

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 15 DECEMBER 1896

Electronic reproduction of original hardcopy

LEGISLATIVE ASSEMBLY.

TUESDAY, 15 DECEMBER, 1896.

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

THIRD READINGS

The following Bills were read a third time, passed, and ordered to be transmitted to the Council for their concurrence :—

Railways Act of 1888 Amendment Bill (No. 2);
Defence Act Amendment Bill;
Navigation Act Amendment Bill; and
Pearl-shell and Bêche-de-mer Fishery Act Amendment Bill.

WAYS AND MEANS.

RESUMPTION OF COMMITTEE. REVENUE FUND.

The TREASURER moved—

That towards making good the Supply granted for the service of the year 1896-97, a further sum not exceeding £1,478,165 be granted out of the consolidated revenue fund, exclusive of the moneys standing to the credit of the loan fund account.

They had already granted, in three separate Appropriation Bills, £750,000, and to make up the amount required on the Estimates passed this year they required the further sum mentioned, which would complete the Ways and Means for the present financial year.

Question put and passed.

TRUST AND SPECIAL FUNDS.

The TREASURER moved—

That towards making good the Supply granted for the service of the year 1896-97, a further sum not exceeding £37,844 15s. be granted from the trust and special funds.

The House had already granted, under two separate Appropriation Bills, a sum of £50,000 from trust and special funds and the balance required would make a total from those funds of £87,844 15s.

Question put and passed.

LOAN FUND.

The TREASURER moved—

That towards making good the Supply granted for the service of the year 1896-97, a further sum not exceeding £1,141,823 be granted from the moneys standing to the credit of the loan fund account.

The House had already, in three separate Appropriation Bills, granted £250,000. The total amount voted out of loan was £1,391,823, and the amount now asked for was the balance to complete that total sum.

Question put and passed.

SUPPLEMENTARY ESTIMATES.

On the motion of the TREASURER, resolutions dealing with the following supplementary grants were agreed to :—For 1895-6, £117,857 18s. from consolidated revenue; £12,936 4s. 1d. from trust and special funds; and £46,572 0s. 8d. from loan fund account.

The resolutions were ordered to be received to-morrow.

The House resumed; the CHAIRMAN reported the resolutions, and the Committee obtained leave to sit again to-morrow.

MACKAY HARBOUR BOARD BILL.

COMMITTEE.

Clause 1 to 7, inclusive, put and passed.

On clause 8—"Number of members constituting the board, and by whom appointed or elected"—

Mr. STEWART proposed to do away with the members elected by the payers of dues, because all the members should be elected by the ratepayers of the district which was served by the harbour, and who actually paid for its maintenance. The inclusion of those members seemed to be altogether out of the ordinary run of constitutional representation, as 90 per cent. of the payers of dues were merely agents, who collected dues from the general public and handed them over to the board. Very few were direct payers of dues, and they should not legislate for the few but for the great body of the people. He moved that the word "two," in line 19, be omitted with a view of inserting the word "four."

The TREASURER could not accept the amendment. He did not agree with the hon. member at all as to the position of the payers of dues. The proper place for the amendment would be in the next clause, which provided that the clerk of the board should prepare biennially an alphabetical list of those who had paid dues up to the 7th January preceding, or on whose behalf dues had been paid, amounting to £5 or upwards. If they were paid on behalf of another person, the person on whose behalf they were paid would be on the roll, and not the person who paid. Looking at the peculiar circumstances of Mackay, it would be better if the ratepayers had as little to do with the matter as possible.

Mr. CHATAWAY: The hon. member for Rockhampton North was under some misapprehension as to the circumstances of the case when he argued that the payers of dues merely handed them on to the consumer. He had figures which showed that up to 31st May last the harbour dues collected amounted to about £11,000, of which £7,800 was paid upon the export of sugar alone, and could not be handed on under any circumstances to the consumer. If those who paid the dues were to have the control of the harbour it would give a few sugar-growers an overwhelming preponderance in the conduct of the board, which was not desirable.

Mr. STEWART: The arguments of the hon. member for Mackay and the Treasurer did not alter his position in the least, because the sugar industry could not be carried on without the assistance of the people who lived there. There were two constituents in industrial enterprise—capital and labour—and they had to consider both; but the two hon. members who had spoken only considered one, and imagined that the industry could be carried on without labour. Every farmer in the district and every man employed by that farmer was interested in the maintenance of the harbour, and should have some voice in its management.

The TREASURER: The same remark applied in the case of every local board—that the representation should not be confined to ratepayers but should be extended to the general population, who had all to contribute indirectly. The farmers the hon. members spoke of were included under the next clause, as they were all in the division of Pioneer. Of course all the people in the community were connected with one another, but as the contribution of each individual would be infinitesimal it was only proposed to give voting power to the payers of dues, who had to contri-

bute directly. The Bill was a copy of the other Harbour Board Acts which had been passed, and hitherto there had been no objection to the principle.

Mr. DUNSFORD: What was proposed was to give to certain individuals the power to bring either retrogression or progress to the Mackay district, and such a power should not be taken out of the hands of the residents in the district. At present they had no practical means of giving the general body of residents a voice in the management of the harbour, but the nearest they could get to that was to give the power to the ratepayers, who, at any rate in some degree, voiced the opinions of the people in the district. That would be safer than giving a monopoly to those persons who represented the great capitalistic interest. On the basis of the Bill the payers of dues would represent more votes than one each. An agent might have three votes, although he represented an absentee sugar company. He would certainly support the amendment.

Amendment put and negatived.

Clause 8 put and passed.

Clauses 9 and 10 put and passed.

On clause 11—"Scale of votes to be given at elections"—

Mr. DRAKE had an amendment to propose in the direction of reducing the voting qualification. According to the Customs returns to 31st December, 1895, the payers of dues of over £1 and under £5 was 51; over £5 and under £50, 25; over £50 and under £100, 6; and over £100, 12. With the voting qualification fixed at £5 the result would be that there would be 43 voters, who would exercise 73 votes; but if the qualification was reduced to £1, the number of persons entitled to vote would be 94, who would have 124 votes. The matter had been discussed by the people of Mackay, and the general feeling was strongly in favour of adopting the lower qualification. He believed the matter had also been discussed by the divisional board, and that five members had voted for the lower qualification while three were in favour of the higher qualification. Hon. members would remember that the payers of dues were only to elect four members out of nine, so that the reduction of qualification would only affect those who returned those four members. On general principles, and also with a view to carrying out the wishes of the people of Mackay, he hoped that the amendment he was about to propose would be accepted. He moved the omission of the words "five pounds" with a view to inserting the words "one pound."

The TREASURER: This was an amendment exactly in the contrary direction to that which was proposed by the hon. member for Rockhampton North. The amendment would give the payers of dues a preponderance as compared with the ratepayers. His information from Mackay was of a later date than that of the hon. member for Enoggera. There had been a proposal there to amend the Bill in the direction proposed by the hon. member, but a compromise had been arrived at and it was now considered that the provision in the Bill as it stood was the best scheme to adopt. The provision was exactly the same as in the other Harbour Bills they had passed. No doubt the hon. members for Mackay would be able to give the Committee some further information on the subject.

Mr. CHATAWAY was indifferent whether the amount was reduced to £1 or remained at £5. The harbour board of advice at Mackay, which had taken a very deep interest in the question, had suggested various amendments to the Treasurer, amongst others that the qualification should be reduced from £5 to £1; at the same

time they had sent him a letter dated 30th October, in which it was said that it was unanimously carried that if the suggestions did not meet with the approval of the Treasurer they would be withdrawn. That was the opinion of the town. The opinion of the country, as derived from the Pioneer River Farmers' Association, was to be found in a letter addressed to him after they had held a meeting attended by delegates from thirteen branches. They said that £5 should be the lowest amount which should entitle payers of dues to a vote, and that the maximum number of votes should be five. So that the feeling was not at all general as to the advisableness of reducing the qualification. He did not wish to imperil the passage of the Bill by agreeing to the amendment. In fact, he had been instructed by the local authorities to do all he could to get it through the House.

Mr. DRAKE hoped there would be nothing like a threat held over them that amendments moved might imperil the passage of the Bill. The amendment was a mere detail, and he could not understand the suggestion that it would imperil the passage of the Bill.

The SECRETARY FOR PUBLIC INSTRUCTION failed to see why there should be any alteration made in the character of the Bill, seeing that Bills of exactly a similar character had been passed for Rockhampton and Bundaberg. He thought it was scarcely worth while making any alteration, seeing that it was doubtful whether the opinion was unanimous as to the desirableness of making the alteration proposed.

Mr. GROOM: It was quite possible that the Bill was the same as the Rockhampton and Bundaberg Bills, but the circumstances were different in different towns. His information was that there was a strong opinion in favour of the amendment of the hon. member for Enoggera. It did seem rather peculiar that two members of the board should be elected by the ratepayers of the municipality. Any person who paid 10s. would be entitled to a vote, but in the case of the payers of rates under the Pioneer Divisional Board the payment of rates to the extent of 2s. 6d. would entitle a person to a vote. In the face of that the voting qualification for the payers of dues was fixed at £5. That seemed rather an anomaly. If the franchise was widened the public would have a wider choice of representatives, and that appeared to be the real object in view.

Mr. ARMSTRONG could not quite see why the ratepayers should be given a preponderance of voting power. In view of the difference of opinion at Mackay he could not support the amendment, although on the face of it it might appear more liberal to reduce the qualification.

Mr. STEWART would support the amendment, although the Treasurer seemed to think it was a contradiction of the amendment previously proposed. Every ratepayer in the municipality of Mackay and in the division of Pioneer would have a vote, and, in addition to that, any ratepayer who was a payer of dues to the amount of £5 would have another vote in the election of members representing the payers of dues. A man who paid dues to the amount of £1 was just as much interested in the welfare of the harbour as a man who paid £5, and was equally entitled to a vote. He was opposed to the proposal in the clause, because he had witnessed how the Act under which the Rockhampton Harbour Board was constituted had worked. In Rockhampton the complete control of the harbour board had fallen into the hands of a few men; and had he been a member of the House when that measure was passed, he should certainly have opposed it, as he would oppose any Bill framed on similar lines. It was unjust to the people of a district that the control of an

avenue through which their commerce must pass should be in the hands of a few men, as every resident, whether he paid £100 or 1d. in dues, was interested in the maintenance of the harbour.

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

AYES, 26.

Sir H. M. Nelson, Messrs. Philp, Foxton, Tozer, Dalrymple, Smith, G. Thorn, Dickson, Callan, Fraser, Bell, Macdonald-Paterson, Stephenson, Chataway, Story, McGahan, Stodart, O'Connell, Corfield, Grimes, Bridges, Armstrong, McMaster, Finney, Hamilton, and Crombie.

NOES, 16.

Messrs. Glassey, McDonnell, Cross, Keogh, Turley, Dunsford, Sim, Hardacre, Daniels, Drake, Fitzgerald, Groom, Dawson, Jackson, Browne, and Stewart.

Resolved in the affirmative; and clause put and passed.

Clauses 12 to 25, inclusive, put and passed.

On clause 26—"Moneys to be borrowed from consolidated revenue"—

Mr. GLASSEY supposed the dues collected by the board would be the security upon which the Government loan would be advanced?

The TREASURER: Yes. If the hon. member would read the clause he would see that the loan would be advanced on the security of the revenue of the board, whatever it might be and from whatever source it might be derived.

Mr. GLASSEY pointed out that the revenue of the board might be fluctuating, and the security for a loan might thus become very much depreciated.

The SECRETARY FOR PUBLIC INSTRUCTION: That is equally true of all harbour boards—the Bundaberg board, for instance.

Mr. GLASSEY admitted that, but he had not raised the question merely because he took exception to the clause in the case of the Mackay Harbour Board, but because he thought such a matter should receive attention.

Clause put and passed.

Clause 27 put and passed.

On clause 28—"Board may take overdraft"—

Mr. DUNSFORD suggested that some provision might be made by which local bodies might be permitted to obtain overdrafts through the savings bank, as they had no State bank for the purpose, so that they might avoid having to pay 7 and 8 per cent. to private banking institutions. He was not going to move any amendment, as he supposed there was no means at present by which the savings bank funds could be used for that purpose, but he brought the matter up so that the attention of Ministers might be directed to it. Money could be borrowed more cheaply by the Government than by any private individual or institution, and it was to the Government the local authorities should be able to look for overdrafts when they were necessary.

The TREASURER: The hon. member's suggestion might be a good one or a bad one, but it could not be introduced into this Bill. It would require entirely separate legislation to give it effect. Government loans to local bodies were now in many cases made out of savings bank moneys, and the hon. member's object was to that extent at present being accomplished, but with this difference: That at present the security for the savings bank depositors was the whole of the consolidated revenue of the colony, and the hon. member's suggestion would destroy that security. If they once began to lend savings bank moneys to local authorities direct, the savings bank depositors would have to take the risk of loss, and at present they had no risk of loss whatever. They could not lose their money now unless the colony as a whole went to the bad. If they were to go further and advance those moneys to private individuals—

Mr. DUNSFORD: I favour that.

The TREASURER: That would be worse, because they would then have to take innumerable risks; and the manager of the savings bank under such a system would be just as liable to make mistakes as the manager of the Queensland National Bank, with possibly the same result. It was better to leave well alone, and in any case they could not discuss the question on this Bill.

Mr. DUNSFORD admitted that with the present machinery of the savings bank what he suggested could not be done, but his idea was that the savings bank might be extended to cover the lending of money to local authorities, which were really State bodies. Personally, he would be in favour of lending the money to private producers, but that was outside the Bill. Here they had a special clause in a Bill inviting local bodies to borrow money from private institutions at usurious interest, and that was a thing which ought not to be countenanced by the State.

Clause put and passed.

The remaining clauses, the schedules, and the preamble were put and passed.

The House resumed; the CHAIRMAN reported the Bill without amendment, and the third reading was made an Order of the Day for to-morrow.

BRISBANE MUNICIPAL LOAN BILL.

SECOND READING.

The TREASURER: When local authorities as a rule require to borrow money we have an Act which provides that after obtaining the permission of the ratepayers they shall come to the Governor in Council to ask for the loan, and if it is approved, the money is lent upon certain conditions provided in the Act. That system has been in force ever since the colony was established, except in regard to the municipality of North Brisbane. Five or six years ago the rule that all local authorities' debts should be included in the general debt of the colony was departed from, and an Act of Parliament was passed authorising that particular municipality to borrow in the open market upon its own account. That municipality cannot now come to the Government for a loan for the simple reason that they have already mortgaged their revenue to other parties, and, therefore, cannot come under the Loans to Local Authorities Act; and they have now arrived at that state of affairs when it has become necessary, in their opinion, to borrow more money.

Mr. GLASSEY: How much have they borrowed already?

The TREASURER: £225,000, out of which they repaid to the Treasury all that they previously borrowed, so that they owe the Treasury nothing. The municipality now desire to go on with certain important works such as wood-block paving Queen street from Victoria Bridge to Ann street; wood-block paving Wickham street from Ann street to Brunswick street; wood-block paving George street from Queen street to Roma street; tar metalling all streets abutting on Queen street for a distance of five chains from their intersection with Queen street; the construction of stone and cement-concrete street water-channels, and the enlargement and covering of open drains. All these works are specified in the schedule, and it is reckoned that on their account it will be necessary to borrow the sum of £80,000. Seeing that they cannot come to the Treasurer for further loans, it becomes necessary for the House to decide whether this municipality shall be authorised to borrow more money or not. They are in a different position from other municipalities, although some desire to have this privilege extended to them. Some people may consider it

a privilege, although I do not consider it so myself, because I think they are far better in the hands of the Treasurer than in the hands of private lenders. Moreover, there is one great defect with regard to the North Brisbane municipal loan, and that is that it does not provide for a sinking fund, whereas in connection with all the loans advanced by the Treasury it is provided that they shall be repaid in a certain specified number of years. Of course there is nothing to prevent the municipal council of North Brisbane from arranging for a sinking fund of its own, but that has not been done up to the present. That is all I have to say with regard to this Bill, and I move that it be now read a second time.

Mr. GLASSEY: I am not going to find fault with anyone with respect to the delay which has taken place in connection with going on with this Bill, but it has been in the hands of hon. members for a considerable time, and there have been many inquiries as to the cause of the delay. Judging from the report in this morning's paper of the meeting of the municipal council yesterday, this is a matter of great importance; and if there has been no insuperable difficulty in the way of the municipal council obtaining authority to obtain the money asked for, it is a pity that the Bill has not become law before now. The amount mentioned seems very large, especially as the Treasurer has informed us that the municipal council has already borrowed £225,000; but I have no doubt the gentlemen who are connected with the municipality have gone very carefully into the question and are thoroughly satisfied that the municipality has not come to the end of its borrowing powers. I entirely agree with the remarks of the Treasurer in regard to local authorities borrowing for themselves. It is much safer for them to borrow from the Treasury. It is a great pity that the Government are not in a position to lend money to local authorities at a lower rate of interest than they have hitherto done. Considering that money is very plentiful in the old country, and that it can be obtained at a low rate of interest on good security, it is to be regretted that the Government do not borrow at 3 per cent. and lend to the local authorities at 4 per cent.—which is the rate mentioned in this Bill—thereby doing away with the necessity of this local authority going on to the money market and borrowing for itself. The rate fixed in the Bill is 4 per cent., but, as I said in connection with the Loan Bill, it is a mistake to specify a higher rate than there is a possibility of getting money for. If the security of the municipal council is good—and those connected with the municipality consider it good—there is no reason why the money cannot be borrowed for 3½ per cent. While I should prefer to see the Government borrow at 3 per cent. and lend to the local authorities, say, at 4 per cent., I do not intend to offer any opposition to the Bill, believing that it is necessary that it should become law at the earliest possible date, in order to allow the municipal council to get on with the projected works.

The HOME SECRETARY: The fact that this Bill has been brought in by the Treasurer instead of by myself—as the Home Secretary is chargeable with the administration of the local government laws—is the best evidence that this is an exception to the general rule. It may be necessary for me to explain why an exception has been made in the case of the municipal council of North Brisbane, so that other local authorities may not consider themselves unfairly or ungenerously treated. The Local Government Act gives local authorities certain borrowing rights—they are allowed to borrow up to a certain amount from the Treasury. When the crisis came in 1893, this corporation was

indebted to the Australian Joint Stock Bank to the extent of £60,000 or £70,000. The bank at that time was in trouble; they wanted this money, and went to the municipal council and said, "Will you pay us this money?" The local authority, not having the means at their command, immediately came to the Government, as they had a right to do, and the Government promised to obtain from Parliament the necessary authority for the council to borrow. At that time the Premier, Sir Thomas Mellwraith, admitted that this bound Parliament to the creation of a different system of borrowing to that which was provided by the Local Government Act, but I did not then enter into that question. I was then, and am still, totally opposed to the idea of municipalities borrowing privately. I believe in them borrowing from the Government, and in a provision for a sinking fund. When this Bill goes through, the persons who lend the money will have to remember that they will only get the same security as those who come after. There is no first mortgage in favour of the first lender. In my opinion the system of not having a sinking fund would be an unwise one to adopt in regard to local governing bodies generally, and I would not bring forward a Bill from my department on general rules in this form. But it was not in the power of the Government at the time I speak of to deal with this local authority, and they were given powers outside of the Local Government Act. The question was asked at the time whether this local authority would in future be able to go to the Government, and the Treasurer said "No; from this moment it will always have to go to private individuals." It was pointed out then that the requirements of the city would necessitate its going in for further borrowing in the same direction, and the council now ask under this Bill for further powers in the same direction as those which were given formerly. It is its business now to finance for itself, we having put it outside of the Local Government Act. The powers asked for are reasonable, and the ratepayers are protected under clause 7. I rise merely now to point out that there are special circumstances connected with this case which deserves exceptional treatment. All other local authorities have power to borrow from the Government for their reasonable requirements, and they must not expect, because this Bill is put through, that it in any way means that their interests will be neglected. Parliament can see under this Bill whether the works proposed to be carried out are for the general good. I think the council are very good judges of their own requirements, and if they are not the ratepayers will be. That being so I am satisfied that the House should pass the Bill at once.

Mr. MACDONALD-PATERSON: I am very glad to hear what has fallen from the Home Secretary, because it clears away certain cobwebs of municipal finance which have been hanging round this matter. There is no doubt that the Brisbane Municipal Council have been put upon the track of solitary finance, and they must travel on that track for some time. In view of the fact that the city engineer reports that the council by borrowing this money will save a future expenditure of £12,000 or £14,000 we are justified in passing the Bill. It will enable them to start work in their streets, conjointly with the Electric Tramway Company, and that, in fact, is the real object to be gained. Someone suggested to me to-day that the council might cut out all other works except the wood paving in view of the consolidation of municipal debts as mentioned by the hon. member for Bundaberg. I certainly think it is desirable that municipal borrowing should be brought under Government supervision and assent. I think it is an enormous

advantage to Queensland that the whole indebtedness of the country to the outside lender has been presented, as it has been on two important occasions in the past by Sir James Garrick, in the shape of the indebtedness per head of the population, inclusive of the debts of local governing bodies. I hope the time is not far distant when such a measure will be passed by the legislature as will enable the Government to absorb the solitary indebtedness of the city of Brisbane into the general indebtedness. The crux of the position now is: Shall we pass this Bill to enable the city council to carry on their work at the same time as the electric car company, or not? I am informed by the engineer of the city and by the mayor that the company is waiting for the corporation in order that they may begin their work. If this Bill does not pass, and the people do not assent to the proposition to borrow money, there will be a loss of something like £10,000 or £14,000 to the municipality. From a conversation I have had with the city engineer I can quite understand that it would be a very expensive matter to alter the grades in future. I need not enter into the details, but I sincerely hope that in the interests of the city, apart altogether from the question as to whether the corporation should borrow direct from the outside public or from the Government, no opposition will be offered to this Bill. I am not now speaking as member for North Brisbane; I am speaking in the interest of all the municipalities in the colony, when I say that this is a special case, and that the council have a right to expect consideration at this juncture. If it be intended by the legislature to abolish the system of the corporation borrowing direct from the lender instead of through the Government, this is not the point at which we should stop. It is desirable that we should put this measure through, and not hinder the corporation in a work that will be of the highest benefit to the city, and avoid the enormous expense that will ensue by delay.

The Hon. G. THORN: I hope the members for the city of Brisbane will not think I am intruding my ideas in offering opposition to the Bill, although that opposition may be useless, seeing that members have made up their minds that the Bill is to pass. I think it should not pass, and for many reasons, one of which is that in my opinion we should wait until the Government bring in a comprehensive Local Government Bill next session. Another objection I have to it is that a measure of this importance should not have been left to this late period of the session. I oppose the Bill in the interest of the ratepayers of the city of Brisbane. The ratepayers of the city are saddled with very heavy rates, and that is one of the causes of the depreciation in the value of city properties. During the last two or three years property in Queen and Roma streets has gone down 50 per cent. Rents have also fallen 50 per cent., and in some cases they have gone down more than one-half. And we know very well that if federation takes place on the lines suggested by some of the greatest draftsmen we have had in this House, property in the city will be worth nothing; Brisbane will be practically wiped out. I could understand a Bill like this being brought forward if Brisbane had a population of 400,000 or 500,000, but there are not more than 80,000 or 90,000 people in the city and its vicinity, and stone-paving and stone-curbings are quite sufficient for all present requirements. I certainly have heard no complaints on the subject, and while I consider that the corporation have done wonders with the rates at their disposal, I think we should let well alone. If any member calls for a division, I shall certainly vote against the second reading of the Bill.

The Hon. J. R. DICKSON: I think it would be a disadvantage and a misfortune to the municipal council of Brisbane if this Bill were delayed. It certainly might have been proceeded with earlier in the session. That is the only part of the speech of the hon. member for Fassifern that I entirely agree with, but "it is better late than never"; and a very serious injury will be inflicted upon the corporation of Brisbane if this Bill is not proceeded with this session, because, as I understand, they have entered into certain obligations, and without means to obtain financial assistance they will be put to very serious inconvenience, and possibly considerable financial loss. A very large question is opened up in this discussion as to whether it is desirable that local authorities should borrow independently or through the Government. I do not think the time at our disposal this evening is sufficient to weigh all the pros and cons on the subject, for there is a great deal to be said on both sides. I know that when I was in London in 1891 there was a very strong feeling among financial men there that the metropolitan communities in Australia should issue loans independently of the Government, as they would then get their money at a very much lower rate than they were paying the Government. There is no doubt that that was so, for no Government would at that time lend money to local authorities under 5 per cent., whereas if they had gone to the open market, even before the great decrease in the value of money, loans on undoubted security, such as the city of Brisbane can furnish, could have been obtained at 4 per cent. That was a very strong reason why local authorities should borrow on their own account. Still the Government must seriously consider, if they are to be sponsors for all municipalities in this matter, whether they will not lend them money at the lower rate than is contemplated by the Local Works Loans Act. I do not think it is fair that local authorities who have a great many important works to perform, and who relieve the Central Government by looking after roads and other matters, should have to pay more for their money than the Government pay. I believe that there are advantages in the State controlling the borrowing powers of municipalities, at it tends to act as a salutary check upon the local authorities. When money is easily obtained—and the time has been and will come again when money will be thrust upon borrowers, especially local authorities—it is wise to prevent them borrowing too rapidly or unwisely. I expect that question will come up for consideration when we are dealing with local government legislation next session, and I shall reserve my opinion upon that wide question until then. I think the Brisbane council are wise in entering upon the works proposed to be performed under this Bill, because in the true sense of the word there is not a single street in the city of Brisbane. They are all macadamised roads—no more; and we are in this matter far behind the principal cities of the other colonies. If we are to maintain the character of the city of Brisbane as one of the leading cities of Australia, an attempt must be made by the council to keep abreast of modern improvements. I do not utter these words as a reproach to our local authorities, who have done remarkably well, but there is still a great deal for them to do, and there will be for all time if they are to keep abreast of the improvements going on elsewhere. I shall give my vote heartily for the second reading of the Bill.

Mr. KEOGH: I do not rise with any intention of opposing the Bill, but it should have been sufficiently comprehensive to take in other local authorities as well as Brisbane. I believe South Brisbane, Townsville, and other local

authorities are desirous of floating loans, and they should have been included in this Bill. I do not agree with the hon. member for Fassifern. I point out to him that even though we pass this Bill it is still within the option of the ratepayers to say whether this money shall be borrowed or not.

Mr. GROOM: I shall support the second reading of this Bill with the greatest readiness, as I believe it to be a step in the right direction. The Brisbane council are doing exactly what the great municipalities in England are doing. Why should they not go further? Why, for example, should not the Brisbane Municipal Council come down and ask Parliament to enable them to borrow a sum of money to enable them to buy up the monopolies of Brisbane? Take the gas company, for instance. Why should not that be municipalised, and the profits, after paying interest, devoted to a reduction of the charges upon consumers and the provision of a sinking fund to pay off the money borrowed for the purpose? I would recommend everyone connected with local authorities to read a volume I recently purchased—"How Municipalities are Worked"—to see what municipalities in England are doing. Hon. members will find noted the reforms introduced by Mr. Chamberlain in Birmingham, converting the local water and gas works into municipal works, with the result of lower prices to the consumers and an enormous profit, which every year is devoted to a sinking fund to pay the debt incurred for their municipalisation. Sir T. McIlwraith was in favour of allowing local bodies to go outside the Government to borrow money, and he tried in 1876 to carry an amendment to that effect in the Local Government Act then passed. I was one of those who supported the hon. gentleman then, and I still hold the same views on this subject. If municipalities can by going outside borrow money for public works at a cheaper rate than they can by borrowing from the Government, they should have the power to do so. I agree that there should be some safeguard to protect the public that they may not go to extremes in borrowing, but it must be remembered that the ratepayers will always exercise a controlling influence. The ratepayers have not yet agreed to borrow the money provided for under this Bill, and before the Brisbane council can enter upon any part of this loan the consent of the ratepayers will have to be obtained. If they are not satisfied that they can afford to pay for borrowing this money, they will not vote for the loan; and if they consider the works to be provided for are necessary, they will no doubt vote for the loan with the greatest readiness. I am under no apprehension that municipalities are exceeding their borrowing powers. A great many are exercising caution, and they have been by no means extravagant in borrowing for public works. I do not think the Brisbane council can be said to borrow money for the sake of borrowing, as anyone going through Queen street on a windy day and noticing the clouds of dust there must admit that the paving of that street is necessary to promote the public health and to conform to modern improvements in street formation. In giving the Bill my strongest support, I am only carrying out the policy I advocated in 1876. I hope that when the Local Government Bill comes on next session the hon. member for Rosewood will assist to give local authorities extended powers of borrowing for public works, that they may have an opportunity of doing what is being done in England in securing municipal monopolies for the benefit of the ratepayers. Upon the broad principle that Brisbane needs improvement, and the money can be obtained from exterior sources at a cheaper rate, I think it is desirable to pass this Bill.

Mr. McMASTER: I intend to support the second reading of this Bill. It has been asked by some hon. members why this Bill was not brought in earlier in the session, and some busy-bodies outside think I had something to do with it; but as a matter of fact the mayor of Brisbane had the guidance of the matter, and was in frequent communication with the Treasurer. I have spoken to Ministers often in regard to the Bill, and it was always my desire to get it brought forward as soon as possible, so that it should not be slaughtered with the innocents. I understood the Home Secretary to say that when the council commenced to borrow outside it was in difficulties, and as I should not like it to go abroad that the council was ever in financial difficulties, I may explain that the bank with which we dealt closed its doors. We went to another bank, and within a month it also closed its doors, and then the question arose, What was the next best thing to do? We went to another bank, but we could not expect it to take up the overdraft we left in the banks which closed their doors, and which might demand payment from the municipality. We were quite prepared to pay as our rates came in, but if our revenue were devoted to paying off overdrafts we would have had to put a lot of men out of employment for a time, and we wished to make arrangements which would avoid that. The council was called together, and it was suggested that we should borrow £60,000, which would clear us from the banks, and I went to the then Treasurer, who asked me why we did not borrow an amount which would cover all we owed, so that we would have one creditor only. I must admit that I had previously opposed borrowing outside the Government, and I still hold the opinion that, all things being equal, I would prefer all local authorities to borrow from the Government, notwithstanding what has been said by the hon. member for Bulimba. At that time we had either to borrow outside or dismiss our men, and we thought it better to apply to the Government to be allowed to borrow outside, unless the Government could lend us the money, which the then Treasurer was not prepared to do at that time. We therefore came to Parliament and obtained leave to borrow £225,000, with which money we wiped out the debt to the Government and to the bank, so that the council was never in financial difficulties. The hon. member for North Brisbane said it was suggested by some person that part of the schedule of works might be cut off.

Mr. MACDONALD-PATERSON: I did not approve of it.

Mr. McMASTER: I think I could put my finger upon the person who suggested it. The hon. member for Bulimba said we ought to have gone on with this paving many years ago, and that we are very far behind; but I think the hon. member upon second thoughts will come to the conclusion that we have lost nothing by waiting. When the wood pavement was first laid down in Sydney any person who had false teeth had to keep his jaws very close or they would be shaken out, and the pavement had to be taken up. Their experiments have extended over fifteen years. When they first laid it the blocks were half an inch apart with concrete between, but the friction between the wheels and the blocks caused the edges to wear away and they were taken up and laid close together, which had been found to be a great improvement. I think Brisbane will have gained nothing by not being in too great a hurry in carrying out these alterations. A good deal of capital has been made in another place about my suggesting that the ratepayers should be consulted before this Bill was brought before Parliament. Technically, I dare say Parliament is perfectly justified in granting permis-

sion to the council, who can go to the ratepayers after Parliament has passed the Bill. When the Bill was under discussion in 1893, Mr. Morgan raised the question whether the ratepayers had given their consent. On that occasion it was not necessary to get that consent, because it had been previously obtained before the various loans had been got from the Treasury, and when the question was raised the then Premier, Sir T. McIlwraith, said—

"They had that veto at present. When the council wanted to borrow more, they would have to comply with all the requirements of the Local Government Act, and obtain the consent of the ratepayers, and after that they would have to obtain the consent of Parliament."

The same view was taken by other people. I suggested to the council the desirability of getting the consent of the ratepayers before the Bill was introduced. However, I am very glad the Bill has met with such approval, and that it will have no difficulty in passing. I presume the Government know why they did not bring the Bill forward before.

Mr. GLASSEY: I doubt you have been blocking the way.

Mr. McMASTER: I have been accused of using my influence with the Government to block it; but not a solitary Minister can say that I ever spoke against this Bill to him. On the contrary, when I have spoken to them on the subject I have told them that the Bill would have my hearty support, and I am now going to give it that support.

Mr. FINNEY: At present the municipality of Brisbane is limited to borrowing when Parliament allows it to do so, and the council and the people of Brisbane now ask for permission to borrow more money to lay wood paving in the main streets of the city. At first, of course, the cost will be great, but in the end there will be a very large saving to the city. This is a critical time for the council, because the tramway company will be relaying its roadway, and if the paving of the streets by the council has to be postponed, it will involve the council in a future loss of £10,000. If the Bill is passed, the council will look well after the interests of the ratepayers, and as the ratepayers have to give their sanction before the money can be used they may be trusted to look after themselves. The hon. member for Fassifern objects to this power to borrow being granted, because the money will be spent to the detriment of the city, but it will be spent in such a way as to do a great deal of good to the city, besides which it will save a great deal of money. If the Bill is not passed the hands of the council are tied. They cannot borrow from the Government, as they have been made independent of the Government, except that the Government still exercises a fatherly protection over them to see that they do not borrow too much. I do not see that we have anything to do with other municipalities. We simply want the Bill passed to enable us to get on with important works which have been decided on, and which the ratepayers will have to agree to before the money can be spent.

Mr. FRASER: The present position was forced on the council in 1893. At that time we did not want to borrow money outside the Government, but we were called upon to pay off our debt to the bank. The Treasurer of the day suggested that we should issue debentures, not only to pay off our liability to the bank, but to pay off our debt to the Government as well. We did so, and we are now in that position that we do not want to go "cap in hand" to the Government. Our credit is good. The hon. member for Toowong spoke of the ratepayers looking after the affair, but I am sure that our

present debenture-holders will see that we do not go too far. The ratepayers are only a secondary consideration. In bringing this Bill forward the object of the council is to save money. If the Bill is not passed and the tramway company put down their rails, even if we get this power in two or three years, and proceed to lay wood-paving, we shall have to lift and relay the whole of the roadway put down by the Tramway Company. It has been said that it will cost us £10,000, but I am sure it will cost over £20,000. I only wish that the Bill should be allowed to pass as speedily as possible, and that it will be passed unanimously.

Mr. TURLEY: I recognise that it was necessary to give some consideration to the Brisbane Municipal Council in 1893, but during the past few months we have been led to believe that it was the policy of the Government to treat other municipalities in the same manner. I do not know why the policy should have been altered. In the *Townsville Bulletin* of last month appears the following paragraph:—

"The mayor, Alderman P. F. Hanran, has received an urgent telegram from the Hon. R. Philp, asking that application should be made to the Treasurer under the seal of the council for power to borrow £100,000. His worship replied at once that the formal application would be forwarded by first post, and later on during the day a letter was addressed to the Treasurer requesting permission to borrow on debentures £100,000 for the following purposes:—Erecting shops and offices on the market reserve, £28,000; discharging the liability of the council on general and water loans to the extent of £60,000; discharging the liability to the Bank of North Queensland in respect of overdraft, £8,000; duplicating machinery at the pumping station and extension of water mains, £8,000."

It seems to me that the same facilities should be given to other local authorities as to the Brisbane council. I know that the South Brisbane council has made application to the Government for power to borrow, but what the reply has been I do not know. I have no objection to the passage of this Bill, but as pointed out by the senior member for Fortitude Valley it would have given more satisfaction if the opinion of the ratepayers had been taken before the introduction of the Bill. If often happens that agitations are got up for the borrowing of money and the necessary authority is obtained, but the ratepayers would revoke the authority in a few months if they had the opportunity. That is a very good reason why the ratepayers should be consulted before application is made to Parliament. I certainly think that when other municipalities are as much in need of assistance as the Brisbane council they should be treated with the same amount of consideration by the Government.

Mr. DUNSFORD: It may seem like "cheek" on my part to criticise the actions of the city fathers of Brisbane, but I certainly think this Bill will be so much waste paper. I believe that after attention has been drawn to what has been said during this debate, the ratepayers will object to the council borrowing £80,000 to expend upon works which are unproductive and not interest-earning; to expend upon works which may be swept away by the next flood. If it was proposed to borrow money for unproductive public works there would be a perfect howl of indignation.

The HOME SECRETARY: Charters Towers has borrowed £10,000 for roads.

Mr. DUNSFORD: That was to wipe off an overdraft and save money. At all events, even if Charters Towers has done an unwise thing, that is no reason why the Brisbane Municipal Council, with its eyes open, should do the same thing. This £80,000 loan involves an annual interest bill of £3,200, and all that extra amount will have to come out of the rates. When the

attention of the ratepayers is drawn to the fact that they will have to find that large extra sum in interest every year, I venture to say they will pause before giving consent to this new loan.

Question—That the Bill be now read a second time—put and passed; and the committal of the Bill made an Order of the Day for to-morrow.

ELECTRIC LIGHT AND POWER BILL. COMMITTEE.

Clauses 1 and 2 put and passed.

On clause 3—"Interpretation of terms"—

Mr. GLASSEY was disappointed that at the present stage of the session, and after what had been said by members on both sides on the second reading of the Bill, that they should now be asked to pass it through committee, consisting as it did of sixty-four clauses and a schedule, and knowing as they did that there was not the slightest chance of its going through the Council.

The HOME SECRETARY: It has come from there.

Mr. GLASSEY: There was not the slightest chance of the Bill getting through. Hon. members had assisted to get what were considered urgent measures through in a way which was hardly creditable to the Assembly, which should consider measures calmly and deliberately. It was not fair now to ask them to pass a Bill of that magnitude through committee, and he asked hon. members on both side to express themselves freely on the point.

The HOME SECRETARY: What is your great objection?

Mr. GLASSEY: The objection was that there was a great difference of opinion concerning the Bill; it proposed a new departure so far as the question of lighting was concerned, and deserved fuller consideration than they could possibly give it now. He protested against it, but if hon. members were prepared to pass important Bills in that way he could not help it.

The HOME SECRETARY hoped hon. members would assist him in getting the Bill through. He had thought that the congestion of business would be so great that he would be unable to go on with the Bill in committee, but he had never said he would not go on with it. Circumstances had come to his knowledge since which showed the absolute necessity of passing the Bill if the electric tramways were to start in Brisbane before the next meeting of Parliament. Besides that there were places like Croydon that were really asking for the powers given under the Bill. The Bill was based upon the best electric lighting Bills they could procure from the other colonies, and was introduced in the Council, where it was referred to a select committee, and a great deal of valuable information was obtained. The Bill had been laid upon the table of the Assembly on 22nd October, so that hon. members ought to be ready for it; it was not sprung upon them in any way. A gentleman had gone out to deal with the similar problem at Capetown, and in reference to that the editor of the *Electrician* wrote the following to Mr. Hesketh:—

"By-the-by, Mr. Trotter has a very knotty problem to solve out in Capetown. The first electric tramway has not only set the telephone bells a-ringing, but has completely 'obfuscated' the submarine cable service."

Mr. GLASSEY: This Bill is not necessary for the tramways.

The HOME SECRETARY: It was desirable that these matters should be placed under control for the safety of the people, and the object of the Bill was to establish that controlling authority. People could use electricity upon their premises; but it should only be used outside by proper authorities with the consent of

the Governor in Council, and under the provisions of an Order in Council. The letter continued—

"All manner of earths have been tried, not to mention ingenious Trotterian dodges for 'duplexing out' the disturbances, but to no purpose."

They would be endangering the safety of the people by not making provision for dealing with this subject, and Mr. Hesketh had studied the matter from a local authority point of view, and had given evidence as an expert before committees at home. There was a clause in the Bill which provided that, whatever might be done under it, it must be subject to any general Bill that might be passed, and therefore no vested interests would be created. There might be rights created by the Order in Council, but the Order in Council might be varied in respect to its terms by an Act of Parliament, and that would not be considered to be repudiation. The Brisbane municipal authority had raised two points. The first was whether the local authority should have a power of veto and not allow the Governor in Council to act and the other was in regard to the digging up of the streets; but apart from that there was not a clause which could be considered contentious. In fact, the Bill simply provided that before anybody used electricity he must be authorised by the representatives of the people. The local authority should have the first right and should be always consulted; but in the case of a local authority refusing, without any reason, there should be a right on the part of the Governor in Council to give authority. The Bill also dealt with the execution of works which could go on at present without the Bill, and some people were beginning to acquire vested interests, but local authorities like Croydon could do nothing. The Bill was contentious on one point. Clause 5 protected works already in existence for one year. Mr. Barton, of Messrs. Barton and White, had erected certain works in Brisbane, and after twelve months he could apply for an Order in Council; but besides Mr. Barton, the only others affected by this Bill were the municipalities of Warwick and Rockhampton, which had done nothing, and a private company at Charters Towers which had started to erect works. Everything had to be supervised by the Government or its experts, and every care would be taken that the public safety was not endangered. With reference to opening streets, the work would have to be done in accordance with a plan, and notice would have to be given, and the work would have to be carried out under the superintendence of the local authorities.

Mr. DAWSON: What about a permit? There is no gas companies' Act in Queensland which provides for breaking up streets without permission.

The HOME SECRETARY: Nonsense. Every gas companies' Act gives that power. The work had to be done under certain conditions, but the local authority had no power to veto. The powers of the Bill were nothing like as drastic as the powers given under gas companies' Acts. When he had moved the second reading he had been charged by the Chairman—

The CHAIRMAN: I trust the hon. gentleman will not continue his second reading speech now. The question before the Committee is that clause 3 stand part of the Bill.

The Hon. J. R. DICKSON expressed his regret that at that late period of the session the Government had not intimated what Bills they intended proceeding with. He had inferred from the second reading debate that that Bill would not be gone on with during the present session. The whole science of electricity was now receiving a remarkable amount of attention in

Great Britain, and actually scientists were endeavouring to dispense with conducting wires and deal with electricity in waves. Whether there would be any practical development in that direction remained to be seen, but under the circumstances it would be well to delay the Bill until they were able to deal with the question on a surer foundation. If they did pass it they would be mere recording clerks. He declined to accept any responsibility as to the wisdom or otherwise of the measure, and he asked the hon. gentleman whether it would not be as well, in the interests of the Bill, to allow fuller time to consider the question.

Mr. McMASTER was surprised to see the Bill brought up this evening, as it had been generally understood that it was not going to be further proceeded with this session. The Home Secretary had said that the municipal council of Brisbane North had objected to the Bill purely on their own account; but when speaking on the second reading he had spoken on behalf of every local authority in the colony, as it would affect them all. The Home Secretary said that clause 5 would only give any individual who had stretched wires across the streets power to continue for twelve months; but at the end of that time he could get an Order in Council in defiance of the local authority, and then he would be in possession for forty years, and the local authority could not erect wires. Right through the Bill bristled with curtailments of the powers of local authorities. Yet, at a time when half the members had gone home and the other half were tired out with work, they were asked to pass an important Bill like this! Whatever he could do to block the Bill he would do, and he hoped that he should not be left alone to fight it, because it would affect not one but every local authority in the colony.

Mr. SMITH understood when the Bill passed its second reading by a narrow majority that it was not likely to be proceeded with. He had been much disappointed because it was a most important measure. A company was about to establish electric trams in Brisbane, and without such a measure being passed into law they would be uncontrolled. Even if it took two or three days to pass the Bill, it was absolutely necessary that it should be passed.

The HOME SECRETARY: The last words he used on the second reading were words of urgency, asking the House to proceed with the Bill. He might have been disposed to postpone the Bill were it not that he was strongly urged by the electric authorities that it was urgently necessary in the interests of the public safety, now that electric trams were to run in Brisbane, to pass the measure. Last week he had given the leader of the Labour party notice that he intended to proceed with the Bill, but he would still be inclined to drop the Bill were it not for the extract which Mr. Hesketh had shown him in regard to the effect of electric traction. If the hon. member for Fortitude Valley was so much concerned about striking out the clause which had particular reference to Mr. Barton, well, let it be struck out. The hon. member said he would do all he could to block the Bill. Did he think the Government were introducing it for pleasure? Personally he was subordinating his private wishes to public necessity. The fact was that hon. members had not read the Bill, and did not know anything about it. If there were contentious clauses he was quite prepared to postpone them until Thursday, but after the manner in which the Brisbane Municipal Council's Bill had been forwarded by the Government, the least the hon. member for Fortitude Valley could do was to be a little more generous in his reception of

this measure. They should take the Bill clause by clause, and if they came to anything in it objectionable they could strike it out.

Mr. DAWSON: It will take the Brisbane council six months to make up its mind.

The HOME SECRETARY: He did not know. On certain subjects he thought they had very little mind.

Mr. CALLAN could not understand the objection to the Bill from members of the Brisbane council, for whom they had just passed a Loan Bill with which he was given to understand this Bill was required to go hand in hand, as the tramway required wooden pavements, and they could not have the electric trams running without this Bill. He was prepared to assist the Home Secretary to push the Bill through. He wished to know if the term "company" as defined in the clause covered a company making electricity for its own use and diffusing it over the whole of its buildings.

The HOME SECRETARY: The definition covered the meaning of the word "company" as used in the Bill, but it did not apply in any shape or form to a private company or to private persons using electricity on their own premises.

Mr. STEWART protested, with other hon. members, against a measure of that kind being submitted when members were exhausted with the labours of the session, and when many of them had gone home, and none of them expected that that Bill would again be before them. The Home Secretary had said that they had had two months to consider the Bill, but if that was so why had not the hon. gentleman brought it on before—when did he discover that it was imperative that the Bill should pass during the present session. So far as he could gather it was being rushed through to serve Brisbane; but it would apply to every municipality in the colony, and, so far as he knew, they had not had an opportunity of considering it. If the telegraph and telephone wires in Brisbane became completely disorganised through the operations of the Electric Tram Company, surely the Government had power to deal with the company as they could deal with anyone else creating a nuisance!

The SECRETARY FOR PUBLIC LANDS: Not without this Bill.

Mr. STEWART would not put his opinion against that of the hon. gentleman, and he did not object to the principle of the Bill, but that they should have further time to consider it and to confer with those whom they represented upon its probable effects. The hon. member would best serve the interests of the public by withdrawing the Bill for the present.

Mr. McMASTER: The Brisbane council were not objecting to the Bill as a whole, but to many details of it. They had been trying for years to get the powers which were now proposed to be handed over to a syndicate. The Bill would take away all the powers of the local authorities and hand them over to the Minister, who would have power to regulate all the streets of Brisbane. The electric company would only have to give notice to enable them to cut up the streets, and if the council wanted an inspector they would have to pay him themselves. As for the opinion of the Home Secretary, that the Brisbane council had no minds of their own, he could tell the hon. member that the business of the council was conducted as well as that of the Government, and the hon. member ought not to make sneering remarks. He was doing what he thought right in the interests of the people he represented, and did not agree with the hon. member that it was necessary that this Bill should go on.

The CHAIRMAN: I must remind the hon. member that clause 3 is before the Committee, and I trust he will not discuss the whole Bill.

Mr. McMASTER thought this clause bore upon the whole Bill. The Home Secretary had stated that the Government could do nothing because the tramway company had an order, but it was very strange that the Government did not think of that until within the last two months. The council had consented to the order being given, but they took it for granted that the Government would have taken precautions beforehand. There was an application before the Government now for an extension, but still the Home Secretary told them the Government could not help themselves, and were bound to pass this Bill, but, in his opinion, it was simply for the protection of the syndicate. When the Bill was introduced into the Council there was none of this 5th clause in it, but there was another, which was carefully erased because the tramway company had been registered in Brisbane. He did not believe there was a single member who was prepared to discuss the Bill at the present time.

The HOME SECRETARY: The hon. member had misunderstood him. The council had apparently subordinated their minds to that of the mayor, who had written to him—

"At the same time it is nothing more than right if the control of the streets is not to be entirely divorced from the local authorities, as of late appears to be the tendency."

Where had there been any such tendency displayed by the Government or by Parliament? Then, again, the mayor had stated that the Bill did not confer on the local authorities the power which, as custodians of the interests of the ratepayers, they had a right to expect under such a measure; and he had written that after he had said in evidence that he only took exception to one or two clauses referring to Brisbane. The city engineer, when asked for his opinion on the Bill, had said that he thought the municipal council should have the electric light in their own hands, and, further on, that so far as he had read the Bill he had no objection to it beyond what he had stated. Mr. Callender, from Charters Towers, said that the Bill met with his approval, and would do a great deal to assist in the development of electric light. The only complaint was that the original Order in Council had been granted without taking the necessary precautions. He admitted that that was so, but the Government had acted on the advice of their electrical advisers of that time, and they now found that not only were the public not properly protected but the Government were not protected either. If no legislation was passed, there might be a serious loss of life through the ignorant use of electricity, and he declined to be responsible for it. He understood that the whole of the opposition to the Bill arose from the fact that the Council had protected the vested interests of one person. If the Committee thought that person had no vested interests, and were desirous of protecting life and property, then they could strike out that one clause and pass the rest of the Bill.

Mr. MACDONALD-PATERSON questioned whether it was desirable at that stage of the session to enter upon the consideration of such an important piece of legislation. He had information which would lead to amendments occupying considerable time in discussion.

Mr. STORY: The whole question seemed to resolve itself into this: There were certain persons engaged in work which was dangerous to life and limb. That work required legislation. They had the time, and why should they not go on with the Bill?

Mr. FITZGERALD saw no reason why they should rush through a Bill of sixty-four clauses because life was likely to be endangered by the use of electricity. If that was all they had to guard against, they could pass a temporary measure of three clauses providing for all contingencies. He contended that the local authorities had sufficient power to regulate, at all events temporarily, the use of electric lighting without that Bill, and he was quite prepared to sit there until 4 o'clock in the morning to prevent the Bill passing at that stage of the session. The measure affected the whole colony, and in some respects so seriously that in his opinion it should stand over till next session, when there would be more time to give it the consideration it deserved.

Mr. DUNSFORD: The statement of the Home Secretary that members had not read the Bill was one of the very best reasons why they should defer its consideration. Another good reason why they should go slowly was that they were at that moment in the position of the Legislative Council. The Council had passed the Bill, and they were now called upon to take the place of the Council in preventing hasty legislation. No one understood electricity at present sufficiently to say that he could regulate it, and they should not attempt at that stage of the session to pass such foolish legislation. They had the opinion of the Brisbane council against the Bill, and of the Croydon council in favour of it, and he wished to have time to get the opinion of Charters Towers upon it.

Mr. FRASER hoped the Bill would not be rushed through. It was not a Bill in the interests of Brisbane but in the interests of a syndicate formed just after the Bill was printed.

Mr. STEPHENS rose to order. Were they on the second reading or discussing a clause in Committee?

The CHAIRMAN: It is very difficult to say whether at present the hon. member is out of order. There is so much in clause 3 referring to local authorities, which I think the hon. member was coming to, that I cannot say he is out of order at present.

Mr. FRASER: Those matters should be in the hands of the municipalities and not in the hands of syndicates, and under the Bill if the municipality took up electric lighting the Government could allow anyone else to come in and compete with them. The Bill applied to the whole of the colony, and they should have more time to consider it. He hoped it would be withdrawn and brought forward next session.

Mr. DANIELS had come to the conclusion that the Bill would not get through, and that the time spent in discussing it would be wasted. They were told that they had made mistakes in the past on the advice of experts which the Bill required to remedy, but there was no guarantee that in a few years they would not have another expert who would condemn the advice of the present expert.

The CHAIRMAN: I remind the hon. member that there is nothing about experts in the clause.

Mr. DANIELS: To attempt to pass the Bill now would only result in their parting in bad feeling. He preferred that the municipalities should have control over the matters dealt with in the Bill.

Mr. FINNEY agreed that they did not know much about the Bill, and thought the best thing they could do was to pass it and throw the responsibility upon the Government if anything went wrong.

Mr. MACDONALD-PATERSON, in order to bring the question to an issue, moved that the Chairman leave the chair.

Mr. DAWSON had much pleasure in supporting the motion, not because he had any strong objection to the Bill, but because he thought it a breach of faith to bring it on now. Certain hon. members had left Brisbane in the belief that there would be no more contentious business, and they were entitled to hold that opinion after the statements made by the Home Secretary. If it had not been understood that the Bill would go no further, the second reading would not have been carried when it was.

Mr. ARMSTRONG did not agree with the hon. member for Charters Towers. He deprecated the action of a private member taking the conduct of business out of the hands of the Government, and although he was opposed to bringing on the Bill now, and would have voted against the clause, he should oppose the present motion.

Mr. McMASTER regretted that the motion had been moved, for the same reason as the hon. member for Lockyer. He would prefer to vote against the clause.

Mr. MACDONALD-PATERSON thought the Government would have welcomed his motion, but with the consent of the Committee he would withdraw it and allow the division to be taken on clause 3.

Motion, by leave, withdrawn.

The HOME SECRETARY repeated that this was a matter of urgency, and the Government were pressing the Bill on the advice of their expert. The Committee might go through the Bill, pass the clauses that were not contentious, and postpone the rest until to-morrow; but if hon. members decided not to have the Bill at all, it would be more honest to say so at once, and let it be understood that the voting upon the clause would show whether it was desired to go on with the Bill this session or not. In courtesy to the other House they should either consider the Bill that evening or to-morrow.

Mr. DAWSON did not think they should consider the question of courtesy to the other House in connection with such an important Bill. He had not accused the hon. gentleman of promising that the Bill would not be proceeded with, but that there was a general impression after the second reading was passed that the Bill would not be proceeded with during this session, and a number of hon. members had left Brisbane in that belief, and it was a distinct breach of faith to bring on the Bill now. He would not like hon. members to allow the Home Secretary to hoodwink them as to the urgency of the Bill, as even if the Bill was not passed it would make no difference to any person or company in Queensland. The electric lighting company in Charters Towers would continue their work even though the Bill did not pass. With regard to the danger to life the hon. gentleman was either consciously or unconsciously deceiving the Committee, because there was no company which would be allowed to endanger life and go unpunished.

Mr. McMASTER: He had got the impression that the Bill would not be gone on with during the present session from the result of the division on the second reading. If there was the danger to life that the hon. gentleman spoke of, how was it that no accidents had occurred in other places where they used electricity?

Question—That clause 3 stand part of the Bill—put; and the Committee divided:—

AYES, 27.

Sir H. M. Nelson, Messrs. Byrnes, Foxton, Tozer, Philp, Dalrymple, Finney, Smith, Grimes, Callan, Bridges, Bell, Collins, Story, W. Thorn, McGahan, Browne, King, Lord, Stodart, Groom, Crombie, O'Connell, Stephens, Lissner, Stephenson, and Chataway.

NOES, 16.

Messrs. Glassey, Cross, Dunsford, Macdonald-Paterson, McMaster, McDonnell, Turley, Daniels, Dickson, Drake, Dawson, Dibley, Jackson, Hardacre, Fitzgerald, and Stewart.

Resolved in the affirmative.

On clause 4—"Application of Act"—

The Hon. J. R. DICKSON explained that he had voted against the previous clause, not because he was opposed to the Bill, but simply as a protest against proceeding with important legislation of that character at such a late period of the session.

Mr. GLASSEY: The clause seemed to him to provide for electric lighting being converted into a monopoly, which would be in the hands of a private company. The Home Secretary had said that an Order in Council had been granted to one company, and that under present conditions their works would endanger life and property. All he could say was that, if the Governor in Council granted an order which would have that effect, there must be something radically wrong with them. He desired to have an explanation of the clause, together with the proviso, which was not intelligible to him. He declined to take anything on trust, but would have the fullest information on every clause and every line of the Bill, if necessary.

The HOME SECRETARY: The proviso protected the rights of individuals. No persons would be interfered with in the use of electric lighting if they confined it to their own premises, but when they decided to go outside their own premises then the supply of electricity was dealt with as being common to all members of the community, and any person was to be restrained from doing that until he got an authority in the shape of an order made pursuant to the provisions of the Act. The clause threw the responsibility on the State of seeing that the order was issued subject to such conditions as would provide for the public safety.

Mr. CALLAN thought the proviso to the clause was too restrictive. Taking the Mount Morgan works for an example, the electricity there was transmitted to a mine half a mile away from the building in which the electricity was generated. He suggested that the clause would be clearer if the words "in which the electricity is generated" were omitted, and the words "belonging to the company which generates the electricity" were substituted for them.

The HOME SECRETARY construed the clause to mean, taking the Mount Morgan case for example, that electricity could be used within the precincts of the Mount Morgan property but not outside it. If they traversed property outside their own boundary, such as a road or Crown lands, to reach some other mine they would require to get an order, because the public would have a right to go there, and there might be danger to the community.

Mr. CALLAN: The hon. gentleman might be quite clear as to the meaning of the clause, but unless it was amended in some such way as he suggested it would not be clear to the lay mind, and legal difficulties might arise under it.

The Hon. J. R. DICKSON: The electricity, in the case of Mount Morgan, might be supplied to cottages on the property, but they could not be said to be buildings in which the electricity was generated, which really particularised the place where the electricity was manufactured. The hon. member's amendment would certainly make the clause clearer.

Mr. DUNSFORD: Many of the mining companies at Charters Towers had started works for the supply of electricity, and in most cases he believed they supplied not only their mines but their managers' residences, and in one case a street lamp was supplied. They went beyond

the boundaries of their leases, and he supposed they would have to obtain orders under the clause. He would like to see some provision safeguarding those who were now running works.

Mr. STEWART: Under the clause any company or individual could raise a plant for the generation of electricity, and could use it in various forms without Government supervision so long as they did not supply it to anyone else, but the main reason for the Bill was to safeguard life and limb. There ought to be Government supervision in the case of a private company or individual as in the case of a public company. If they were going to legislate upon the subject at all, they ought to give someone the right to examine all places where electricity was generated. If the Bill were so very necessary, it ought to apply to private premises.

Mr. GLASSEY: If this was a Bill to prevent injury to life and property, it ought to apply to private persons as well as companies. If hon. members had not been scared as to the necessity of passing this measure as a preventive measure, he questioned whether clause 3 would have gone through. They should have a full explanation as to the point raised by the hon. member for Fitzroy.

The HOME SECRETARY explained that the proviso was to protect persons who privately used electricity in places where the public had no right to go. They could not interfere with the rights of persons in regard to the management of their own premises, but outside of that they must get an order.

Mr. STEWART: There was a great deal of ignorance in regard to electricity, and people who tampered with it should be protected against themselves. It should be a penal offence for anyone to dabble in this power without having received authority from some responsible body. They protected people against disease, and should extend that principle to electricity.

Mr. DUNSFORD: There might be as much electrical power used by a large company as by a small town, and if the Bill was to be complete it should deal with a case of that sort, where human life was also concerned.

Mr. STEWART: Electricity was at least as dangerous as steam, and less was known about it. He therefore wished to know whether the Government or the local authorities would have the same power regarding insistence upon the qualifications of those placed in charge of electrical works that was given in connection with men driving steam engines?

The HOME SECRETARY: Clause 48 dealt with the question referred to, and there was another clause which gave power with regard to the qualifications of those connected with electrical works. The Bill only proposed to deal with public places, and did not refer to electricity used in private places.

Clause put and passed.

On clause 5—"Special provision in case of existing works or works already authorised by law"—

The HOME SECRETARY moved that the clause be postponed.

Mr. MACDONALD-PATERSON was glad to know that the clause was to be postponed. He had an amendment to move in the clause, but the postponement would save the discussion on the clause and on his amendment.

Mr. McMASTER wished to know what amendments the Home Secretary intended to propose in the clause when it was subsequently dealt with? because, if the rest of the Bill was passed he was sure that clause 5 would follow. Perhaps there might be a number of contingent amendments to move in other parts of the Bill

if this clause were amended, but it would be too late to make them when the rest of the Bill had been passed.

At twenty-eight minutes past 9 o'clock,

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

Quorum formed.

The HOME SECRETARY: His object in moving that the clause be postponed was that it was the only one which was contentious. He wanted to consult the electrical authorities about the clause, and at the same time to give more time for its consideration. He certainly would not bring it forward that evening, and to-morrow or Thursday he would be prepared to say what would be done with the clause. It had no relation to any other part of the Bill, so that there was nothing contingent upon it.

Mr. McMASTER did not think the Home Secretary was acting straight with the Committee. What had the electrician got to do with the powers of local authorities? It seemed to him that the clause gave priority of rights to existing companies or individuals, and it should either be left out altogether or amended so as to remove that priority. He objected to any syndicate stepping in and blocking a local authority.

The HOME SECRETARY had never been able to understand the objection to the clause. All that it provided was that the companies in Charters Towers or the firm in Edison lane should not be interfered with for twelve months; at the end of that period they would have to come in like anyone else and obtain the necessary order. It was essential that existing companies should be put in the position of being subject to some kind of supervision, but to say that they were getting priority was simply absurd. The object of the whole Bill was nothing more nor less than the safety of the public. What objection there could be to safeguarding the public from danger he had not been able to discover. He had made a promise that the clause would be postponed for further consideration, and he was now simply fulfilling that promise. It appeared to him that what the North Brisbane council wanted really was to have a veto over everybody.

Mr. MACDONALD-PATERSON asked if the Bill had been introduced in the interests of Charters Towers, Rockhampton, or Edison lane? It seemed to him that Edison lane ran right through the Bill.

Mr. McMASTER could tell the Committee that clause 5 was going to prevent the local authority in Brisbane from lighting a solitary lamp with electricity, because they were not going to set up a plant when they would have to compete with a company that had got hold now of half the city, and were there without any authority whatever. A new company had been registered only a few weeks ago to take over the business of Barton and White, and it was while that company was being registered that the clause 5 was introduced in the Legislative Council.

The SECRETARY FOR PUBLIC LANDS did not know anything of a new company, but he knew that a firm called Barton and White erected works here that were an immense public convenience. If Barton and White were gone the works were still there and were supplying his premises with electric light, and the enterprise shown in establishing those works for the public convenience deserved some consideration. The hon. member for Fortitude Valley assumed that the Bill was intended to bolster up some syndicate started to carry on those works, but whatever rights there were would be conserved

for twelve months, and after that they must come under the Bill and get an Order in Council.

Mr. McMASTER: Yes; but they do not require to consult the local authority. They are there now without permission.

The SECRETARY FOR PUBLIC LANDS: Because there was no one hitherto capable of giving them permission. It was immaterial to him who owned the works. They were a public convenience, and deserved every consideration.

The HOME SECRETARY could throw a little more light on the matter. Of all the shameful productions that had ever come from a local authority, as a reason for shutting out a vested interest, it was that sent to every hon. member by Mr. Thurlow on behalf of the Local Authorities Association. According to the Bill, those people could get an Order in Council, but Mr. Thurlow said—

"The members of the executive are trained men, and the provisions of the Bill have been carefully studied in the light of municipal requirements. It is resolved that objection be taken to this clause because it proposes to confer upon this purely speculative company a vested right in their hitherto unauthorised works, practically shutting out the North Brisbane Municipal Council from purchasing that going concern at a fair valuation."

That meant that Parliament was to put a weapon into the hands of the council to get these works at their own price. These men had been ruined by their enterprise, but an Order in Council should be given to the works for twelve months, at the end of which time the council could buy them out. In fact the Bill gave the council power to purchase the works at a fair valuation.

Mr. DUNSFORD: At the end of forty-two years.

The HOME SECRETARY: They could make the term shorter or longer, but the Bill said that any person who had authority by statute, or had commenced his works, need not obtain a consent or give notice; and the mayor of North Brisbane wished the Government to crush that company by refusing to give them an authority to continue their works, which had been for sale, and could have been bought by the council at any time. There was ample room for the council to operate, but he would ask them to postpone the clause, and consider whether they should destroy individual enterprise. Certain persons had been working to make this thing a success, and neither the Government nor the council had interfered, and there was no reason why they should be put in a worse position than strangers.

Mr. McMASTER: The hon. gentleman made a great deal of capital out of the circular which he had received from Mr. Thurlow, and attempted to make out that it was the opinion of the mayor and municipal council of Brisbane North which was contained in that letter. He had not read the document, but he knew that there was a union, consisting of a great number of local authorities, of which Mr. Thurlow had been elected chairman, and that union had been formed to protect the local authorities against the encroachments of the Government. That union had sent out the letter referred to by the hon. gentleman. The Home Secretary had endeavoured to make out that the municipal council of Brisbane wanted to take an unfair advantage of Mr. Barton until he was forced to admit that the council was trying to get the works at "a fair valuation." The object of postponing the clause was not to get the advice of the electrician; it was to get the Bill through. The hon. gentleman had also said that the present company had ruined itself in trying to benefit the people of Brisbane; but no one was likely to ruin himself in the interests of the

public. Mr. Barton was a very excellent gentleman, and he regretted that he had not succeeded in his enterprise, but the reason for his want of success was that his plant had not been powerful enough. He ventured to say that the present syndicate would not be ruined so long as it had the Government at its back. The municipal council wanted to deal as honourably as the Government did, but they did not want to hand over the rights of the citizens to any syndicate, and that was what would happen under the Bill. Six years ago the Brisbane Gas Company had tried to get an electric lighting monopoly, and the Government had raised no objection to the proposal, but the municipal council had taken strong objection to the Bill, and he was pleased to think that he had had something to do with preventing that monopoly being granted.

Mr. MACDONALD-PATERSON must express his surprise that the Government had the hardihood to bring in such legislation. The Bill was an Edison Lane Bill from start to finish. The Home Secretary had set up the theory that a certain firm had established electric light works for the benefit of Brisbane, and that their benevolence had worked their ruin. The hon. gentleman might as well ask Parliament to set on their feet half a dozen breweries which in times past had had to go to the wall. He objected to industries being propped up in the manner proposed by the Government. Why should the electric light industry be signalled out for the special protection of the Government? His great object in opposing the Bill was to preserve the rights of the various local authorities to establish electric light or tramway services, and to repel the idea that they were bound to study a lot of vested interests. If men chose to put their money into ventures of that kind they should be prepared to take all the risks, and the very fact that the electric lighting industry had been a failure in Brisbane proved the wisdom of the municipal council in holding their hand and abstaining from taking any part in the venture. He hoped that the representatives of local authorities would stick to their guns, and not permit this clause to be embodied in the Bill.

The HOME SECRETARY: The hon. member had insinuated that the Bill had been brought in in the interests of some syndicate. But it had been brought in in a general form, and the Legislative Council, hearing that there was such a thing as vested rights, referred the Bill to a select committee to ascertain what those vested rights were. They examined Mr. Barton, who complained that sufficient consideration was not given to persons having existing electric lighting plant, and pointed out that the fair market value proposed by the Brisbane council was their own price, because, if they were placed in a position to refuse an order to the company to carry on the works, the market value of the works would be nothing. He had explained the effect of the clause; it had had full discussion, and if the Brisbane council had any desire for it he was prepared to put in a clause giving the council the right to purchase the existing installation at a fair valuation.

Mr. JACKSON: Suppose the company does not want to sell, why should you force them to do so?

The HOME SECRETARY: Because the Bill throughout recognised a preferential claim on the part of local authorities to undertake that work, and he was prepared to put the Brisbane council in that position.

Mr. BROWNE: The discussion had resolved itself into the usual thing—that Brisbane was the universe, and the Brisbane aldermen should rule it. He was not advocating the claims of any syndicate, and it was strange to find hon. mem-

bers opposite, who were the supporters of syndicates, now claiming to be fighting for the people against a syndicate. There was not very much in the clause that he objected to. It simply gave this company a right for twelve months, after which it would have to do the same as other people. Those hon. members who opposed the Bill should remember that there were other towns besides Brisbane which had not allowed monopolies to be established, and which wanted their municipal councils to have control of these things. Because the council here had not the heart to do this themselves, they did not wish anybody else to do it. The Brisbane people had vested interests, which were fighting against the Bill; but in other places, where there were no gasworks, they wanted to take advantage of its provisions, and he did not see why the Brisbane council, which was a by-word to the whole of Australia, should dictate to the rest of the local governing bodies what they should do in matters of this kind.

Mr. BATTERSBY thought it time that Brisbane came to know that it was not the whole of Queensland, because there were 120 local authorities in the colony which would not be dictated to. Why should all other places be deprived of the electric light because it did not suit the hon. members for North Brisbane and the Valley, who wished to block the Bill? He should vote for the clause.

Mr. DANIELS thought they ought to support the Bill to a certain extent.

The CHAIRMAN: I would remind the hon. member that the question before the Committee is that clause 5 be postponed.

The HOME SECRETARY: They had discussed clause 5 so fully that he thought there could be no more to say on it. He would, therefore, withdraw his motion for the postponement of the clause.

Mr. MACDONALD-PATERSON objected to the motion being withdrawn, because, as he had intimated, he wished to propose an amendment to-morrow.

Mr. DANIELS thought that as the company which had been referred to had had the pluck to start this enterprise it deserved some consideration; but he would like to know whether the Home Secretary intended to force the Bill through to-night.

Question put and passed.

Clauses 6 to 17, inclusive, put and passed.

On clause 18—"Power to break up streets, etc., under superintendence"—

Mr. DUNSFORD: On casually reading the clause it seemed to give the electric authority great power with regard to the streets. He did not see that, in regard to that matter, the local authority had any control over it at all. During the time he was a member of the Charters Towers local authority a good deal of trouble was caused by giving the water board power to break up streets.

The HOME SECRETARY said the three following clauses provided that there would be no conflict of authority between the two bodies.

Clauses 19 to 45, inclusive, put and passed.

The HOME SECRETARY moved that clauses 46 and 47 be postponed, as they were of a contentious nature. He hoped hon. members would be prepared to discuss them to-morrow.

Question put and passed.

Clauses 48 to 63, inclusive, put and passed.

The House resumed; the CHAIRMAN reported progress, and the Committee obtained leave to sit again to-morrow.

ADJOURNMENT.

The PREMIER : I move that this House do now adjourn. The first Government business to-morrow, after the Appropriation Bill, will be the Brisbane Municipal Loan Bill, then the Electric Light and Power Bill, and after that the Diseases in Plants Bill. Looking through the private business on the paper, there are several matters that might be determined by taking a vote on them. There are one or two matters, in particular, in regard to which we have arrived at a stage when we might agree about them without much discussion. The first is the Children's Protection Bill, which has gone through all its stages both in this House and in the other House, and there is also the Sandgate Racecourse Bill. Those Bills will appear on the paper to-morrow after Government business.

Question put and passed.

The House adjourned at five minutes to 11 o'clock.