. GRIMES did not think the hon. member for South Brisbane was warranted in assuming that, because a man took home at night a dray bearing the name of a city merchant, there was collusion between him and the merchant to evade the payment of the license fee. He knew for a fact that a great many merchants allowed the drivers of their drays to take them home at night as a matter of convenience. There were very few merchants, he was convinced, who would try to evade the fee. If they did allow their horses and drays to convey goods for hire the clause would catch them.

Mr. TURLEY had never assumed that there was collusion between a merchant and his driver because he allowed him to take his horse and dray home. But it was beyond any doubt that there were numbers of drays with firms' names upon them which were known to belong to the drivers. The question, would people do that with the object of evading the fee? was completely answered by the Home Secretary's statement that in many cases the fee was being evaded. He would not divide the Committee on the question. The hon. member most interested was a member of the commission, and he had told them that the commission wanted the Bill, even if they took it as it stood.

Mr. BATTERSBY: In a business in which he was concerned he and his partner owned a number of drays, but they found it convenient to allow fourteen or fifteen of them to be kept away from the firm's premises. They paid a license for every one. It was a libel on almost any wholesale firm in Brisbane to say that they would be mean enough to allow their names to be put on another man's dray for the sake of saving 2s. 6d. or 5s. a year.

Question put and passed; and amendment, as amended, agreed to.

The remaining amendments of the Council were agreed to.

The House resumed; the CHAIRMAN reported that the Committee had agreed to one amendment with an amendment, and had agreed to the other amendments of the Council.

The report was adopted; and the Bill was ordered to be returned to the Legislative Council for their concurrence.

STATISTICAL RETURNS BILL.

COUNCIL'S AMENDMENTS.

COMMITTEE.

The HOME SECRETARY: It was pointed out when this Bill was going through that it was a badly drafted Bill, and he admitted it. It was copied from a Tasmanian Act; but the Council had now made practically a new Bill of it, although they had adhered to the principles of the old one. The object of the Bill was not contentious, but to enable the Registrar-General to obtain certain information, and he appreciated the efforts of those who had put it into a better shape. The new clauses proposed by the Council were practically redrafts, with the exception of one. The original clause 4 said that the Registrar-General might forward forms to such persons as he thought fit; but the new clause described in

detail the purposes for which they might be issued, and the next clause specified what was to be done, by whom it was to be done, and stated the penalties. The old clause 8 said that telegrams relating to statistics should be free, but that had already been provided for in another way. Then old clause 10 said that the certificate of the Registrar-General should be *primâ facie* evidence, but a new clause had been inserted altering the wording for the better; and another new clause provided that the defendant should prove the return of the form. An hon. member in the other House made two attempts to redraft the Bill, but the first was not successful, and the result of the second attempt was before them. As he did not think it was necessary to move the amendments separately, he would shortly move that the amendments of the Council in this Bill be agreed to.

Mr. TURLEY did not rise to take exception to the motion, but the hon. member had stated that the Government draftsman had drafted the Bill badly, and that a member of the Council had drafted it very well on his second attempt. He understood that most of this work was done outside the Government offices, and therefore it had to be paid for. It appeared that the Government had paid a man who had done the work badly, while the man who had done the work well had received nothing. He therefore suggested that when the hon. gentleman had another Bill to be drafted he should give the work to the man who had done the work gratuitously in the present instance.

Mr. BROWNE: After cursorily glancing through the amendments, he was of opinion that for once the Council had done something to justify its existence. When the Bill had been passing through the Assembly the Home Secretary had stated that he was having a "Year Book" prepared, and he would like to know when it would be published?

The HOME SECRETARY expected that it would be ready next week. It had been sent to the Government Printer about three weeks ago, and he (Mr. Tozer) had edited it, though it was a good long job, to see that there was nothing in it likely to be injurious to the colony.

Mr. JACKSON: Will hon. members get a copy?

The HOME SECRETARY: Certainly. He would distribute it as widely as possible, as it would be the first "Year Book" which Queensland had published.

Question put and passed.

The House resumed; the CHAIRMAN reported that the Committee had agreed to the amendments of the Council. The report was adopted, and the Bill was ordered to be returned to the Council with a message, intimating the concurrence of the Assembly in their amendments.

The House adjourned at a quarter past 11 o'clock.