Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 23 SEPTEMBER 1897

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The SPEAKER took the chair at 3 o'clock.

QUESTIONS.

"ZENOBIA" DISASTER.

Mr. McDONNELL asked the Acting Treasurer—

1. Is it the intention of the Government to hold an inquiry into the circumstances connected with the loss of the lives of five persons through the capsizing of the sailing boat "Zenobia"?
2. If so, when is such inquiry to be held?

The ACTING TREASURER replied—

1. Yes.
2. When Mr. Kimber says he is sufficiently restored to give evidence.

REDLAND TO GRAMZOW MAIL SERVICE.

Mr. KIDSTON asked the Postmaster-General—

1. How many letters and packages were carried by the Redland to Gramzow route last year?
2. What was the cost of that service?
3. Did the postal officers at Beenleigh, Redland, and Gramzow—or any of them—advise against the continuance of this service?
4. Do the Government propose to continue this service?

The POSTMASTER-GENERAL replied—

1. No record in chief office.
2. Gramzow to Redland Bay, £53 10s. per annum.
3. No.
4. This service, with all others, will be considered when tenders now being called for are received.

NOTE.—The Redland Bay and Gramzow service is only a portion of the through line from Beenleigh to Redland Bay, and the tender from 1st January last has been accepted for one year only (to the end of 1897), from which date it is proposed to run the whole as one service under one contractor, and not two as at present. The present time-table is, however, framed starting from Beenleigh to Redland Bay, and returning on the same day, which practically throws the whole of the correspondence on the Beenleigh route. According to last return, the average monthly correspondence between Beenleigh and Gramzow was about 72 letters, 80 newspapers, 16 packets; and from Gramzow to Beenleigh 55 letters.

STATE EDUCATION ACT AMENDMENT BILL.

FIRST READING.

On the motion of the SECRETARY FOR PUBLIC INSTRUCTION, this Bill was read a first time, and the second reading made an order for Tuesday next.

NORTHERN AND CENTRAL SEPARATION.

PROPOSED REFERENDUM.

Mr. KIDSTON, in moving—

That, in the opinion of this House, provision should be made to enable the electors of Northern and Central Queensland to give a direct expression of opinion at the next ensuing general election as to whether they consider it desirable that their respective districts should be separated from Southern Queensland and constituted self-governing colonies—

said: In bringing forward this motion I shall be as brief as I can, because I want to get a division on it this afternoon, and also because there is other private business on the paper which hon. members desire to push forward. For many years back the question of separation has been before the House and the country, and there is probably no question in the political affairs of Queensland with which politicians have played so fast and loose. They have blown hot or cold upon it, just as it has suited themselves or their parties. It was said some years ago that the success of the Labour party in Northern and Central Queensland had very much cooled the ardour of what may be called, for want of a better name, the capitalistic members in those divisions in the pursuit of separation. I remember very well when my colleague, Mr. Curtis, proposed a motion in this House some four years ago the then Premier, Sir T. McIlwraith, openly twitted the Central and Northern members with praying to God in their hearts that the motion would not be carried. I am not saying that that is true, but the remark was made. It is said, on the other hand, that the Labour members are not sincere in the matter, but are only using the question as a party device, and if both parties are only using the question as a party device, then the best thing to do is to put the matter before the people themselves. It has been said that a great number of people in the Western districts are opposed to separation; that it is merely a movement run by the people of Rockhampton, in Rockhampton interests. There may be some truth in that, but I do not think the remark is justified, because I am of the opinion that separation would do just as much good to the Western districts as to Rockhampton or Townsville. The matter should, therefore, be put into the hands of the people east and west, and let them decide. It may be said that this is a Labour party device, and although it is true that a Labour member, Mr. Dawson, has the honour of first suggesting this way of settling the matter, it is nevertheless true that the same policy was adopted by the Opposition two years ago, under the leadership of Messrs. Powers, Groom, and Drake; and if they had been returned to power it would now have been part of the Government programme. The motion I am proposing now does not directly raise the question of separation, and I have no intention of trying to prove its importance to those immediately concerned, but I simply say that in spite of all differences between ourselves the best way to have the matter settled is to let the people decide it themselves. They have a right to be directly consulted on the matter, and I think the greatness of the issue in regard to the wellbeing of the people demands it.

Mr. MURRAY: Were not you sent here as a separationist?

Mr. KIDSTON: Yes; and I hope that I am showing that I am a separationist. And I also hope that when the motion goes to a division the hon. member who interrupts me will show that he is a separationist, although lately he has become a very cool one. This House has asserted, and I am glad that it has asserted, that it is desirable that the people of the colony should

be consulted upon the matter of federation. However important federation may be, and however anxious the people of the North and Centre may be to see it accomplished, there is no gainsaying the fact that very many of them have separation very much nearer their hearts than federation; and if it is necessary that they should be consulted upon federation, it is equally necessary that they should be consulted on separation. As to the time when it would be most suitable to consult them, when I said last year that I would be prepared to take a vote at any time, it was pointed out that the proper time would be at a general election, and as I recognise that there is no possibility of having a vote taken previous to a general election I have put that time in my motion. At the same time I should like to say that it is possible, although by no means certain, that there will be an election throughout Queensland before the general election. It is possible that there may be an election of federal delegates, and if there is then I submit that for the purpose of my motion it would be a general election, and a referendum on the question of separation might be taken at the same time. It may be said that there is no need to put the question direct to the people—that the people have already expressed themselves, and can express themselves again at a general election. But I contend that that is just what they cannot do at a general election, as the question would be so mixed up with other questions that it would be extremely difficult to decide how far any particular question affected the general result. It must not be forgotten that the main purpose of a general election is not to decide this question or that, but to appoint representatives. It is the choice of persons and parties, rather than any particular question, and very often the personal element enters very largely into the matter. It has often happened that a man has carried an election by his mere force of character, quite apart from the policy he opposes or advocates. Take our own circumstances. When the next general election comes about the main question before the electors will be undoubtedly whether the present Government are to be retained in office or not.

The SECRETARY FOR PUBLIC INSTRUCTION: We may be out before that.

Mr. KIDSTON: I hope so, but it is too good a thing to hope for. Suppose, at the next general election a Labour candidate who is a separationist is opposed by a Government supporter who is opposed to separation, what would be the position of an elector who has a great fear of the Labour party, but is a separationist? What is he to do in such a dilemma? Or put it the other way about. Suppose the Government supporter is a separationist, and the Labour man is opposed to separation.

The SECRETARY FOR PUBLIC INSTRUCTION: The country will survive it.

Mr. KIDSTON: No doubt it will; nevertheless it shows that it is extremely difficult to deduce from the result of a general election the actual opinion of the electors on any given question. Even in a case where all the members returned are in favour of separation it might only prove that in each electorate a small number of separationists who loudly expressed themselves induced their candidates to pledge themselves to separation, while the great body were so indifferent about the matter as not even to vote against a man who went for separation. I maintain that the only way to get a clear unequivocal expression of opinion on this question is to put the matter as a direct issue before the people themselves. After all, whose business is it to settle the question? Manifestly in a matter of this importance the people have a right to control their own destiny. If the people have not that right, who in Queensland has? And if they have that right I think we ought to enable them to exercise it in the most effectual manner. Moreover, I put it to every sincere separationist that it is wise to try and get the people with us in the movement. It is wise to call to our aid, if we desire the movement to come to a successful issue, that great moral force that cannot be got at all except through the expressed will of the people. The time has gone by when a great political movement of this sort can be carried to a successful issue unless the people are actively at the back of it. Fifty years ago, as someone has said, the people were nothing; now they are everything; and it is of the utmost importance for those who desire to see the movement carried to a successful issue that the people should be got to take an active and living interest in the matter; and no method I can think of would so effect this result as putting the question before them in a direct manner. Separationists would recognise that it was "now or never" with them; and my belief is that if this were done it would bring the matter to a final issue. If any better method for achieving the same result can be suggested, I am willing to take the benefit of it. I suggest this because I do not know any better method, and I think there is no better method. I wish now to call attention to another aspect of the case, and I do so with all deference and respect to the opinions of others. I refer to the position in which we are placed with regard to the question of federation, and I think that forms a strong reason why we should take some such action as I suggest in this motion. The attitude of the Imperial Government towards the question of separation may be gathered from a letter of Mr. Chamberlain of the 15th January, 1896, from which I will just read some extracts—

> Unless an overwhelming case could be made out . . Her Majesty's Government would not be justified in asking the Imperial Parliament to undertake so delicate and difficult a task. . . . Most of those difficulties would disappear should the several colonies of Australasia enter into a Federal Union. . . . And if such a union is accomplished, and Queensland is included in the Federation . . . the people of Central Queensland will no doubt find the Federal Parliament, when constituted, ready to listen to any reasonable scheme which may be submitted to it with the object of giving them that control of their own local affairs which they now seek.

It seems to me that two things are clear from that statement: First, that the Imperial Government will not act until the state of things in the colony becomes so acute that they are forced to act; second, that the Imperial Government want us to wait for federation—they would very much prefer that this delicate and difficult task should be passed on to the Federal Parliament. I will just quote a portion of clause 117 of the Federal Constitution, which will show what chance we shall have if we depend upon getting separation from the Federal Parliament—

> A new State shall not be formed by separation of territory from a State without the consent of the Parliament thereof.

On the one hand we are asked by the Imperial Government to wait until we have federation; and on the other hand the Federal Constitution takes away from the Federal Parliament the right to grant us any such request. While the Imperial Parliament has now the power to grant us separation even in opposition to the wishes of this Parliament, yet whenever the Imperial Parliament assents to the Federal Constitution they will give away their right to grant us separation. But the Federal Parliament will not get the power, and the only party that will have the power to divide Queensland will be the Parliament of Queensland.

I submit that it looks as if there was a danger of us being caught in a cleft stick without any hope of redress at all. It has been suggested that we might get that clause in the Federal Constitution altered. My hon. colleague mentioned some time ago that it was his intention when the Federal Constitution came before this House to suggest that that clause in the Constitution should be altered. I smiled at the idea of asking this Parliament to alter the Federal Constitution in that way, because if it did it would be the first time on record of a Parliament giving away such a power; and the chance of getting the Convention itself to alter the Federal Constitution in that way is just as hopeless, for the representatives of the other colonies would be just as strongly opposed to the Federal Parliament having the power to divide their States without the consent of their Parliaments as the Parliament of Queensland could be. So that I say there is no prospect of getting that provision in the Federal Constitution altered, and that should make the people of the Centre and North very cautious before they take up the question of federation. In the meantime we have the right of appeal to the Imperial Parliament, and unless we get separation before federation that right of appeal will be destroyed. The more I think of the situation the more I am convinced that the only condition on which the people of the Centre and North can discuss federation is that Queensland should enter the federation as three States. That is why I suggest that if this referendum is taken at all it should be taken along with the election of federation delegates. We should then be in this position: that if federation resulted we should have a claim to enter the federation as three States, and if federation did not result—if the project failed, or if Queensland refused to go in—our way would be clear with what I consider would be an overwhelming case to make a final appeal to the Imperial Government. It has been objected that this proposal is unconstitutional, simply a revolutionary project of the Labour party I have shown that it was the policy of the Opposition two years ago, and I must frankly say that no opposition that has been raised against the proposal has surprised me so much as the objection that the project is unconstitutional, and I was particularly surprised at the quarter from which that objection came. I remember that in the old heroic days of separation, five years ago, if a member gave a cronk vote on separation in this House he was burned in effigy at Rockhampton. They were not then over-nice in asking whether a thing was constitutional. It was blood they wanted; they proposed to take separation at the point of the bayonet. I remember well how I was blamed at the time for being unenthusiastic in supporting the bayonet proposal. As a matter of fact I never believed in that kind of talk, whether it was from unionists or separationists. I believe that the ballot is the thing, for the reason that if you cannot get men to face the ballot-box you will not get them to face the bayonet; and if you can get them to do their duty at the ballot-box there is not the slightest need for using the bayonet. Now this very mild proposition, in comparison with what was then proposed, is called unconstitutional.

The SECRETARY FOR PUBLIC INSTRUCTION: Who called it so?

Mr. KIDSTON: I am sorry that I did not bring with me an article published in a Rockhampton paper, in which it was called unconstitutional, because it dealt with the French Revolution after the best style of the Secretary for Public Instruction, and I am sure it would have pleased him very much. I am, however, only pointing out that time brings strange revenges. I do not think there is anything in the charge that this proposal is unconstitutional. The truth of the matter is that I am surprised that any man who has the most elementary knowledge of political history should put forward such an objection at all. Of course, I admit the proposal is unusual, but it is no more unconstitutional than the absence of the Premier from the colony when Parliament is sitting. I believe it is in strict conformity with the essential principle of the British Constitution. The essential principle of the British Constitution is not King, Lords, and Commons, or even representative government. The fundamental principle of the British Constitution is government of the people by the people. While some countries have tied up their liberties in written Constitutions the British people have never done that.

The SECRETARY FOR PUBLIC LANDS: We have.

Mr. KIDSTON: We have in a certain sense; that could not be avoided; but we have not tied them up to such an extent that a proposal of this sort is unconstitutional. We have not tied up the liberties of the people; they are still in the hands of the people, and nothing can be unconstitutional in this country which proposes to give the people a direct voice in their own affairs. Some years ago the matter was under discussion in England, and Mr. Dicey, Mr. Bryce, the historian of the American Commonwealth, and Professor Newman, the historian of the English Constitution, all discussed it, and to none of them did it occur that such a proposal was unconstitutional. Indeed, they all agreed that the time had come when the adoption of it in England should be seriously discussed. I have a number of authorities with me, but I regret to say that I am taking up more time than I had intended, and therefore I shall not read them all. I shall only say that Professor Newman, in referring to the folkmoot in England, the well-spring of all popular liberty in our country, and of the whole modern system of self-government, and in noticing that in larger communities the representative system has become a necessity, says—

> But the two spring from the same source. The referendum is in truth the application to changed circumstances of the still abiding principle of the ancient institution.

This is a quotation from the *Universal Review*, vol. 7, page 342. He goes on to say—

> A way may be found to give every citizen some direct share in legislation. The representative body can alone discuss and settle details of legislative measures, but the direct voice of the citizens can be allowed a sphere of action at either or both ends of the process.

The matter was brought up by Sir Francis Adams, the historian of the Swiss Confederation, who said that there were at that time a number of questions before the people of England, notably that of Home Rule, which were eminently fitted for submission to a direct vote of the people. Professor Freeman, in referring to the question of Home Rule, said that it was a question so purely Irish that it ought to be decided by an Irish vote only. Professor Freeman knows as much about the philosophy underlying constitutionalism and the principles of the question under discussion as any man. He is an authority on the subject.

The SECRETARY FOR PUBLIC INSTRUCTION: There are a great many other authorities.

Mr. KIDSTON: He shows that there is some reason in confining the vote on this question to the people of the Centre and the North, as this motion proposes. I will read what is said by Professor Dicey in the *Contemporary Review*, vol. 57, page 498—

> It would, of course, be new and anomalous. It would, therefore, be called unconstitutional by every man who

fears the result of an appeal to the people. But this employment of the veto would be in strict conformity with the principles which have governed the growth of the Constitution. By the use of the prerogative, or by direct parliamentary enactment, the referendum may easily be introduced among the political institutions of the United Kingdom; it may be introduced either in a general form or experimentally in regard to a particular question. There is no lack of mechanism for achieving this object—the resources of the Constitution are infinite.

Coming nearer home, I see from the *Contemporary Review* for August, 1897, that a Royal Commission was appointed in Victoria in 1894, which reported as follows:—

The commission are strongly impressed with the advantages of the referendum. It provides a simple method of obtaining an accurate expression of the popular will on any question. It is a better method of deciding than a general election. It is more direct and unequivocal. It is the proper way of recognising the sovereignty of the people.

Mr. Shiels dissented from the report of the commission as to the general application of the referendum, but he says this—

I recognise that there are some manifest advantages in the referendum, and approve it as the best means of ascertaining the true opinions of the people on propositions involving grave constitutional changes, the issues of which can be submitted in clear and simple form to the direct "Yes" or "No" of the electors.

That exactly covers the case involved in my motion. Last year Referendum Bills were actually introduced in New South Wales, South Australia, Tasmania, and New Zealand, and in Victoria a Bill was introduced by a private member. It seems that in this matter of the referendum Queensland lags behind the other Australian colonies as much as she does in the matter of electoral reform.

The SECRETARY FOR PUBLIC INSTRUCTION: The referendum is thousands of years old. How can we be lagging behind then?

Mr. KIDSTON: I have just been saying that it is the same in principle as the oldest political institutions of the British race. I am only answering the charge that it is unconstitutional. The Hon. H. C. Baker, in his "Manual of Authorities" for the use of the members of the Federal Convention held in Sydney in 1891, says, on page 142—

So far as these colonies are concerned, there seems to be no reason arising either out of the form of our Government or our relations to Great Britain to prevent the adoption of the referendum.

As hon. members know, the Federal Constitution, when finally adopted by the Convention, is to be submitted by a referendum to the people of the accepting colonies. I ask will that be unconstitutional? As a matter of fact, the question is no longer one of opinion. The principle is now operating in Australia. At the general election last year in South Australia a referendum was taken on a very important—and for parliamentary representatives, a very difficult question—namely, the question of religious education in schools.

Mr. LEAHY: Only 16 per cent. of the electors voted.

Mr. KIDSTON: Hon. members know quite well how easily this very difficult question was settled by the referendum. It would not matter if only two voted for it.

Mr. MURRAY: The point is the referendum—not separation at all.

Mr. KIDSTON: The hon. member is quite correct. The question before the House is not separation but the question of the referendum. It is alleged that the proposal would be unconstitutional, and I am trying to show that it would not be unconstitutional, and, more than that, that the referendum disposed of a most difficult question lately in South Australia easily and effectively. It would quite as well dispose of the question of separation here. I therefore hope we shall hear no more about the proposal being unconstitutional. There are a number of other objections raised to the proposal, which I shall not refer to. I am afraid there are some personal considerations operating, and, while I regret a difference of opinion with some of my colleagues on this matter, yet I think that what I am proposing will result in the wise settlement of the question involved. At the present time it is not wise or expedient to refer to personal matters, as I wish the matter to be discussed purely on its merits. It is objected that there is no necessity for this. My hon. colleague, Mr. Curtis, said that, and that the people of Northern and Central Queensland have a hundred times proved their unanimity on the question of separation. I think, to put it mildly, that is not correct. I have a fairly full knowledge of what has been done in the matter, and while I do not want to depreciate what has been done—while I recognise the vast amount of work that has been done—yet that is somewhat overstating the case. But, admitting it is truethat they have proved it a hundred times, I would like to ask why they did not stop at the ninety-ninth time? Was it necessary to prove it the hundredth time, and when they proved it the hundredth time did that cast doubt and suspicion on the ninety-nine times? If it did not do that, and it was necessary to prove it the hundredth time because the previous ninety-nine provings had not been effective, is it not just as necessary to prove it the hundred and first time? It is also said there is no necessity because the Imperial Government have not asked us for a referendum. I would like to ask if the Imperial Government ever asked us to move in the matter at all? Did they ask for a petition to be sent home? Did they ask for a deputation to be sent home? Did they ask for memorials to be sent home to them? Why, then, is this fear expressed that we should do something that they have not asked? Why is this fear expressed lest we should do too much? It seems to me clear to the meanest understanding, from the very fact that we have not got separation, that in spite of all that has been done too little has yet been done, and we should go on adding proof to proof until we have built up what Mr. Chamberlain calls "an overwhelming case"—a case that will result in our getting what we want. As a matter of fact the Imperial Government do not want to be troubled by us. They simply want us to sit quiet, and so long as we are content to drag along in this way from Parliament to Parliament doing nothing because the Imperial Government do not ask us to do anything——

The SECRETARY FOR PUBLIC INSTRUCTION: Do you want them to interfere with the internal affairs of the States in Australia? What you want is Home Rule.

Mr. KIDSTON: In reply to that let me say that when the English Government gave Queensland separation from New South Wales they gave it on the distinct understanding that at some future time they would have the power of further dividing the colony. I think that is quite sufficient answer. Returning to the question as to whether there is any necessity for us doing anything further: There is no necessity for us doing this or anything else if we are willing to sit still until the ripe plum of separation drops into our mouth; but if we are willing to do that, all I can say is that we have a long time to sit still. Lord Ripon, in effect, said to the deputation who went home and waited on him that they did not agitate enough, and I think that is our position. There is urgent necessity, if we are in earnest, to show that we are in earnest. The only possible chance of our getting separation lies in our being in earnest, in our being active and doing something to get it. Here is a letter

from Mr. J. F. Hogan, M.P., who is not a particular friend of mine, but he very strongly corroborates what I say. He says—

> It cannot be too strongly impressed on all our friends in the colony that everything depends upon local activity and organisation, and that the friends of Central Queensland at home and in the Imperial Parliament are powerless if they cannot point to a strong and determined movement in its favour on the spot.

I have tried to show how we can make a strong and determined effort, but if anyone can show me a better method I am quite willing to adopt it. Another objection is that the motion throws doubt and suspicion upon all that has been done in the past.

The SECRETARY FOR PUBLIC INSTRUCTION: A great deal more than a doubt.

Mr. KIDSTON: That can only be in one way. It can only throw a doubt upon what has been done in the past if the people repudiate the claim that has been made in their name, and the gentleman who made that objection showed that he recognised that was the reason he feared it would cast a doubt. He said that the people in the remote districts would not put themselves to the trouble of recording their votes because they might not be warm advocates for separation, and the result would be that the whole thing would be discredited. I can quite understand a man who feels that way opposing a motion proposing the referendum, but I cannot understand how such a man can make a claim for separation. If that statement is true, then I say the Imperial Government have no right to interfere. I do not believe it is true. I believe if a vote of the people was taken it would result in an overwhelming majority for separation, and far from casting doubt upon what has been done in the past it would strengthen and confirm it in the most convincing manner. I believe the time is now ripe for a united, a supreme and final effort on behalf of separation. I believe what I propose is the first step towards that, and I would remind separationists in this House and out of it that—

> They either fear their fate too much,
> Or their deserts are small;
> Who dare not put it to the touch,
> To win or lose it all.

I appeal to every member of this House, whose democratic sentiments go deeper than the roots of his tongue, to support this motion and have this vexed question placed directly before the people.

Mr. FITZGERALD: I have much pleasure in seconding the motion. I wish to say that up to the present there have been great arguments about the Western portion of Queensland being unsympathetic in this matter. I am the most distant Western representative with the exception of the hon. member for Gregory, and I must say from my knowledge of my own district that almost every man and every woman is in favour of separation. The object of the motion is, as has been said, to find out the opinion of the electors of Central and Northern Queensland upon this question; and I would appeal to members representing Southern constituencies, many of whom doubt whether we really want separation, whether it would not be a wise thing, if it could be done without much expense, to get an expression of opinion from those two portions of the colony either in favour of separation or against it. It would be a guide to them if, afterwards, a Bill should be introduced to bring about separation. The Southern people were enthusiastic separatists when they wanted to get away from the old colony of New South Wales, and I am sure, if they were convinced that the people of the North and the Centre were really unanimous for separation, they, in fair play, would not oppose it as they have done in the past. From every point of view this is only a fair thing to ask for. The motion does not commit us to separation. It asks to ascertain whether the residents of the North and the Centre are in favour of it or not. As to the question of expense, the motion shows that the referendum is only to take place at the time of a general election, so that the only extra expense the Government would be put to would be a little more printing and paper. I hope the Southern members will give us a chance of expressing our views one way or another on this great question.

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member who spoke last asked why the whole colony should not bear a portion of the expense involved in this referendum? I ask why should it?

Mr. FITZGERALD: I said there would be no expense beyond a little extra printing and paper.

The SECRETARY FOR PUBLIC INSTRUCTION: Years ago the people of Charters Towers got a referendum, and they paid for it themselves.

Mr. DAWSON: That referendum settled the question at Charters Towers.

The SECRETARY FOR PUBLIC INSTRUCTION: We should want a referendum every seven years, apparently, because they might change their opinion in that time. However, I intend to confine my remarks chiefly to what has been said by the hon. member, Mr. Kidston; and I must say that if separation has no better friend than that hon. member I am exceedingly sorry for separation. He has told us practically that he came forward really to speak for the referendum.

Mr. KIDSTON: No.

The SECRETARY FOR PUBLIC INSTRUCTION: He said that was the main object for which he came forward. The fact is the hon. member has been on two legs, one at one time, and one at another. He began as a fervent separationist, and finished as a fervid federationist; but fully three parts of his speech concerned the referendum, and he was engaged in knocking down objections which I imagine he is chiefly responsible for. He spoke about its being unconstitutional, and we had Professor Dicey and Cardinal Newman's brother, and a number of other gentlemen whose names I do not at present remember, all going to show that the referendum was constitutional. Can we possibly believe that the hon. member is in earnest about separation, or federation either? That objection has never been raised, and it is strange that it should be raised now, seeing that this House has actually passed a resolution to submit an important question to the people of the colony for their opinion. Why should the hon. member beat the air for half-an-hour by arguing that the referendum is constitutional, or has he made separation a mere stalking-horse in order to speak of federation? One question seems entirely smothered by the other. He reminds me of a child of mine whose cat had two kittens, and in order to save the life of one kitten it drowned the other. The hon. member began his speech by saying that other parties had played fast and loose with the subject. I do not know why he should charge men who come to this Parliament with playing fast and loose, but if they read his speech they will in all human probability come to a somewhat similar conclusion with regard to his action on the present occasion. The hon. member also said the capitalists were not sincere in the action they took some years ago, and I think he said the Labour party were not sincere.

Mr. KIDSTON: No; I said you said that.

The SECRETARY FOR PUBLIC INSTRUCTION: That is hardly the spirit in

which to approach a question of so much importance. The weakest point with regard to his position is this, that assuming he is in earnest with regard to separation—and I have every reason to believe he is, and to believe also that he believes the people in the North and Centre are—assuming that he is in earnest in favour of separation and is desirous of furthering that movement, in what way is he going to further it by this resolution? The object of a referendum is held to be to clear up some question which is disputed—to ascertain what the will of the people is upon it. What objection has ever been taken in this House or outside of it to separation on the score that generally, at one time at any rate, the great number of the people of Northern and Central Queensland were not in favour of it? No one has set up that objection, and it was never taken in this House. Generally you may accept it as a right test that members represent the views of the majority of their constituents on subjects which have been prominently brought forward for years. For years the members representing the North were, by a vast majority, in favour of separation. It is quite true that in the Central district most of the members at one time were also in favour of separation. The question was never disputed, but now the hon. member for Rockhampton comes at this period of the day—after they have gone to the Foot of the Throne; after they have furnished two and possibly more petitions; after they have sent delegates home to interview the Right Hon. the Secretary of State for the Colonies and ask for separation; after it was admitted that the people were in favour of separation and that was never denied by the Secretary of State, why then should the hon. member now endeavour—not to prove but to find out, for that is the language of his motion—to ascertain the opinion of the people of the Northern and Central districts on the question? And this is the foremost champion of separation! Practically the efforts made in this House by the men of the North and Centre are reckoned as nought. Why, at one time in this House, before we were favoured with the hon. member's presence, we had a petition signed by twenty-eight of the members of this House representing the North and Centre, and sent to the old country asking on behalf of their constitutents for separation.

Mr. DAWSON: What do you deduce from that?

The SECRETARY FOR PUBLIC INSTRUCTION: I should deduce from it that there was no question as to the attitude taken up by the majority of the people of Northern and Central Queensland on the question. But we find it left now to an hon. member, who comes forward as a very ardent separationist, to do away with the whole of these facts placed on record.

Mr. KIDSTON: Do away with a fact?

The SECRETARY FOR PUBLIC INSTRUCTION: You will be done away with in time; you are a fact at present. What is a fact one day may not be a fact another. It was a fact, as I pointed out some time ago, that Charters Towers was against separation, and if I ask the hon. member for Charters Towers now he may tell me it is in favour of it to-day.

Mr. DAWSON: He may; but he would tell you that he does not know.

The SECRETARY FOR PUBLIC INSTRUCTION: He may or may not, but if he did I should have every reason to believe that he was not far wrong. What is a fact in the present may not be a fact in the future. With battle after battle in a series of battles won by one nation, the fact that that nation is victorious is undoubtedly done away with by a series of defeats subsequently sustained. This is merely in response to the hon. member's interjection. I shall be happy to change the term I used, to accommodate the hon. member, and it is equally bad for him in my opinion to have done away with the impression which those people ardently in favour of separation ten years ago laboriously achieved. We achieved that; we showed the people at home and in Southern Queensland that there was a fair majority in favour of separation, when we obtained the signatures of twenty-eight members of the House in favour of it. Now what does the hon. member do? In spite of all this evidence which has been accepted by the people at home, he, the representative of the chief city of the future Central Queensland, comes here and proposes that we shall say that we are ignorant of the real feelings of the people of Central Queensland, and we must have a referendum in order to ascertain of what opinion they are. Worse than that, he actually said that the people of Central Queensland would work up an interest in the movement if they had a referendum—that they would be stirred up and would have some warmth towards the movement if they had a referendum. What does all that imply? If it implies anything at all, it is that at present the movement is practically dead in the outside districts; and I certainly hold that the most damaging blow which has been struck at separation, at any rate in regard to the old country, has come from the hon. member for Rockhampton. One of the hon. member's arguments is that some persons in the colony are to be consulted in favour of federation, why therefore should they not be consulted in favour of separation? I see no reason why they should not be consulted in favour of separation, if it is a fact that at present their opinion on the question is so uncertain that we really do not know what they think. But I ask the hon. member if he cannot see that if it is necessary on behalf of the people of Northern and Central Queensland, it is equally necessary on behalf of the people of Southern Queensland. He is ignoring the people—ignoring actually a majority of the people. The people of Queensland at present are as one people, and you cannot take a corner or a portion of the colony, a third, or a half of the people, and ask them what shall become of the territory in which they live, and say that is consulting the people. That is not consulting the people, but it is to ignore, and I am not sure that it is not to insult, two-thirds of the people of the colony. Yet the hon. member comes here and tells us we must consult the people, and when he does so he takes them in the meaning of the "three tailors of Tooley street"; he means that a fraction of the people are to be consulted. Will he say that if the people of Humpybong desire separation from the colony they alone are to be consulted and not the rest of Queensland? That Cleveland is not to be consulted, that Redcliffe is not to be consulted, that what is the business of one portion of the colony is not in any way the business of another portion of it? Does anyone suppose that if in the United Kingdom the people of Plymouth wanted separation the matter would in no way concern the rest of England? If, in America, the people of New Orleans or New York wanted separation from the rest of the States, it would be right to consult the people of New Orleans or the people of New York and to ignore the rest of the people of the United States? Would that not be ignoring the people of those countries? I say it does concern the people of Southern Queensland whether they shall remain the people of the whole colony or of a portion of it, segregated from the rest. I go further, and say that what happens in Victoria or New South Wales concerns us, and it would concern us much more if we formed a part of those States.

When he speaks of the people I should like him to use some qualification. He should either not speak of the people, or else say "all the people." One statement that the hon. member made, which bears out a portion of my contention, was that he wished to prove that the people of the North and Centre are with us. Why does he put such a powerful weapon into the hands of our enemies? Then, again, what good does he expect will accrue to the cause he represents? He cannot make it more plain than it has been made in the past that the people in those portions of the colony are in favour of separation. He cannot make it more plain to the Secretary of State for the Colonies, and he must either appeal to the people of this colony, or to the people of the whole of the colonies, or to the Secretary of State. He calls himself a democrat, but he is also a socialist, and nothing can be more opposed to democracy than socialism. Therefore, I would prefer to call him an advanced radical. In a matter that concerns the people of Queensland more than it concerns the people of the other colonies, he says we must try to settle it before federation, because if federation takes place the Federal Constitution will provide that no state shall be separated without the consent of the colony as a whole. The Convention has been faithful to the referendum, but the hon. member is not. He says, "I object to federated Australia trying to protect the rights of the people of the separate States." He absolutely disregards the people of this colony as a whole—puts his foot upon them—tramples upon the rest of Australia, and then wishes to rush to Great Britain. He repudiates being influenced by the people of Queensland as a whole, and says he will ask Mr. Joseph Chamberlain for separation—to send an armed force to the colony to enforce it, I suppose. But Joseph Chamberlain is a wiser man than the hon. member, or he would not be where he is. He is not so foolish as to employ force, and what else can he use? An overwhelming case must be made out if there is to be a re-arrangement with the creditors of the colony as a whole. If we were divided into three States, each would have to be jointly and severally responsible for the liabilities of the others. We should never get the Home authorities to interfere until some such arrangement is made. It could not possibly be done until the people of the Southern portion of the colony have said that they will be willing to enter into a new contract, and endorse the promises of the other parts of the colony to pay their debts if the people of the North and Centre will endorse theirs. Therefore the first thing to do will be to get the people of the South, whom the hon. member ignores, to consent. When the Secretary of State said he would only interfere if an overwhelming case were made out, did he mean that it would be an overwhelming case if there were a mere local majority? An interference with the whole people of Queensland can only be made by force—can only be justified by an actual state of war. But the hon. member has told us —and I admire him for it—that he prefers the ballot to bayonets, and that although the people of Rockhampton showed a great deal of ardour for the combat he is in favour of peace. I notice, with a great deal of admiration, that the hon. member is not prepared to push matters to extremes, and he may credit Mr. Joseph Chamberlain with having as much discretion as he has. If Great Britain sent an armed force here, that force would get no thanks; it would have about as happy a time as a policeman has in a faction fight at Belfast. I do not think we have arrived at such a stage that an armed force is necessary to interfere in our domestic matters, and I cannot see the prospect of any favourabl answer being given by the Secretary of State. There is no such prospect. If the hon. member really desires separation he must approach the people of the colony as a whole, and I cannot understand him trying to make a stalking-horse of the referendum, because the principle has already been adopted, so that he has not even that excuse. If he had sacrificed separation for the referendum there might have been "method in his madness," but as the House adopted the system that excuse has gone. In fact I can see no reason whatever for the attitude the hon. member has taken up. If he is a separationist, he has admitted that he has been only talking referendum, and he must further admit that he cannot get separation in this way. Then if he is a radical, why is he appealing to people outside the colony and ignoring the people in it? He has not shown that he will benefit separation, and the referendum business is not in the least benefited. He gave as a reason for bringing in this matter that he is most desirous of getting a vote in favour of federation, but federation will shortly be brought about. He believes that Australia will not admit Queensland into the federation against the wishes of the people of Queensland, but he wants to forestall the wishes of the people. He wishes in fact to frustrate any wishes they may express. He also wishes Queensland to walk into the Federal Convention as three States, but does he forget that it takes more than one party to make a bargain? Does he think that it would be certain that federation would be accomplished if we demanded six votes in the Senate instead of two? There has been sufficient difficulty in overcoming the objections which the large States have already raised to equal representation of the smaller States. I believe that if the hon. gentleman could by any means manage to make Queensland into three States before the end of the Convention and the establishment of the union, then in all probability he would defer that. So, if he were successful in this way he would most probably be successful only at the expense of federation, because he admits that the federal body would not permit this to be done after federation—against the wish of the people. He wants it to be done against the wish of the people of Queensland, and he wants the States which have become so against the wish of the majority of the people of their own colony to be thrust into the federation. The only result of such a proposal, if successful—and there is not the most remote chance of it, and never was—would be not only not to succeed in the matter of federation, not only to fail in the matter of the referendum which has already been established, but also in all probability to cast greater difficulties in the way of the federation of Australasia.

Mr. DAWSON: It has been said that "time bringeth many changes, and association many strange opinions." The expression of opinion just given is one that might have been anticipated from an hon. gentleman who had been a consistent opponent of separation right through the piece—one determined to thwart separation at every turn by any means; but that it should come from a one-time ardent and enthusiastic separationist is very surprising. The whole of the hon. gentleman's argument would be fairly good, consistent, and logical if he had established the initial premise that the referendum was necessarily in conflict with the question of separation. He used a number of arguments, assuming all the time that the principle of the referendum was absolutely antagonistic to the question of separation itself; but he should have proved his premise before he tried to draw his deduction.

The SECRETARY FOR PUBLIC INSTRUCTION: I never had such a premise.

Mr. DAWSON: Then the hon. gentleman conducted an argument without a premise, and I found one for him. He states that the introduction of this motion will tend to destroy the impression hitherto established that the people of the Northern and Central portions of the colony are in favour of separation. But that is another assumption. That impression is not established. It has been denied in the House; it has been denied by the one time Premier, Sir T. McIlwraith; it has been denied by the majority of the House in division that the majority of the people in either the North or the Centre were in favour of separation. Every time a separation motion came on, either in connection with the North or the Centre, or in connection with North and Centre combined, the attitude of the Government has been the same; they have declared that it was only a question brought up by a few enthusiasts in Townsville and Rockhampton, and that the majority of the people in the two different centres were not in favour of separation.

The SECRETARY FOR PUBLIC INSTRUCTION: Sir Samuel Griffith brought in his Provincial Districts Bill simply because a majority were in favour of it, and we all supported it. The Constitution Bill was brought in for that very reason.

Mr. DAWSON: I remember—I think it was in 1893—the last time a very big debate took place on this question. I believe the motion was introduced by the hon. member, Mr. Curtis, and the then Premier, Sir T. McIlwraith, took about four hours to reply. That was one of the biggest and most interesting debates on the subject of separation that ever took place in this House; certainly it ranked with, if it did not surpass, the debate that took place when the Hon. J. Macrossan introduced his motion for separation. And what was the attitude assumed by the Premier on that occasion? He said that the statements made by the separationists were only the expressions of opinion that could be obtained from people in Rockhampton and Townsville, but that in both centres the real opinion of the majority was the opinion of the Government—that Queensland should not be separated. Further than that, the hon. gentleman succeeded in getting a large majority to agree with him on division; and he drew up a long letter to the Secretary of State for the Colonies, and laid stress on the fact that the majority of the people were not in favour of separation. There was a direct conflict between the representatives of separation in this House and the majority in this House. The Government stated through Sir T. McIlwraith that the people were not in favour of separation, while the separationist members declared that they were in favour of separation, and there was the conflict in the Home Office between the two. What was the hon. gentleman presiding over the Home Office to decide, both opinions coming from Queensland, one from the Government and one from the representatives of separation in this Chamber? In order to get over a difficulty of that description, it was hit upon by the mover of this motion to take the whole question of the opinion of the people out of the hands of the House and submit it to the people themselves, and give them an opportunity of saying "Yea" or "Nay," whether they are in favour of separation or not. That is the whole object of the motion. It is not introduced to settle the question of separation at all, either one way or the other, but to give the people affected an opportunity of saying in the first instance whether they are or are not in favour of separation. And then, if their opinion is expressed in favour of separation, they can come with their case, not only to the Home Government, but to the people of the Southern part of the colony, and say, "Here is our case; here is our opinion; we ask you to assist us."

The SECRETARY FOR PUBLIC INSTRUCTION: Will they do it?

Mr. DAWSON: I do not know. That is an after matter.

THE SECRETARY FOR PUBLIC INSTRUCTION: That has been done in three or four elections.

Mr. DAWSON: It has not been done in any single election since Queensland had a Parliament. The only time that ever a question of that kind was decided was on the occasion referred to by the hon. gentleman himself in connection with Charters Towers, and that was not during the time of a general election. I altogether deny that because a man stands on a public platform during the time of a general election and declares that he is a separationist, and gets elected to this House, therefore his constituents are separationists. I deny that any man has the right to assume that, because at the time of a general election there are about a dozen other questions mixed up with the question of separation, and the average voter averages the opinions expressed by the different candidates on those questions, and votes accordingly. In the election of 1893 my colleague and myself were returned to this House by an overwhelming majority—the largest number of votes polled by any two candidates in the history of Queensland. The question of separation was raised on that occasion; the separationists had a candidate running purely and simply in the interest of separation, and he was the lowest on the poll.

The SECRETARY FOR PUBLIC INSTRUCTION: Was he a Charters Towers man?

Mr. DAWSON: He was an eloquent man like the hon. gentleman, but notwithstanding that he got defeated. He was well known on Charters Towers, and was taken up by a large number of influential men there. The result of that election would look as if Charters Towers was overwhelmingly against separation, but then you must remember that one of the most enthusiastic and consistent separationists that Charters Towers has known is my colleague, Mr. Dunsford. He fought the battle of separation for many years, while I on the other hand had been an anti-separationist for years, and was so in 1893.

The SECRETARY FOR MINES: What were you in 1896?

Mr. DAWSON: The question was never raised in 1896, but in 1897 I am a separationist. If you are to say that because a man is a separationist and gets returned to this House his constituents are separationists, what conconclusions are you to draw from the action of Charters Towers in returning a separationist and an anti-separationist? The only conclusion you can come to is that Charters Towers is both separationist and anti-separationist, and that both parties are in the majority. But you cannot determine the opinion of the electors on this question by the number of expressed separationists that may be returned to this House during a general election, for the reason I have stated—namely, that that is not the only question to be determined by the electors at such an election. There is only one way to get at the real opinion of the people concerned, and that is by putting to them the direct question, with nothing else to trouble them, "Are you in favour of separation or against it?" And that is all that is asked by the hon. member for Rockhampton by his motion, leaving the question of separation to be decided after that expression of opinion has been obtained.

The SECRETARY FOR PUBLIC INSTRUCTION: Half of the people may not go to the poll.

Mr. DAWSON: That is no reason why we should not take the referendum. If half of the electors in the particular districts concerned do not go to the poll that will reveal another fact—that half the people are indifferent about the matter; do not care two straws one way or the other, and that would be one argument against enthusiastic separationists. And if hon. members sitting on that side of the House are against separation, and they believe that the referendum will prove that half of the people are indifferent about the matter, the best thing they can do is to support in a body the motion of the hon. member for Rockhampton, and make their case stronger than it is at present. I see no reason why, if the impression that the people of the North and the Centre are in favour of separation is a wrong impression, it should not be destroyed. Separationists do not desire to win their case by trickery; they are prepared to stand by the truth in the matter, and the proof of that is that they are asking for a direct vote on the question. If by any means at all—by juggling, by petitions, by using public men, by using public meetings—they have created an impression in England and in the southern colonies that the people of the North and Centre are in favour of separation, while, as a matter of fact, they are not in favour of it, the sooner that impression is destroyed the better. If this motion will tend to destroy an untruth of that kind I shall support it. The hon. gentleman also argued that the hon. member for Rockhampton was inconsistent, inasmuch as he desired that the whole of the people of the colony should take part in the referendum on federation, but did not think that the whole of the people of the colony should take part in the referendum on Northern and Central Separation. To my mind there is no inconsistency at all, but a good deal of reason and common sense, in the attitude taken up by the hon. member for Rockhampton. The question of federation in the first instance affects the whole colony.

The SECRETARY FOR PUBLIC INSTRUCTION: Does not separation affect the whole colony?

Mr. DAWSON: Not in the first instance. When the referendum on the question as to whether we shall federate with the other colonies or not is taken, if it is in favour, it pledges the whole colony to enter into that federation, but the referendum on separation is an entirely different thing. When you take the referendum as asked by the hon. member for Rockhampton, all that you do is to get an expression of opinion from the people of the North and Centre as to whether they desire separation, and show whether the agitation on this subject is merely the agitation of a few interested parties; and after that expression of opinion has been obtained the necessary action will have to be taken to secure separation.

The SECRETARY FOR PUBLIC INSTRUCTION: Why should not the other partner be consulted as to whether they desire it or not?

Mr. DAWSON: There is no objection at all to their being consulted, but the question to be decided now is whether the people of the Centre and the North desire federation or not. If they say they do desire it, then the second question will be, Do the people of the South desire it, and will they permit it? But that question should only be put to the issue after the first question is decided.

Mr. MURRAY: Consult them all at the one time.

Mr. DAWSON: You cannot very well consult them all at the one time.

The SECRETARY FOR PUBLIC INSTRUCTION: Why not? It is a general election.

Mr. DAWSON: No, it is not, and in consulting them all at the one time you would merely confuse the issue without getting any clear judgment brought to bear on the question. If the people of the South desire to give a vote in the first instance, I have no objection to their doing that, always provided that when the vote is given the boundaries are clearly drawn so that the general public may know who are the voters in the South, and who are the voters in the Centre and North.

The SECRETARY FOR PUBLIC INSTRUCTION: If the boundaries are not drawn, how can they know what they are voting for? I object to the proposed boundaries, anyway.

Mr. DAWSON: Quite so. I believe that if Central separation comes off, the back country within twenty miles of Mackay will be included in the Central colony, and that is an objection from the point of view of the hon. gentleman. But we are not now discussing the question of boundaries or even the question of separation. The only thing before us is whether the people desire it or not. I wish hon. members to keep prominently before their minds the distinction that I have drawn between the real case and the supposed case put before the House by the Secretary for Public Instruction. If that is done, I do not think that one single reason can be advanced which would lead any reasonable and sensible man to say that this motion should not be supported. I may be permitted to say, before I sit down, that I am very sorry to see that the hon. gentleman in charge of the Education Department is going further and further from the logical position that he took up in this House for some years; and that he is cultivating a faculty for seeing distinctions between things that are not different.

Mr. CURTIS: Bearing in mind the continuous unanimity of the people of Central Queensland in favour of separation ever since the initiation of the movement nine years ago, and bearing in mind the fact that that unanimity has been acknowledged by the present Government of Queensland and by the Imperial Government, I can hardly persuade myself that the hon. member who has moved this motion really expects the House will take it seriously. If the proposal means anything at all, it means that the hon. member asks the House to affirm the desirability of taking steps to ascertain something that has already been ascertained and admitted. The motion can be taken as serious only so far as it asks this House to take certain action which would practically have the effect of introducing into the colony the principle of the referendum; and it is very evident from the speech of the mover of the resolution that he is very much more concerned about the introduction of the referendum than he is about separation itself. He does not ask the House to affirm the desirability of separation or otherwise—he simply asks us to commit ourselves to the referendum.

Mr. HARDACRE: He asks us to disapprove of Sir Thomas McIlwraith's despatch.

Mr. CURTIS: Sir Thomas McIlwraith is not here now—he is not the head of the Government, and many things have happened since then. Last year the present Premier, when moving the second reading of the Federal Enabling Bill, unequivocally recognised the unanimity of the people of Central and Northern Queensland on this question of separation, and he proposed to divide the colony into three parts for the purposes of that Bill. After that, there can be no need to dispute as to whether the people of Central and Northern Queensland require self-government or not. That has been proved up to the hilt, and I am very sorry that the senior member for Rockhampton has seen fit to again bring forward a proposition which casts discredit and doubt upon the whole matter.

Mr. KERR: Are you afraid of the referendum?

Mr. CURTIS: I am not afraid of it, but I do not see any necessity for it. Besides, I do not see that there is the slightest probability of the hon. member carrying his motion; and if he has no chance of carrying it he should not have introduced it, because, if it is not carried, it leaves a doubt behind as to the desire for separation. I can speak with some authority as to the unanimity of the people of Central Queensland. I am the acknowledged leader of the separation movement in Central Queensland. I am the chairman of the Central Separation League, which was established some nine years ago. This body carried on this movement from its inception without the assistance of the party to which the hon. member belongs. The members of that league put their hands in their pockets and found the means to carry on the movement successfully in the face of great difficulties. On their behalf I distinctly repudiate any proposition which says that it is necessary to take a vote of the public of Central Queensland. One objection I have to the motion is that, if carried, no effect can be given to it until the general election takes place—nearly two years hence—and during all that time our hands will be absolutely tied. Our parliamentary agent in England, Mr. Hogan, with whom are associated a number of members of the House of Commons, and who is doing purely honorary work for us, wrote to me after the debate on this question took place last session saying that he was very glad indeed that I had protested as I had done; and one very grave objection to agreeing to this proposition is if we thus throw doubts upon the unanimity of the people of Central Queensland, our friends in the mother country may ask us to find someone else to represent us. They may say, "You assured us that the people were unanimously in favour of separation, but now you express a doubt about it. We want to know where we are. You had better get someone else to look after your interests in this country." The hon. member who has moved this resolution did not consult me, or, I believe, any other Central member as to the desirability of introducing his motion. He told me one evening that he was going to bring it forward, and I at once told him that I would not support it, as I did not believe in it, and did not see any necessity for it. The hon. member subsequently wrote me a letter to this effect—

21st August, 1897.

Dear Sir,—As I desire to bring before the House again the motion *in re* a referendum on the question of Central and Northern separation, I will be glad to get the advantage of any suggestions you may have to offer on the matter, and trust you will give the motion your support.

That shows that he never consulted me; he simply wrote to me saying that he was going to bring forward this motion, and asking me to support it. Surely that cannot be said to be consulting me! He was going to do it whether I liked it or not. I consider that on a matter of this kind, which is not a party question, members from the Central districts, on both sides, should have been called together. A meeting should have been held and the matter discussed before such a motion was tabled. The hon. member talked about the backing and filling and wobbling of members on this side, but I think he should have recollected the old saying that "people who live in glass houses should not throw stones." He should have been the last to have made such a statement, because I do not know a man who has wobbled to a greater extent on this question than he has. I recollect that when the movement was started the hon. member became a member of the league, but he afterwards lapsed from it, and refused to identify himself with it unless the league would purchase the support of his party by giving their adhesion to the principle of one man one vote. We said we would do nothing of the kind, because separation was not a party question. It is a national question, and every man can join in advocating it without sacrificing a single atom of principle. That did not suit the hon. member, and subsequently at a public meeting held at Rockhampton—at a very important and critical juncture in the history of the movement—the mayor of Rockhampton in the chair, the hon. member, with the assistance of the member for North Rockhampton, moved an adverse motion of a damaging character so far as separation was concerned. I cannot forget those facts, and I say the hon. member had no right to accuse hon. members on this side of backing and filling and wobbling on this subject. If he and his friends had succeeded in carrying their motion it would have struck a death-blow at separation for many years, but fortunately they were unable to carry it. Subsequently, both the hon. members I have named became ardent separationists—just previous to the election of 1893. The hon. member is seemingly now very anxious to patronise the question, but, bearing in mind his previous action, his patronage reminds me of the man who looks on with unconcern while another man is struggling for his life in the water, and when he reaches dry land embarrasses him with his help. That seems the kind of assistance which the hon. member is desirous of giving to the separation movement. Hon. members opposite spoke and voted for the movement, and were so satisfied with it that they signed a strongly worded letter to Lord Ripon, which I had the honour of drafting. Seven of those gentlemen are still in the House, and three others—the mover of the motion, the member for Rockhampton North, and the member for Mitchell—have been since returned as pledged to Central separation. The unanimity of the people was again affirmed in November, 1895, and unless hon. members think that a change has come over the people, they have no right to bring forward a motion of this kind. I look upon the action of the hon. member in having brought forward this motion without first having secured the consent of the Central members as most unwarrantable, more especially as the league in Rockhampton—the men who have done the work, who have carried on the crusade during the last nine years, have found "the sinews of war," have spent thousands of pounds in the movement—were not consulted, and are, in fact, opposed to the motion. To show that, I will read a telegram I have received on the subject. This is a matter on which I feel most strongly because I have a deep interest in it. I have made great sacrifices for it. I have spoken repeatedly and written in favour of it, and, in addition, I am probably the largest subscriber to the movement in Central Queensland. This is the telegram I have received—

At a well attended meeting of members of the Separation League, held this evening, the following motion was carried unanimously:—That the action about to be taken by Mr. Kidston in the Legislative Assembly on Thursday night, is, in the opinion of this committee, both unnecessary and undesirable, and calculated to injure the cause of separation.

Mr. KIDSTON: Who wrote the letter asking for that meeting to be called?

Mr. CURTIS: I say the hon. member has incurred a grave responsibility in bringing this motion forward without the approbation of the Central and Northern members. He should not only have consulted the Central members, but the Northern members too. Last year the hon. member brought forward a similar motion. I consider that this is a false step, because it would be fatal to the movement to have to wait nearly two

years before the referendum could be held at the next general elections, and in the meantime much discredit would be thrown on the whole business. I believe our friends in England, Mr. Hogan and others, would be much disgusted by the carrying of such a motion, because it would indicate that we did not know our own minds. In addition to that there are grave objections to the principle of the referendum being introduced into this colony. I quoted last year on that subject a very distinguished authority who wrote in the *Century Magazine*. I will not repeat those quotations, but I will give one or two more because this is a referendum motion and not a separation motion at all. The quotations I made last year are in *Hansard*, and I will not repeat them, but here is another extract from the same article—

> The direct, logical, and sure remedy is at hand. Representative government does not need to be abandoned, but to be put in the hands of better men. If all citizens will do their duty and see to it that only fit men are sent to the legislature, we shall be in no need of the referendum or any other reversion to primitive governmental methods to save us from the consequences of our own indifference and neglect of civic duties.

I recollect the hon. member for Rockhampton spoke in contemptuous terms of that authority, so I will give him another—the late President of the Swiss Republic, Numa Droz, who has recently been appointed Governor of Crete by the Great Powers. After speaking of the way in which the referendum operates in Switzerland, he goes on to say—

> But every medal has its reverse side. The fear of the referendum tends to make timid legislators, who sometimes lack the courage to vote for what they believe to be the best for the country, or, having voted for it, to stand up for it before their fellow-citizens; they prefer to let it go without a struggle. The referendum has also given birth to a camarilla of politicians who exploit the credulity or passions of the populace in order to oppose measures which are perfectly legitimate.

Further on he says—

> From the moment that the regular representatives of the people are placed in such a position that they have no more to say in the matter than an irresponsible committee drawing up articles in a bar parlour, it is clear that the limits of sound democracy has been passed, and that the reign of demagogy has begun. The people have no other safeguard than their own good sense. The good sense of the Swiss people is certainly very great; but who is to guarantee us against moments of sudden excitement or of unreflecting passion, when the bounds of reason and justice may again be overstepped, as in the case of the Jewish slaughter-house regulations?

Finally the writer says—

> I think, indeed, that I have sufficiently shown that, for the reasons I have here developed, the referendum and the initiative in Switzerland form part of a system of government of which all the pieces hang together. It appears to me very doubtful whether it would be possible to introduce these two institutions elsewhere without at the same time introducing a mechanism of government similar to that of which they have become part and parcel here.

The introduction of the referendum means the abdication of representative government in favour of direct government by the people.

Mr. KIDSTON: And a very good thing too.

Mr. CURTIS: The greatest authorities in the world on the subject show conclusively that it would not be a good thing. On this point I will read another passage from the article in the *Century Magazine*, from which I have already quoted—

> The proposition amounts practically to one for the abandonment of representative government, and a return to pure democracy, or government by town meeting.

The writer then quotes the opinion of Chief Justice Ruggles, who said—

> I regard it as an unwise and unsound policy, calculated to lead to loose and improvident legislation, and to take away from the legislator all just sense of his high and enduring responsibility to his constituents and to posterity by shifting that responsibility upon others.

The writer himself goes on to say—

> To adopt the referendum under representative Government is to hand back to the people certain powers which they have delegated, and to revert to the problem of direct legislation by a democracy—a problem which was abandoned as insoluble when representative government was established.

If the Central and Northern members cannot speak in the Parliament of the colony on behalf of the electors who sent them here they acknowledge that representative government is a failure, and I am not prepared to admit that it is a failure.

Mr. MCDONALD: You are only one.

Mr. CURTIS: I know; but I am quoting from the very highest authorities on the subject. And I would like to draw attention to this fact in support of my contention, that the combined wisdom of all Australia at the Convention sitting in Sydney the other day, after a prolonged deliberation on the subject, finally abandoned the idea of grafting the referendum on the Constitution, even for the settlement of deadlocks.

Mr. KIDSTON: And yet the Constitution itself is to be submitted to the referendum.

Mr. CURTIS: Supposing this motion is carried and given effect to, the Central and Northern members could never again speak authoritatively as to the mind of Northern and Central Queensland. In a very short time it might be alleged by some one in the House that a change had come over the mind of those people, and that they were no longer in favour of separation, and they would demand that another referendum be taken to find out whether that were so or not. If hon. members doubt the verdict of the Centre and the North at the last election on this particular question, why do they not doubt about the one man one vote, the abolition of the Upper House, the formation of a Labour department, and the introduction of the referendum? Why do they single out this unfortunate question of separation? If they are in doubt as to the wishes of the electors on the subject on separation, how are they certain they are right on those other questions? This is a non-contentious matter as far as the North and the Centre are concerned. The difficulty for the last five or six years would be to find a man in those districts who was not in favour of it. All the others are contentious questions, as to which there is far more reason for doubt. The fact that they have singled out this question alone has a distinctly suspicious look about it which I do not like. Remembering as I do the distinctly antagonistic attitude the hon. member has shown from time to time on this question at Rockhampton, and also that neither he nor his friends have ever subscribed a single sixpence towards the funds—which, after all, is the true test of sincerity—I have every reason to feel suspicious. After what the hon. member stated at his meeting in Rockhampton that "he never had any idea of consulting Curtis," I did not expect him to consult me on this occasion, notwithstanding the fact that I am the practical leader of the movement in Central Queensland. I did not expect even that he would condescend to recognise the league, although it has been recognised by the Governor, by the Government, and by the Secretary of State for the Colonies. I suppose it would be beneath his dignity to recognise that duly organised and influential body of Rockhampton gentlemen who, as I said before,

conceived and carried on this movement from its inception with great success in the face of great difficulties. It was scouted by the Labour party at one time. I remember George Taylor saying they were not going to support separation; they were in a majority, and would not have it. They were not willing to throw in their lot with us unless we bought their support. We did not buy their support, but when it suited their purpose they came over to us all the same. I say the league had a right to be consulted before a motion of this kind was brought forward. The hon. member relies on the fact that I talked about something of this kind in 1893. So I did. But fortunately I declared against the principle of the referendum at Rockhampton in 1893. I said it might work very well in small, self-contained countries like Switzerland, but not in a vast sparsely populated territory like Queensland. I was induced to contemplate the idea of bringing such a motion forward because of an understanding I had come to with Mr. Charles Powers, the then leader of the Opposition. He was willing to give his adherence to territorial separation on certain conditions, one of which was that a referendum should be taken. I was willing to give way to his judgment to that extent, not because I believed in it, but because he was willing to help us to get separation. But he is not here now, and I am no longer under the obligation to bring it forward. If there was any reason to doubt the unanimity of the people of the Centre and the North, I could understand this motion being submitted, but there is nothing to justify any doubt on the subject, more especially after the distinct declaration made by Sir Hugh Nelson last year in this House. If there had been any dispute as to the question up to that time, there could be no longer any dispute about it. The Imperial Government has never expressed any doubt about it. In the last communication from Mr. Chamberlain he distinctly recognises the unanimity of the people. How the referendum is going to help us I do not know. It can only prove what has already been proved. What we want is money—"the sinews of war"—to carry out the fight to a successful issue; and if the hon. member and his party are not prepared to put their hands in their pockets for that purpose they will not forward the cause of separation by any resolution of this kind. After the debate in the House here in 1893 a convention of representatives from all parts of Central Queensland assembled in Rockhampton, and amongst the delegates to that convention was Mr. Kerr, the hon. member for Barcoo. That was subsequent to the debate, and he said in his speech—

> The fact that they had delegates from Birdsville to Rockhampton was a distinct and emphatic denial to Sir Thomas McIlwraith's statement that the movement was a purely Rockhampton one—a purely local one.

Then, in the letter which I had the honour to draw up for Lord Ripon shortly afterwards, and which was signed by all the Central members except Mr. Corfield—seven of them are members now, and three Labour members—there is this passage—

> We have the honour to state that the general election referred to took place in the month of May, and it now becomes our duty to inform your Lordship that the question of separation was placed before the electors of Central Queensland as a distinct issue, and that each and all of us (representing the before-mentioned nine constituencies) were returned distinctly pledged to territorial separation, and also pledged to bring the question before the Parliament of Queensland as soon as possible.

Later on we say this, which I had the honour of embodying in the motion I moved here on the 23rd August—

> 1. That the constituencies of the Central division of the colony of Queensland having at the recent general election declared in favour of territorial separation, in the opinion of this House it is desirable that the territory comprised within such division should be separated from the said colony and erected into a new colony.

Later on we embodied the passage from Sir Thos. McIlwraith's letter to Sir James Garrick, in which he says this—

> Of the twenty members absent from the division eight were members of the Labour party who dare not vote for the motion, and who absented themselves, and members of Southern constituencies thoroughly opposed to the Government, but who would have been obliged, following the interests of their constituents, to vote against Central separation.

Further on we also say this—

> We submit that it is now ripe for speedy settlement; that the time has arrived when the Imperial Parliament or the Imperial Government should no longer delay giving effect to the prayer of the petition of Her Majesty's loyal subjects, the people of Central Queensland.

And in the letter which I had the honour of drawing up, addressed to Mr. Chamberlain in September, 1895, there is this—

> The results of that election are known to the Colonial Office. The question put before the electors was that of territorial separation, and with the result that ten out of the eleven members for the division were elected on their pledges to support the claims of the people for self-government; the eleventh seat was not contested, an informal nomination preventing a contested election.

It concludes with a passage to this effect—

> In October following, and again in February, 1894, a convention of delegates from all parts of Central Queensland assembled in Rockhampton, and adopted an address to the Secretary of State affirming the absolute necessity of separation, and submitting a further statement of our case.

Seven of the members who signed that are in the House now; the other three have been replaced by the hon. member for Rockhampton, Mr. Kidston, the hon. member for Rockhampton North, and the hon. member for Mitchell, and I do not suppose that any one of them is prepared to go back on the statements made in these letters. Nothing has occurred since then to justify them in the attitude they assume now, and why then have we such a proposal as this? I ask the hon. member why, instead of bringing forward a motion of this sort, which is mainly to get at a referendum, he did not bring forward a straight-out motion asking the House to affirm the desirability of separation. I can suggest a reason: It is that perhaps the hon. member has changed his opinion, and is no longer in favour of separation.

MEMBERS of the Labour party: Oh, oh!

Mr. CURTIS: I should not be a bit surprised, considering his wobbling. Perhaps there is another reason for it, and that is that he knows perfectly well that the leader of his party and the Southern members of the party are not in favour of separation, and would not vote for it. They will vote, not for separation, but for the referendum, and I say this is a subterfuge. The hon. member is afraid to bring on a straightforward motion on the subject, because he knows these men will not stand to him on the question of territorial separation. Is it likely they would? Can we not see the result so far as Mr. Glassey and the Southern Labour members are concerned? They would be in the same difficulty if we had federation in this colony of the three States—they would lose in this Parliament the support of the Central and Northern members. The leader of the Labour party would lose his following to a certain extent, and is it likely that he is going to support a proposal knowing, as he does, that it would reduce the strength of his party in this House? That is one reason why the hon. member has not the courage to challenge the opinion of the House on the subject.

An HONOURABLE MEMBER: What happened when Mr. Powers proposed it?

Mr. CURTIS: Mr. Powers had the courage of his opinion in that matter, and he dealt with the matter in a reasonable way to which I had no objection. But Mr. Powers is no longer here, and besides I know more about the subject of the referendum now than I did then. I do not profess to know very much about anything, but I do profess to know something about this subject now. A great philosopher two or three centuries ago said that the result of all our boasted knowledge was to know how little really can be known. I say it is the duty of the Central and Northern members to speak for the people of Central and Northern Queensland, and I am going to give them an opportunity of doing it. Before doing so I should like to reply to one or two of the arguments advanced by the Hon. Secretary for Public Instruction. I certainly do not agree with him that it is necessary to consult the people of Southern Queensland on this question. I distinctly repudiate such an argument, and to show its absurdity I point out that, if the people of Moreton Bay or Port Phillip had had imposed upon them a condition precedent to granting them self-government that they should obtain the consent of the majority of the people of New South Wales, they never would have got it. I say that Northern and Central Queensland are offshoots from the mother colony; two separate and distinct communities entitled by absolute right to manage their own affairs, and this Parliament has no jurisdiction in the matter. I distinctly affirm that, and I know I am right. I say it would be an advantage to Southern Queensland. Who can say that New South Wales has not distinctly benefited by the separation of Port Phillip and Moreton Bay? And who supposes for a moment that if this vast territory had remained a portion of the mother colony we would have seen anything like the development of its resources that has taken place already? From the experience then of the past we have every right to expect that the separation of Northern and Central Queensland from Southern Queensland would be followed by beneficial results to the whole country. I firmly believe it would. I am perfectly satisfied that no one will ever have a chance of being returned for Central Queensland unless he pledges himself to advocate separation. With regard to the clause in the Constitution Bill which has been referred to, I am well acquainted with it, and I had the honour of sending down a memorial signed by myself on behalf of the Separation League to the Convention at Adelaide, which dealt with the whole subject. It was presented by Mr. Walker, of New South Wales, and was received, read, and placed upon the records. The prayer of that memorial did not ask the Convention to alter the restrictive clause, because I knew perfectly well that there was no use in asking the other colonies to put the power into the hands of the Federal Parliament to divide a colony whenever it likes; but what was suggested was that special provision should be made in our case, seeing that our claims have been acknowledged and that our agitation has been carried on for years. Unless we can get some satisfactory provision inserted in the Enabling Bill before we go down to the Convention I say that the Central and Northern members ought to block the whole thing. What are we to do in the meantime? Will the referendum prevent anything from being done? What absurdity! Will the mere taking of a vote prevent this Parliament from doing what it likes? We represent the people of Central and Northern Queensland, and it is our duty to represent them here. I believe that when the Enabling Bill is introduced here it will contain a provision dividing the colony into three electorates, and I also think there will be a clause providing that the draft Constitution will come back to this Parliament before it is finally sent to the people, and it will then be the duty of the separationists to protect the interests of the Centre and North.

Mr. GROOM: It goes direct to the people in the other colonies.

Mr. CURTIS: Very well. If the Enabling Bill to be introduced here provides for that also, the Central and Northern members will have to stand shoulder to shoulder, and take care of the interests of their districts. The prayer in our memorial was simply this—

> That a clause in the Commonwealth Bill of 1891 contains the provision that subsequent to the passing of the Act of Union no State shall be subdivided, except with the sanction of the Parliament of that State; and your memorialists have reason to apprehend that the same provision will be contained in the Constitution Bill of the Convention.
>
> That as an act of simple justice your memorialists therefore pray that provision may be made in the Constitution Bill of the Convention for the admission of the present colony of Queensland into the federation as three separate autonomous provinces or States.

We shall try to protect ourselves before we go down there, but this motion is calculated to split up and divide the members for Central and Northern Queensland. If the hon. member desired to aim a blow at the cause of separation he could not have gone about it in a more effective way, and I am entirely opposed to it, because unanimity on the part of hon. members is essential. If adopted it can only prove what has been already proved up to the hilt. No doubt can exist as to the unanimity of the people after the unreserved and unequivocal acknowledgment made by the Premier in the House last year. In moving the second reading of the Enabling Bill he said—

> Take the Northern and Central districts. We all know that they have a perfectly legitimate aspiration—that they are looking forward to the day when they will be formed into separate States. Why should they not? But if the whole colony is made into one electorate, I should like to know where they will be. It seems to me that if the electors took the trouble to vote, those districts would be left out in the cold altogether. I propose that they shall of necessity be represented at the Convention in the way submitted in the Bill—that is to say, by dividing the colony into three electorates, each sending its own representatives.

After that I do not see that there can be a shadow of an excuse for bringing forward a motion of this character. In conclusion, as this is a most important matter, I desire to state briefly, seriatim, under different headings, my reasons for voting against the motion: (1) Because no law has been enacted by the Imperial Parliament—the only competent authority to do so—requiring a referendum upon such a question. (2) Because the procedure required by the Imperial Act for the better government of the Australian colonies has been carefully followed, and a direct expression of opinion has already been given by the petitions of the adult men and women of Central Queensland, supported by the general elections of 1893 and 1896, and by the Conventions held in Rockhampton in October, 1893, and February, 1894, and by the delegations to the Home Government, and by our addresses to the Governor, and by the Central members' letters to Lord Ripon and Mr. Chamberlain, in which they distinctly affirm the strength of feeling and unanimity of the people. (3) Because the proposals throw serious doubt and suspicion upon everything that has been done. (4) Because it casts a stigma upon our representative system, and in effect affirms that it is a failure, and that the members do not and cannot represent the people on this question. (5) Because the motion, if carried, would have the effect of stopping all action, and of hanging the question up for nearly two years. (6) Because the Home Government have never questioned the genuineness of our petition

or our unanimity, but on the contrary, the replies we have received distinctly recognise it, and no counter petition has ever been presented. (7) Because it is for the members to speak for the electors in their own Parliament. (8) Because the Premier of this colony, when introducing the Enabling Bill last year, distinctly admitted the claims and unanimity of the people of Central and Northern Queensland. When the Secretary of State speaks of an overwhelming case he wants proof that we are unable to come to an agreement with the people here, but as I have said before, a thing of this kind cannot be carried on without money, and when I held a meeting in Rockhampton the night before the hon. member for Bundaberg was to address the electors of Central Queensland I mentioned the subject of separation, and said I hoped the hon. member would give a definite and unequivocal expression of opinion, more especially as he expected to get some more representatives behind him from Central Queensland. I invited him and his party to put their hands in their pockets and subscribe to enable us to carry on the work, but so far I have not received a single sixpence. If the Labour party are in earnest about this matter, and desire to help us to bring it to a successful issue, let them put their hands in their pockets and subscribe to the league. That will be a material assistance. It has not been the large capitalists who have found the money, but the small property owners in Rockhampton and the Central district generally. Some of them were very poor men, but they subscribed their five shillings now and again. I have always declared myself opposed to the incorporation of Queensland in the federal union as one State, and shall continue to do all in my power to first bring about a tripartite division of the colony by means of territorial separation, or by any other means; and it is the duty of the Central and Northern members to speak for the people in their own Parliament, and show their unanimity on the question. I therefore propose to move an amendment which I invite those members on both sides to support. It does not matter if all the Southern members vote against it; so long as the large majority of the Central and Northern members support it, I shall be satisfied. My amendment will be consistent with my action, because I have always maintained that territorial separation should take place prior to federation, and I am sustained in my opinion by the opinion of no less an authority than the late Sir Henry Parkes, who in several of his speeches, and in his book "Fifty Years of Australian History," speaking of federation, distinctly stated that it would be far better for the union of the Australian States to be inaugurated by twenty or more States than with only five or six in order to secure the ultimate equality of federal power. The Centre, as compared with the South of Queensland, is weak; and the North up to the present has not co-operated with the Centre to the extent it ought to have done, or we would have secured territorial separation before this. If the members of this House cannot speak for the people they represent on this question they must acknowledge that representative government is a failure. I say they have no right to single out separation for reference to the people any more than the question of one man one vote, the referendum, the Upper House, and all the rest of their programme. Why do they not single out some of those questions?

Mr. STEWART: We will do that by-and-by. One thing at a time!

Mr. CURTIS: I will move an amendment which I hope will have the effect of bringing together the Central and Northern members on both sides. My amendment is that all the words after the word "House" be left out with a view of inserting the following words—

> The time has now arrived when the Central and Northern divisions of the colony should be constituted separate colonies, in compliance with the petitions of the inhabitants thereof.
>
> 2. That this resolution be presented to His Excellency the Governor for transmission to the Secretary of State for the Colonies in the usual way.

Now the House has got something tangible to vote upon—a straight-out issue. Though the adoption of this amendment will not immediately secure territorial separation, it will strengthen the position we intend to take up in connection with the proposal to incorporate Queensland into a federal union with the other colonies when the Bill comes before us. I attribute the greatest importance to the statement made by Sir Hugh Nelson last year in moving the second reading of the Bill to which I have called attention, because he spoke of the aspirations of the people as legitimate aspirations which he believed would be realised. There could be no more distinct and satisfactory acknowledgment than that on the part of the Government of Queensland, because when the Premier spoke last year it was on behalf of the Government; and I venture to say that there is not a single member of the Government who will not confirm the statement that there is not the slightest doubt as to the very natural desire on the part of the people of Central and Northern Queensland to secure their birthright; that is, the management of their own affairs. The Act to provide for the better government of the Australian colonies prescribes the mode of procedure to be followed by any community desiring to secure self-government, to be separated, to be endowed with their birthright. That procedure has been followed in the case of Central and Northern Queensland, as I have already shown; and I beg to move the amendment which I have read to the House.

Mr. CASTLING: I think the hon. member has done the correct thing in proposing this amendment, and trying to get Northern and Central members to work together as far as this question is concerned. Last year the senior member for Rockhampton brought in a similar motion, but he did not attempt to bring us together. He spoke to members on his own side of the House, but he did not speak to members on this side until the day before the discussion came on. If he was in earnest on the matter of separation, would he not have tried to bring together Northern and Central members on both sides of the House? No matter how much we may differ on other questions, surely on a question like this we should be prepared to waive our differences for the common good of the Central and Northern parts of the colony. I hope the real issue on this question will not be clouded by the referendum or anything else. The members for the North are pledged to separation. At least I am, and I believe others are in the same position. I was in the South when the first separation meeting was held in Ipswich, and I may say, from what I know of the Southern part of the colony then, and from what I know of the Northern part of the colony now, that as separation was a good thing for Queensland at that time, so separation will now be a very good thing for Northern Queensland. I do not know so much about the Central district, but I am certain that separation will improve Northern Queensland. We do not want every time we have any little thing to do to have to come to Brisbane. We want the right to spend our own money and to manage our own affairs. We have children whom we want to put into positions, but at present when anyone is wanted for a position in the North

someone is sent up from the South. I hope we shall stick to this agitation until we get what is our right. I know that people down here say that separation is dead, but it is not dead, nor is it likely to die. It is said that it is the unexpected that happens, and although a great many Southern people say that separation is dead, still I believe that we shall have separation pure and simple for the North, and I hope also for Central Queensland. I beg to second the amendment.

Mr. HARDACRE: I think it is a most regrettable thing that the so-called leader of the Central separation movement should take action of this kind on a motion that simply proposes to send the question of separation to the people most concerned. It has been stated as a reason for objecting to the motion that the hon. member for Rockhampton did not consult members on the other side, especially the leader of the Central separation movement. I understand that the hon. member did consult those hon. members; that he sent circulars to them asking them if they would support his motion, and also if they had any suggestions to offer in regard to the matter.

Mr. MURRAY: He never consulted them as to the wisdom of bringing it forward at all.

Mr. CURTIS: He said he was going to bring it forward.

Mr. HARDACRE: I am informed that the hon. member for Rockhampton intimated to his colleague, Mr. Curtis, that he would postpone his motion if the hon. member had any suggestions to offer, and that he did all in his power to secure the assistance of hon. members opposite. Then what is the reason that they oppose this motion? Simply because they are not in favour of the particular member who has proposed it; it is purely a matter of personal grievance, a matter of pique or rivalry between the leader of the Central separation movement and the hon. member for Rockhampton. It will be impossible to get a vote on both the motion and the amendment to-night, and I do not think we should go to a vote on either without full discussion on the subject. I therefore hope that hon. members will allow the matter to be placed on the business-paper for an early date, and with that object in view I move the adjournment of the debate.

Question—That the debate be adjourned—put and passed; and resumption of the debate made an Order of the Day for the 22nd October.

ACTING CHAIRMAN OF COMMITTEES.

The ACTING TREASURER moved that Mr. Grimes, the member for Oxley, take the chair in the absence of the Chairman of Committees.

Question put and passed.

LOCAL WORKS LOANS ACT AMENDMENT BILL.

LEAVE TO INTRODUCE.

On the motion of Mr. BELL, the House, in committee, affirmed the desirability of introducing this Bill; and the resolution was subsequently adopted by the House.

At 7 o'clock, the House, in accordance with Sessional Order, proceeded with Government business.

LAND BILL.

SECOND READING—RESUMPTION OF DEBATE.

Mr. KIDSTON said: I have no hope of saying anything new or original on this question after the lengthy debate that has already taken place. It is not because I had anything particular to say that I moved the adjournment of the debate, as the few words I have to say could just as well have been said that night, but I understood it was the desire of the House that we should adjourn at that time. I just propose to refer to a matter provided for in subdivision II. of Part VI. of the Bill, under which a provision of the Act of 1886 is to be continued. This gives the Secretary for Lands power to sell up to 150,000 acres in each year, and the people I represent, and I believe the people of the whole Central district, are unanimously of the opinion that it is an evil thing—at least for our district—that such a practice should be continued. Many people in our district who are not opposed to the principle of giving the land in freehold recognise that the prosperity and future advancement of our district will be retarded by this policy of selling large areas of the public lands. I cannot help thinking that the South—where large areas of land have been sold in the past—feels something like the fox in the fable, who, when he got his own tail cut off, tried to persuade all his companions that the proper thing was for them to get their tails cut off. A very great mistake has been made in parting with the public estate in the South, and the people in that district now find that it has blocked settlement, and continues to block settlement. They have been compelled to buy back some of these areas at largely enhanced prices for the purpose of securing settlement, and yet the Government is continuing the same policy; and that policy, if continued, will bear the very same fruits in our district that it has borne in the South. We have therefore very strong and valid objections to urge against the proposal to carry on the same policy under this Bill. Moreover, a very expensive and very capable commission was appointed, and the recommendation of that commission on a matter of this sort should have been a guide to the Minister when framing his Bill. It is notable how few of the recommendations of the Lands Commission have been adopted. This one—on a most important part of our land policy—has been entirely ignored. In paragraph 48 of their report the commission say—

> Your commissioners are of opinion that the practice of alienating large areas of Western lands at public auction is a proceeding which receives no justification either from the experience of the past or from the conditions of the present time.

It seems to me that, having appointed that commission, some little regard might have been paid to their findings on such a very important matter, or the Secretary for Lands should have attempted to show the House why he disregarded so clear and positive an injunction.

The SECRETARY FOR PUBLIC LANDS: Injunction?

Mr. KIDSTON: Well, so clear and positive a recommendation. If the recommendations of the commission were not to be taken, without any reason given for their rejection, I cannot see why it should have been appointed.

The SECRETARY FOR PUBLIC INSTRUCTION: Were they appointed to dictate to the House or to give advice?

Mr. KIDSTON: So far as selling land is concerned at present, I recognise that the Minister cannot help himself. He has to carry out the law as it stands, and, if the exigencies of the Treasury require him to sell land, it is his duty to sell it. I suppose—strong as my objections are to the sale of land—that if I were in the position of the hon. gentleman I would be compelled to do just what he is doing, and I do not particularly blame him for what he is doing. But at a previous time the hon. gentleman was strongly opposed to the sale of land. In *Hansard*

vol. lxv., page 1644, the hon. gentleman is reported to have said that he was opposed to the sale of land in any shape or form.

Mr. TURLEY: Was he Minister then?

Mr. KIDSTON: He was not Minister then; something has happened since then.

The SECRETARY FOR PUBLIC LANDS: I expect I said more than you have stated. Are there no qualifications?

Mr. KIDSTON: Perhaps it would be better if I read the whole of what the hon. gentleman said—

> Mr. Foxton said he was one of those who were opposed to the sale of land in any shape or form, and he had hailed the amendment when it was proposed by the hon. member for Cunningham with very great satisfaction. It might be within the recollection of hon. members that he had proposed to go further than that hon. member, and had proposed the omission of the word "permanent" from the amendment in order to provide a further restriction upon the sale land.

I do not think there is any doubt that the hon. gentleman expressed himself at that time as opposed to the sale of land in any shape or form, and I ask him now to assist us in bringing the present Bill into line with his sentiments expressed at that time. Of course I am well aware that there is no possibility of stopping the sale of land in large areas so long as the Treasurer looks to the Lands Department for a certain amount of revenue, and Parliament will have to recognise that if this source of revenue is cut off another means of filling the Treasury must be found. I would call the attention of those hon. members who are opposed to direct taxation to the utter futility of pretending to oppose the sale of land in large areas, because it is manifest to anyone that if the sale of land is to be stopped it necessarily means the imposition of a considerable amount of direct taxation. I shall, of course, support the second reading of the Bill, because it is a good Bill in many ways, and even if it was defeated on its second reading we would just be where we are, so far as the sale of the Western lands is concerned. At the same time I hope a very determined effort will be made by those hon. members who are opposed to the sale of these lands to have the Bill amended in committee. I would like to say a word now on the question of pastoral rents. That is a very difficult question, and when such authorities as the hon. members for Bulloo and Lockyer disagree it is hardly for me to give a very decided opinion. It seems to me that the pastoral tenants have not a great deal to cry out about. In spite of the increase of rents since 1884 the produce of the land has increased very much, so that they are paying now only about half of the proportion of the produce that they were paying then. Taking the exports of six or seven of the main pastoral products, I find that in 1884 the pastoral rents amounted to 12⅛ per cent. of the pastoral produce, and in 1896 the rents only amounted to 6⅛ per cent. in value of the produce.

The SECRETARY FOR PUBLIC LANDS: What were the items?

Mr. KIDSTON: Hides and skins, meats frozen and preserved, tallow, wool clean and greasy, and live stock. The value of the exports in those articles amounted in 1884 to £2,110,200, and the rents received at that time amounted to £259,221. In 1896 for the same class of goods the exports amounted to £5,533,081. That is the export value at the port of departure, and it seems very clear that although there may be instances of excessively high rent, on the whole the pastoral tenants have no reason to cry out. I have not the slightest desire to do anything at all to injure the pastoral tenants of the Crown. I recognise to what a large extent the general prosperity of the colony depends upon their prosperity. At the same time so far as rent itself is concerned they are better off than they were. There is another small matter I will refer to. It is to another disregarded recommendation of the Lands Commission. In section 47 of their report they say—

> During their extended visit to different parts of the colony your commissioners had their attention called to the small accommodation afforded at the provincial land offices for the display of maps, and also to the want of full and accurate information regarding all lands open for selection in the different land districts of the colony. Your commissioners are of opinion that the information supplied to the various land agents of the colony respecting lands open for selection should be on the most extensive and liberal scale, and that it should contain full descriptions of all classes of land open for selection.

And Mr. Murray, in the rider he added to the majority report of the commission, said that a large measure of decentralisation was necessary if the business of the Lands Office was to be well administered. That is another recommendation, and a very valuable one, of the commission that has been altogether ignored by the Secretary for Public Lands.

The SECRETARY FOR PUBLIC LANDS: You do not want that in the Bill, surely?

Mr. KIDSTON: It ought to be done in some way.

The SECRETARY FOR PUBLIC LANDS: How do you know it has not?

Mr. KIDSTON: I will show the hon. gentleman that it has not. I have here a letter, dated the 17th September, from a business man in Rockhampton, in which he tells me that he was called upon by an old selector, who had been thirty-five years in the district, and had been a selector most of that time. This selector found his selection too small for him. He wished to take up a grazing farm of 2,500 acres on the resumed area of Tilpal or Canal Creek run, so as to send one of his sons to occupy it with a small mob of cattle; but he could get no information as to the whereabouts of any land or any assistance whatever. The land agent, the letter says—

> Was polite and civil, but he partly stated that his instructions were to give no information about what land that was open or otherwise. All he could do was to give him a map, and he must find out for himself in the best way he could.

The SECRETARY FOR PUBLIC LANDS: I do not believe any such communication was ever made to him by the land agent.

Mr. KIDSTON: I know the gentleman perfectly well who wrote this letter, and I have no hesitation in saying there is bound to be some foundation for it. Hon. members will see at once that if that selector had been able to get the information he wanted he would not have been at all likely to make any complaint.

The SPEAKER: Order! The hon. member appears to me to be dealing with the administration of the department. That is a matter that may be discussed at some other time, but it cannot be discussed now.

Mr. KIDSTON: It affects the Bill in this way: It shows that after all the talk about promoting settlement it does not matter what Bill we pass; so long as they are administered in this way no betterment will result.

Mr. CURTIS: In the first place, I desire to say that I think the Minister for Lands has done his best to introduce a Bill that will give general satisfaction and promote the welfare of the colony as a whole. I listened attentively to his speech last session in moving the second reading of the Bill he introduced then, and also to the speech he delivered on this occasion; and I was impressed with the conviction that he had a large knowledge of the subject and had devoted a great amount of time, thought, and consideration to it. Bearing in mind the truism that the welfare of a country depends to a large extent on its land laws, it will be admitted that

this is a question of the very first importance. But it is also evident that although the Bill may be a very good one, it would be impossible, having regard to the immense area of the colony, and the great diversity of its soil, climate, and other conditions, to deal satisfactorily with every branch of the subject in one measure. There is a great deal of force in the contention of Mr. Armstrong, one of the Land Commissioners, in his rider attached to the report, that, having regard to those facts I have mentioned, it would be almost impossible to deal satisfactorily with the whole subject in any one measure of general application; and I feel persuaded that if the three divisions of the colony were legislating separately upon it there would be a considerable divergence in their respective land laws. Due allowance would be made in each for its varying conditions. For instance, a land law which would be eminently suited for the Darling Downs and the settled districts of the South would not be suitable for Central and Northern Queensland. However, notwithstanding that it is satisfactory to find the commissioners saying that during their travels over a large extent of territory they had not met with any very large number of complaints as to the land laws generally, or as to the administration of them, with the exception of the delays that took place, and the inconvenience caused owing to the absence of surveyors. That complaint was borne out the other day by the statement of the hon. member, Mr. Groom, as to the immense amount of work that had accumulated at the head office during the absence of the board in other parts of the colony. No matter how suitable the land laws may be, inconvenience and delay will be always caused if there is not a sufficient survey staff to do the necessary work before people can get on the land. This Bill does not make any great alteration in the existing law with respect to country inside the scheduled area, or at present under the Land Act of 1884, with the exception of any selection that may be taken up in the future, and the proposal to substitute a Land Court for a Land Board. As to whether the tribunal proposed to be established will be better than the present one, I am not prepared to give an opinion. That will have to be thoroughly proved in committee, when we get there. It is a very satisfactory thing to know that with respect to our land laws the commission report that no change is considered necessary by the people. With respect to the provision to give priority to those who will reside on grazing farms, I think it a most excellent provision. We should do all in our power to encourage residential settlement, which is the most valuable class of settlement. It is better that we should have twenty grazing farmers rooted to the soil by family ties than that we should have one vast holding, embracing an immense area of country, the owners of which are absentees and cannot take a very large amount of interest in the colony. I am very glad to notice that the commissioners certify to the genuine demand for grazing farms, and the commendations they make with respect to that class of settlement are worthy the best consideration. With respect to the matter of sealed tenders as opposed to auction; I am inclined to think it should have a trial. I understand that the ballot system so far has not proved entirely satisfactory; it has not, at all events, prevented a large number of clashing applications, which have not given satisfaction. I am not inclined to think the auction system desirable, because under it the man with most money has certainly the best chance. In addition to that, while a man is not likely to deliberately tender in writing any more than he considers a fair rent under the auction system, the probability is that in the excitement of the competition at the sale he may be induced to go a great deal further than he would otherwise go. Therefore I should like to see the tender system given a trial. I wish to say a few words with regard to the forfeited country outside the schedule. It comprises an area of some 80,000 square miles and is at present producing no revenue, which is a very serious matter. I notice in a supplement to the *Government Gazette* dated the 18th instant it is intended to sell by auction, at the rooms of Cameron Brothers, Queen street, Brisbane, on Tuesday, the 28th of this month, a number of leases comprised within that area of forfeited country.

The SECRETARY FOR PUBLIC LANDS: Only the unexpired terms of the leases.

Mr. CURTIS: In some cases the leases are for nine and ten years. If these blocks, as is not unlikely, are the eyes of the country containing all the available water, it would be a mistake to sell the lease of them for ten years.

The SECRETARY FOR PUBLIC LANDS: They are not. Otherwise they would not be thrown up.

Mr. CURTIS: I am glad to hear that, because it was suggested to me by somebody who ought to know that they contained all the available water; were really the eyes of the country; and if they were sold as proposed it would be very detrimental to the colony. Instead of dealing with these lands in this piecemeal fashion it would be better to wait until we can deal with the whole of them in a comprehensive measure providing for suitable blocks with a fair term of lease and adequate security for any improvements that might be effected—encouraging the lessees in providing water and making other improvements. That is a suggestion worthy of the consideration of the Minister. I do not desire to speak at any great length, as the debate on the second reading of the Bill has been a protracted one, and the majority of members are desirous that the Bill should be read a second time, that we should go through it in committee, and that it should be placed on the statute-book some time during this session. There is one other matter to which, as a Central member, I shall allude, and on behalf of Central Queensland, and at the request of the Chamber of Commerce of Rockhampton, I formally protest against any further large sales of land by auction in the Central division. I was one of those who interviewed the Minister on the subject the other morning; I then made my protest against it, and called attention to the fact that these sales of land, and more especially the appropriation of the proceeds to general expenditure, was a breach of faith with the Central people, because both Government and Opposition of the day admitted that the principle of the Decentralisation Bills introduced in 1887 and 1888 should be carried into effect in the matter of keeping a separate account of expenditure and revenue in the different divisions; and in the year 1889, for the first time in the history of the colony, there was a return laid on the table of the House in accordance with the principles of of those Bills.

The SPEAKER: Order! The hon. member is now dealing with a local matter which has no connection with the principles of this Bill.

Mr. CURTIS: I shall only say, again, that I protest against the sale of land in this way by auction. These are really bogus sales at which no competition takes place, and the person who buys is the adjoining runholder. The result is the agglomeration of large areas of land in the hands of a few persons, often absentees, as has been the case in Southern Queensland. We do not want to have a repetition of what has taken place on the Darling Downs, and I contend that people who live in the country, and whose future

welfare is bound up in the country, have a perfect right to protest against the continuance of this policy. If this land was sold to *bonâ fide* settlers in small areas there would not be so much objection, but it is a very vicious principle to sell it in large areas for revenue purposes, and the sooner it is discontinued the better. It would be better to devise some other means of raising revenue. I hope the Bill will pass its second reading, so that it may become law before the end of this session.

The SECRETARY FOR PUBLIC LANDS, in reply: I think it is only courteous that I should reply to some of the remarks that have been made in reference to the Bill, although I must thank hon. members generally for the kind reception they have given it. In introducing the Bill I urged upon hon. members that they should refrain so far as possible from making charges against officers of the department, as it seemed unfair, and to some extent unmanly, to attack men who had no opportunity of defending themselves. If such attacks are to be made they should be made in committee on the Estimates when the officers are present, and all information is available. I am satisfied that in every case they have acted conscientiously in the discharge of their duties, and that they are anxious to do all they can to please the public, and to make the department as efficient as possible. The hon. member, Mr. Kidston, referred to a small matter that I may explain. He said that a land agent informed a gentleman, for whose credibility he vouches, that instructions had been given him that no information should be given regarding land which was open or might be open. I am satisfied that the gentleman referred to is under a misapprehension. The land agent is there for the purpose of giving that information, and it seems incredible that he should say it was part of his instructions that he should not give information. If the officer made such a statement he would deserve to be dismissed at once as being unfit for his position, but I am satisfied that he did not. I think the explanation is this:—That the gentlemen in question went to the office and asked for information concerning the quality of the land and so forth, but it is a rule of the department that representations shall not be made as to the quality of land. Every possible information is given to enable intending selectors to go on the land, and satisfy themselves as to its quality, and they are the best judges; but it is no part of a land agent's business to make any representations beyond what are shown by the lithographs—whether it is lightly timbered country, or well grassed, or open country, or other things of that kind, but not more. It is an axiom of the department that selectors shall see the land, and satisfy themselves that it is what they require; because where the contrary policy has been pursued there has been nothing more common than to find this is made an excuse—that representations were made as to the quality of the land, and on the strength of those representations, and without going on to it himself he took it up, and found he had been misled. Nothing is more unsatisfactory to an officer of the department than to be met in that way, and therefore it is highly probable that the land agent in this case declined to go into that question. I know it is often complained that more information of this sort is not given by the department, but if a man is disappointed through mismanagement or any other cause he naturally blames the department for what he considers to be a misrepresentation as to the quality of the land. Nothing can be more satisfactory than personal inspection by the person intending to select, or someone authorised on his behalf. Then there was a matter in regard to lands outside the scheduled area, referred to by the hon. member, Mr. Curtis, concerning leases which were sold or were about to be sold by auction. So far as I know, a great deal of the country in question was taken up for speculative purposes by persons who never saw it. I know one man who selected a very large area out there, and never went near it. He paid rent for a couple of years in the hope that the existing boom in pastoral properties would induce some wealthy Victorian, for instance, to take it off his hands at a profit. That is the history of a great deal of that land. No doubt a great deal of it is utterly worthless under existing circumstances.

Mr. CURTIS: There is an immense area, more than I said.

The SECRETARY FOR PUBLIC LANDS: I think the hon. member rather overstated the area, but he was not very far wrong. He spoke of the country outside the schedule as if the whole of it were forfeited, but that is not so. Only that coloured pink on the map is forfeited, and a great deal of that is now occupied. I have no hesitation in saying that it is forfeited because the part upon which rent is being paid commands it. That is to say, the forfeitures have taken place in respect of those blocks which are waterless, and the back country commanded by the country for which the lessees are still paying rent. A good deal of the land is perfectly worthless. There is a strip running north and south from the south-west corner of the colony on which, I believe, for the last two years there has not been a drop of fresh water. The Central Rabbit Board tried, through the Gregory Rabbit Board, to erect a rabbit-proof fence near the western boundary, and nothing but salt water could be got in that district. The only way in which men could be kept on the ground was by taking condensing engines out and dealing with the salt water; but I believe the contractor has failed, and the work has been hung up for some months.

Mr. LEAHY: Is not that a reason why you require special legislation.

The SECRETARY FOR PUBLIC LANDS: I have said before that I consider it does require special legislation. I do not think we shall ever do very much with that piece of country; but throwing open to occupation license the area that was forfeited has had the effect of inducing people occupying frontages, whose back blocks might be threatened by persons taking out occupation licenses—possibly for the purpose of blackmailing—it had the effect of inducing them to come forward and ask that the unexpired balance of the lease shall be put up to auction. A large proportion, however, will continue to be unoccupied, because it would not pay a man to take it up even if he got it for nothing. We hope that the extension of our trunk lines of railway and of a line from the Gulf towards Cloncurry will open up a large portion of country in that direction. I shall not deal at any great length with the speeches delivered by hon. members; but I wish to refer to the statement that the Government have refrained from adopting many of the suggestions made by the Lands Commission. On the contrary, I think I can show that we have adopted a good many. There are at least four very important matters which have been embodied in the Bill itself, and there are a number of matters in connection with the administration of the department which do not find a place in legislation but which I have adopted nevertheless. I may say that the inquiries of the Lands Commission led them to the same conclusions as those at which I had already arrived through my knowledge of the department acquired since I took office; and in many respects I am proposing to carry out the suggestions of the commission. In some respects I had actually anticipated their recommenda-

tions. For instance, they recommend uniform survey fees. It is not more than a week since I laid on the table the formulated regulations for the adoption of uniform survey fees throughout the colony, so that every selector knows exactly what he will have to pay.

Mr. MURRAY: They are not done at a uniform cost.

The SECRETARY FOR PUBLIC LANDS: No, but the amount charged is the average. It has taken many months going through a long series of items showing the cost of surveys in various parts of the colony to formulate that scale, and I believe it will work admirably. There are certain amendments to the Bill which will probably be found necessary, and which I shall not object to adopt. Amendments have been suggested from time to time during the debate, and in some instances the matters to which they refer are matters upon which I had some doubt. It sometimes happens in preparing a Bill that one has to adopt one of two courses that may present themselves to his mind; and when one course appears as good as the other it takes very little to turn the balance either way. I have found myself in that position frequently during the last two sessions, and I mention it now in order to free myself from any charge of not knowing my own mind when proposing amendments on my own Bill. One very important matter about which there has perhaps been more heartburning than any other is the question of the tribunal. But before I go into that I wish to refer to another matter. Exception was taken by the hon. member for Bulloo, and perhaps by some other hon. members, as to the method of valuing improvements under the Public Works Lands Resumption Act. For my own part I do not see any great objection to the present method. I thought that with such a tribunal as it is proposed to constitute under this Bill it would have been highly acceptable to all classes of tenants to have everything decided by that tribunal, and that they would not desire to go to the Public Works Lands Resumption Act. Still, if there is anything in the contention that the proposal in the Bill savours of repudiation I may say that there is no desire to pass any measure which would be in the nature of repudiation; and I think I have argued with some show of reason that the re-constitution of the tribunal was not repudiation. Possibly it might be contended that depriving pastoral tenants of the right to have valuations made under the Public Works Lands Resumption Act savours of repudiation, and, if they desire it, I do not see any very serious objection to allowing the present system to continue. I should like to say a few words with reference to something that fell from several hon. members concerning the proceedings of the present Land Board. Among them was the hon. member for Lockyer, who spoke very severely about the proceedings of the board. I shall not refer to what the hon. member for Mitchell said, because, although he undoubtedly stated that there was political influence at the back of the Land Board, he afterwards qualified that statement, and said it was possible there might be political influence behind them. He also referred to a particular case in which he implied that political influence had been brought to bear on the board, but I am glad to say he afterwards qualified that statement. Subsequently he referred to the fact that it is proposed in the present Bill to perpetuate the provision giving the Governor in Council power to remit cases to the board for rehearing, and he implied that such a course would prejudice the minds of members of the board in favour of one view or the other. I cannot think that that would ever be so. If the members of the board are the sort of men I believe them to be, and that I think they have proved themselves to be, they would very properly resent any interference by the Executive. Bringing political influence to bear upon them is a very different thing from sending a case back to them for rehearing, when they may give exactly the same verdict, and probably would do so on the same evidence. The only instances in which, as far as I know, that power has been exercised up to the present time have been in cases where the court itself, if it were an ordinary court of law, would have granted a new trial before itself—that is, on the ground that the parties had been prevented in some way, over which they had no control, from adducing certain evidence which they are now able to adduce, and that submission of that evidence might lead the tribunal to come to a different decision. But that is a very different thing from saying that the tribunal is amenable to political influence. I have had scores of applications made to me for rehearings, and, unless the grounds for making the request have been stated, I have invariably asked the applicants to state their reasons, and have not granted the application except it has been shown that they were prejudiced by something that occurred at the trial, or were unable at the time to adduce certain material evidence. As a matter of fact, very few rehearings have come before the board.

Mr. LEAHY: They are nearly always refused, I know.

The SECRETARY FOR PUBLIC LANDS: Yes, and I certainly think they should be refused, unless the board itself, as has happened on one or two occasions, express a desire to reconsider its own decision.

Mr. DAWSON: How would that work in the District Court?

The SECRETARY FOR PUBLIC LANDS: The District Court has power to grant a new trial, and the grounds on which a rehearing is granted before the board are the same as those on which a court of law would grant an application for a new trial. That is one of the principles which I understand guided my immediate predecessor in office, if not other Ministers. The question of appeals is one upon which there has been a good deal of heartburning. I have said before—and I cannot say it too often—what members call an appeal under the present law is not really in the nature of an appeal. When a matter goes from the Land Board to a Supreme Court judge and assessors it is a new trial, almost invariably on new evidence. I believe that in every case that has occurred the evidence given before the Supreme Court has been totally different from that submitted to the Land Board, and it is only reasonable to assume that if people bring forward new evidence the decision will be different. I am sorry the hon. member for Lockyer is not present, because he, who ought to have known better, actually said it was scandalous that the decision of the Land Board should have been reversed in a particular case. What is there scandalous in a court of law having its decision reversed by a superior court on a question of law on the same evidence? Such a thing is common in the old country, and it occurs in every place which has an appeal court that is independent and knows its duty. There is nothing disgraceful or scandalous about it; it is simply a difference of opinion, and the majority decide, their decision becoming law until it is overruled by some other court. If that is so in ordinary appeals at law how much more is it so in the case the hon. member for Lockyer spoke of, in which a trial took place before the Land Board. The party concerned gave his evidence, but his brother, who was also an applicant for the same land, did not come forward, and the fact that he was not put in the

witness-box had an ugly look. It looked as if he was afraid to face the tribunal. But when the matter came before the Supreme Court not only was fresh evidence given by the selector himself, who had evidently learnt a wrinkle or two in the court below, but his brother was also put in the box, and there was an overwhelming case established in his favour. Under those circumstances the Supreme Court judge naturally arrived at a different decision from that which had been arrived at by the Land Board.

Mr. BATTERSBY: Why was not his brother summoned?

The SECRETARY FOR PUBLIC LANDS: It was not for the Land Board to summon him. It was for the selector to establish his case, and the suppression—if there was a suppression of a witness—had a sinister look about it. It is not for me to say that the brother did not tell the absolute truth about the matter, but when he was called a good case was made out for the selector, and the judge arrived at a decision which I have not the slightest hesitation in saying the Land Board would have arrived at had they had the same evidence before them. In fact, the members of the Land Board have intimated to me since that they would have given the same decision if they had had the same evidence before them. And yet, I regret to say, an hon. member stood up in this House and talked of the upsetting of their decision as a scandal. That was distinctly uncalled for, and it was a reflection upon a tribunal which it should be the object of Parliament to uphold as much as it can, and not to degrade. The point has been raised that the proposal to do away with the rehearing before the judge of the Supreme Court with assessors, which is now obtainable by any party, savours of repudiation. I am not going over the arguments I have used to combat that view on previous occasions, but I will say that I was amused to hear one argument used by the hon. member for Bulloo, the hon. member for Balonne, and some other members—that in taking away that rehearing the lessees were being deprived of a right which is possessed by the meanest individual in the land—namely, of appealing to the Supreme Court. That is not so. That is where the word "appeal" is misleading. If I bring an action in the District Court, the matter is concluded in that court. If the court goes wrong on a point of law it is true I have my right of appeal on that question of law to the Supreme Court, but I have not the right to have my case reheard by the Supreme Court, and that is where hon. members who have used that argument have failed. They certainly failed to see the exact difference between the appeal which they said was possessed by the meanest individual and the deprivation of the pastoral lessees of a rehearing before a judge of the Supreme Court with assessors, after their case had already been decided by a competent tribunal.

Mr. LEAHY: That is not putting it fairly.

The SECRETARY FOR PUBLIC LANDS: I think so.

Mr. LEAHY: All right, we will fix that up in committee.

The SECRETARY FOR PUBLIC LANDS: I am simply dealing now with the argument that this was not a repudiation—but a deprivation of a right which is now enjoyed by every member of the public.

Mr. LEAHY: Of course, you are giving a sentence without the context.

The SECRETARY FOR PUBLIC LANDS: Well I am not allowed to quote the hon. member's speech.

Mr. LEAHY: Oh, yes, you are.

The SECRETARY FOR PUBLIC LANDS: I do not want to, but at all events I understood that to be the argument. I contend—and I believe my arguments are supported by eminent jurists—that an alteration of a tribunal, or the substitution of one tribunal for another, can in no sense be regarded as an act of repudiation; nevertheless, if a section of the community honestly think that their rights are being overridden by any such action, and that it savours of repudiation, unless Parliament is thoroughly satisfied that these complaints would be silenced by its action, it is not desirable that it should go forth to the world that a large section of the community think they are labouring under disabilities which have been imposed upon them. Seeing that there is such strong exception taken to the proposal in the Bill, it may be desirable to concede something to those lessees who are in occupation of the land under the Act of 1884 and the amending Acts. I shall therefore propose in committee that the Bill shall stand as it is so far as the tribunal is concerned—that up to a certain point the procedure in every case shall be exactly similar. There will be first of all the hearing before a single member of the Land Court, then there will be the rehearing before the Land Appeal Court, consisting of two members of the court and a District Court judge. So far as regards tenures created under this Bill that shall be final and conclusive on questions of fact. Anybody of course may appeal, as provided in the Bill, to the Full Court, sitting *in banco*, upon a question of law. But, with regard to existing tenures under the Act of 1884, and the amending Acts, if any person thinks himself aggrieved at the decision of the Land Appeal Court, he shall have the right to go to the present Appeal Court, and apply for a rehearing before a judge of the Supreme Court sitting with two assessors. I do not like that. I like best what is now in the Bill, but, in view of the strong opposition to the proposals of the Bill, not only in the Press of Queensland, but throughout Australasia, where this matter has been considered as affecting the rights of property, I think the suggestion I have made is a fair way out of the difficulty. It will enable this Parliament to do justice to the lessees without incurring the reproach of having done something savouring of repudiation.

Mr. DAWSON: You mean it is a fair compromise.

The SECRETARY FOR PUBLIC LANDS: I hold that it is not repudiation, but other people hold that it is. The only ground on which it can be argued that it is repudiation is that it is a part of a contract which has been made with the Crown tenants, and that is the only reason why it should be retained. It is absolutely necessary to re-constitute the Land Board, and if it comes to that, technically that is just as much repudiation as the proposal which is in the Bill at the present time. Technically, any interference with that tribunal is repudiation according to the arguments used.

Mr. LEAHY: Not if the parties consent.

The SECRETARY FOR PUBLIC LANDS: But who is going to consent for all the pastoral lessees? Does the hon. member assume to speak for all of them?

Mr. LEAHY: I speak for the greater part of them.

The SECRETARY FOR PUBLIC LANDS: The hon member can speak for Bulloo, but he cannot say a word for anyone else in this House. He has no right to speak for my constituents or those of any other hon. member. He is quite capable of representing Bulloo in this matter, and ably he does it, but he has no mandate from the pastoral tenants generally to vary the contracts which they have made with the Crown. I do not recognise the hon. member as the business agent of his constituents.

Mr. MCDONALD: He had a mighty big brief a little while ago.

The SECRETARY FOR PUBLIC LANDS: That is not the capacity in which he appears here. He is a parliamentary representative in this House, and has no authority to vary contracts between the State and its tenants unless he comes to my office and produces an authority to represent particular persons. Undoubtedly a rehearing by the board might not affect the interests of tenants to the same extent, but as a matter of principle one is just as much repudiated as the other. I have prepared an amendment embodying the proposal I intend to make, and there are one or two other minor matters in which slight amendments will be necessary in the earlier parts of the Bill, and I propose to circulate them among hon. members for their approval. Although I think the provision in the Bill to which I have alluded is a right one, yet in order to allay this feeling in reference to alleged repudiation it is desirable that we should meet the objections as far as possible, and I believe the way I have suggested will be a safe way of doing it in the interests of the colony, and will avoid a great deal of ill-feeling and dissatisfaction. If other hon. members have amendments to propose I would suggest that we take the various parts of the Bill as separate Bills, so that we shall not be overladen with a vast sheaf of amendments, and hon. members will thus have less to distract their minds from the subject under consideration. I have nothing more to say except to thank hon. members for the way in which the Bill has been received, and to re-echo the hope that we shall endeavour in committee to make the Bill a really good one. It is my ardent desire to pass the Bill this session. That was my desire last year also, and I am deeply sorry that it was not passed then. I believe if the measure is not a good one now it may be made so in committee, and I sincerely hope hon. members will use their best endeavours to assist the Government in making it what it ought to be—as good a land measure as is to be found in Australia.

HONOURABLE MEMBERS: Hear, hear!

Question put and passed; and the committal of the Bill made an Order of the Day for Tuesday next.

PASTORAL LEASES EXTENSION BILL.

SECOND READING.

The SECRETARY FOR PUBLIC LANDS: This Bill, some hon. members may think, should have found a place in the Land Bill, but it deals with a separate branch of land legislation from that which is dealt with in the Land Bill proper. It has reference to the Pastoral Leases Extension Acts which have been passed from time to time providing for the extension of leases in consideration of the lessees erecting rabbit-netting fencing. Hon. members will remember that it was provided in 1892 that—

> If the lessee of a holding under Part III. of the Crown Lands Act of 1884 proves to the satisfaction of the Land Board at any time before the 1st day of January, 1894 . . . that there has been erected upon the external boundaries of the whole of the area which comprises his holding, together with so much of the resumed part of the run of which the holding formed part as is not for the time being in the lawful occupation of some other person, a substantial and permanent fence of such a character as to prevent the passage of rabbits, the board shall issue to him a certificate certifying the fact.

That applied to holdings under the Act of 1869, outside the schedule of the Act of 1884, to pastoral leases under the Act of 1884, and to grazing farms. The time within which that proof had to be made was extended by the Act of 1894 to the 30th June, 1895, and that again was further extended for reasons which were considered by Parliament to be valid at the time. I now ask in this Bill that that period should be still further extended; and that for several reasons. It will be remembered that Parliament undertook to supply wire-netting to various lessees for the purpose of enabling them to erect rabbit-proof fences which would entitle them to an extension of lease under the Acts I have quoted. Such lessees were to give charges upon their holdings to secure the repayment of the cost of the netting delivered at the nearest railway station, together with 5 per cent. interest, subject to the condition that the fences should be maintained in good repair during the period of the lease. Owing to one cause or another it has been found impossible up to the present time to supply more than very little of that rabbit-netting. Some of it was ready twelve months ago, and it has been rapidly accumulating at the store and at the railway stations where it was known it would be required. We had to deal with the question from the departmental or business point of view. First of all, I must have security for it in the Lands Department. That is an essential; and it is the steps leading to the getting of that security that has been the cause of the delay. The applications were all in and had been in for some time. It was then necessary for the department to find out through various channels—and the best were naturally the rabbit boards in the various districts—to what lessees it was desirable the netting should be first distributed. We had only a limited quantity when the inquiry was made, and owing to the delays—in some cases the extraordinary delays—that occurred on the part of persons sending in those recommendations the time slipped by. One board only meets every three months, and their district is a very large one. At last we have received several recommendations and the netting is now being supplied. Then came the question of the charges—an entirely new thing—preparing them and sending them out to the various lessees throughout the country, which was a formidable departmental labour. They came back in many instances filled up wrong, signed wrong, and so on. However, I think the thing is in a fair way now, and we shall be able to supply the netting, though certainly not in time to enable the lessees to obtain the benefit of the Act passed for that purpose unless this amendment of the law takes place and the period is extended for another twelve months. I have before me the cases of two runs, the owners of which did not come to the Crown for their netting, or for a very small portion in one case. They elected to find their own netting owing to the delay they saw would take place before they could get it from the Crown, and in their desire to run no possible risk of going past the date allowed by the present law. In one case they have actually spent a large amount of money. They finished erecting forty or fifty miles of netting about six months ago; they have 100 miles more of netting on the ground, and they have spent between March, 1896, and March, 1897, £6,000 on the erection of the netting. The whole of the contractors threw up their contracts six months ago, and are unable to proceed with the work owing to the drought. The southern and western boundaries are not completed. There are still fifteen or sixteen miles more to be done, and they cannot possibly complete even that part before the 31st December, 1897. In the other case forty miles of netting have been erected on the eastern boundary, and sixteen miles on the southern boundary; there are forty-five miles of netting on the run and thirty-five more at the nearest railway station which they cannot move until the drought breaks. There also the contractors have given up the work and cleared out, and it was impossible for them to complete even the southern and western boundaries.

Mr. KERR: Are those cases in the Central district?

The SECRETARY FOR PUBLIC LANDS: They are two cases picked out at random, but I do not think I am at liberty to disclose the names. I mention them as typical cases to give some idea of the difficulties which have attended the erection of this netting. I have a long list of stations which are all in the same fix. For these reasons I think it will be only doing justice to those lessees, after having induced them to incur this expenditure—the delay having been caused by reasons beyond the control of the department—to extend the date from the 31st December next to the 31st December, 1898. Hon. members are aware of the drought the West has passed through: and what harm is there in the proposed extension? The lessees will erect these fences as soon as possible, and that will create work for men in the West, where there is none too much of it in these times. I think this improvement should be encouraged in every possible way. That our method of dealing with rabbits by fencing is better than those adopted in New South Wales, I do not hesitate to say. The results can be seen by anyone who travels through the rabbit-infested country between the two colonies.

Mr. HARDACRE: You forget your own report—the report of the Under Secretary for Lands.

The SECRETARY FOR PUBLIC LANDS: The hon. member is making a very bold assertion. I do not forget it at all. I say that report would never have been worded in the terms that it is had it not been for the measures we have taken to prevent the incursions of rabbits. Had it not been for those measures he would have had to tell of rabbits having gone as far as the Gulf, and that large areas of country in the Southern and Western portion of the colony had become actually useless, as much of the land on the New South Wales side of the border has become in consequence of the incursions of rabbits. It is the rabbit fencing which has confined the rabbits to a comparatively small portion of Queensland, and the extension of the system and subdivision of fences are the principal methods by which the pest is to be kept in check and our pastures saved from ruin. That is the principal matter dealt with in the Bill, but I have also taken advantage of the opportunity to remedy one or two defects in the existing Acts. On referring to the Pastoral Leases Extension Act of 1892 it will be seen that the same provision does not apply to the whole of the three classes of tenure—the pastoral leases under the Act of 1869, the pastoral leases under the Act of 1884, and grazing farms. The proviso I speak of does not apply to grazing farms. Why that is so I cannot say, unless it was thought that the boundaries of grazing farms could always be fenced, as they would not be natural features. There is this proviso in respect of the others—

> Provided that it shall not be necessary that the fence should have been erected on the exact external boundaries, if in the opinion of the board it follows those boundaries as closely as circumstances will reasonably permit.

That is perfectly reasonable, and I propose to apply it to grazing farms also. Several instances have been brought under my notice in which it is impossible to erect fences upon the boundaries of those farms. In one case it would be necessary to fence a mile through a waterhole thirty feet deep. There are other cases where the boundary is of such a character as to render a rabbit-proof fence unnecessary.

Mr. FITZGERALD: What sort of a boundary would that be?

The SECRETARY FOR PUBLIC LANDS: Well, a waterhole thirty feet deep and 100 yards wide would be as good as any rabbit fence. In the case I have quoted the selector completed the fencing of the whole of his boundary except this waterhole; but the board, in the strict reading of the Act, were unable to give him his certificate for an extension of lease, and as the law stands he could not fence around the edge of the waterhole, for his boundary goes to the middle. Those are anomalies which were not foreseen, and which hon. members will agree should be corrected. There is one provision which affects the district of the hon. member for Balonne materially and many other districts. In the Land Bill it is provided in respect to future tenures created under it that it shall not be necessary, as one of the conditions entitling a selector to a lease, that he shall erect rabbit-proof fencing unless it is so mentioned in the proclamation. At present the erection of rabbit-proof fencing is compulsory in certain districts. As I pointed out last year, if that provision were strictly observed, the effect would be that we should have grazing farms perhaps 150 miles apart—like plums in a pudding—fenced in. But what good would that be as a barrier against the incursion of rabbits? It would only be a barrier for the particular holding that was fenced, and in many instances the rabbits would not be within 200 or 300 miles of those holdings. What I have said to those who have complained in this matter is that, having taken up their farms on that condition, I cannot absolve them from its performance, but I have pledged myself to introduce to Parliament a measure which will give the Minister power to absolve them from that condition, unless he, on the recommendation of the Land Board, shall be of opinion that its performance is necessary for some public purpose—for instance, as a connecting link in a line of fencing.

Mr. GROOM: Why not the commissioners? Why go through the formality of the Land Board?

The SECRETARY FOR PUBLIC LANDS: As the hon. member has raised that point it is just as well to deal with it. It must be borne in mind that out of forty-two land commissioners and land agents upon whom I have to rely in the administration of the land laws of the colony, only about a third are officers of the Lands Department. We have commissioners who are Customs officers and practically know nothing whatever of the Lands Department; and this matter is of such importance that it should be decided by the Minister or the board, and it is better still that it should be decided by the Minister with the approval of the board. That is one reason why it is impossible to rely upon the decisions of the commissioners with any degree of certainty, and no change can be made at present without increasing the expenditure of the Lands Department to a very great extent. The 5th clause may perhaps be not very intelligible to hon. members, but it is introduced to settle a point of law in regard to which there is some doubt. It is doubtful if a man has the right to recover half the cost of wire-netting fencing from his neighbours. When a man gives another notice to fence he cannot recover until the whole of the other holding has been fenced, and that may not be within six months; but on the other hand the Fencing Act limits his time of recovery to six months, so that there is a difficulty. This clause will get over that difficulty. The 6th clause contains the extension of time to which I have already referred. I move that the Bill be now read a second time.

Mr. MURRAY: I am very pleased that the Secretary for Lands has introduced this Bill, because it is absolutely necessary, as I know many cases in which lessees have been unable, through drought and other causes, to comply with the conditions of the Fencing Act. This extension of time will overcome the difficulty,

and will be a great boon to those now engaged in erecting rabbit-proof fences. I also agree with the provision that a lessee should not be compelled to put up a rabbit-proof fence upon the exact boundary of his holding, because in many instances the boundary runs along a watercourse, and the fence would be always liable to be swept away. I know also that there is a general complaint amongst grazing farmers that they are compelled by law to erect rabbit-proof fences, which they cannot afford in many cases, and it is not really necessary. At one time I was greatly in favour of making rabbit-proof fencing compulsory, but having seen the hardship that such a provision inflicts upon many settlers, I have come to the conclusion that it is better to make it optional. This is a concession that will be very much approved of; but I think it would have been better to have given the rabbit board a say as to where fences shall be erected. They are supposed to supervise the erection of these fences, and they would be the best judges as to the necessity of erecting them. In places where different selections are separated by blocks of inferior country which no one would think worth enclosing, the board should step in and erect the necessary fences, so that there should be no breaks in the line. I shall support the second reading.

Mr. FITZGERALD: I did not expect this Bill would have come before us to-night, or I should have been prepared with a few facts that have come under my notice. I cannot look upon this Bill without some suspicion, and I shall not support it if I can find any hon. member to support me. The only clause with which I agree is clause 4, which gives the Minister power, with the approval of the board, to exempt selectors from erecting rabbit-proof fences. I may mention that a lot of country west of Longreach only came under the Pastoral Leases Extension Act after the passing of the Act of 1895, but a lot of selections were thrown open on Wellshot and other runs before then, and the selectors are not compelled to fence with rabbit-proof netting. One of the selections in the middle of this group was forfeited, and was taken up again after the Act of 1895 came into force, and the selector was compelled to put up a rabbit-proof fence, and as the other selectors are not under that Act he cannot even claim half the cost of the fence. All those selections are in a part of the country where rabbits are not to be feared, and this fencing means a tremendous expense. Many of the selectors have written to me saying that if they thought the department would have insisted upon this fencing they would not have taken up the selections, so if this clause is passed it will be great relief to them. With reference to section 6, which is really the point in dispute, I think that those runholders, especially round my district, have a very good bargain as it is—too good, in fact; and this is going to extend the time. I think the Minister should have told us whose fault it was that the delay took place.

The SECRETARY FOR PUBLIC LANDS: It was not the fault of the lessees.

Mr. FITZGERALD: I understand that the hon. gentleman sent to them for information, and they objected to the prices. Some hon. member interjects that it was with reference to the securities, but I do not know what that means. Does it mean that the mortgagees would not hand over the leases and deposit them with the Minister? Where is the difficulty about the security?

Mr. LEAHY: Certain schedule forms had to be signed.

Mr. FITZGERALD: If they kept the department waiting from December, 1895, until now for schedule forms to be signed there was gross negligence somewhere, and they do not deserve any assistance. When the Act was passed giving the extension it was understood that they were to fence the whole of their country; now it is proposed that where the natural features of the country are such as to prevent the passage of rabbits they are to get the benefit of that by not being obliged to fence, but the Government are not to get anything in return. We hear statements made about repudiation sometimes; but here it is proposed to make people a present of more than they bargained for. It has not been explained satisfactorily to my mind how the delay has occurred, and I do not see why they should get more time than is allowed under the present Act, which provides that they can get permission up to the 31st December, 1898. Surely between now and then they will have had time to have this rabbit fencing finished. Coming to clause 5, I would like to know how far it applies. Some time ago there was a selection taken up in a certain district, and on the boundary of the selection there was a rabbit-proof fence. The selector took up the selection thinking he would not have to pay for the fencing until the whole of the selection was fenced; but before the Land Board approved of his application they put in amongst the value of the improvements, for which the man had to pay, half the cost of the boundary fence, including wire-netting and cost of fencing. That is rather rough on a selector when he takes up land like that, and the adjoining lessee is using the fence, and it is only fair to extend the Act to selectors of that kind so as not to compel them to pay for improvements to the original lessee until they have made use of the fence. What I understand by the clause is that it only applies to actually adjoining selections and not to fences dividing runholders from selectors, but they should all be brought within the same category. I have not heard sufficient evidence yet to show me that any default has been made by anybody but the persons it is proposed to relieve by the Bill, and I shall vote against the second reading if a division is called.

Mr. GROOM: I think that if the Bill is passed only for the sake of putting the 4th clause into operation it will accomplish a great deal of good. The evidence given before the commission in many respects pointed out that the fencing with wire was a very serious grievance, and was positively obstructing settlement. Perhaps the district in which we got the strongest evidence was that represented by the hon. member for Balonne, Mr. Story. The evidence of the president of the Selectors' Association in the Cunnamulla district was most emphatic on the matter. He was asked—

> Have you heard complaints from selectors about the compulsory rabbit fencing? They all complain about that. The Act containing that provision came into force in November, 1895, and grazing farmers now have to fence in their holdings with rabbit-proof netting within three years, and they cannot obtain their leases till they have fenced. Of course they must put up some fence to keep their stock, or else shepherd them, which is a very expensive mode of keeping them in the present day, and also it does not do the stock justice. We have all under-estimated our expenditure, and when we go to a financial institution we are told they can do nothing until we get our leases, and we cannot get our leases until we rabbit-proof fence. A hard-working man may have put £1,400 or £1,500 into his selection, and at the end of two years, when he wants to erect a rabbit-proof fence, he may find that he has not the capital, and cannot borrow it, and may lose his selection.

Another witness, who was equally emphatic, was asked—

> You think the efforts of the Rabbit Board sufficient to prevent their increase or incursion? I do not think their efforts are sufficient without private enterprise. A great many who take up selections do not know until they take up country what the actual expense will be. Hard-working men, who do their own fencing and

tank-sinking, but are not good at financial calculations, have fenced in with a six-wire fence. They are unable to find the money to put up a rabbit-proof fence, so that if it still remains compulsory it means ruin to good citizens. They have not the means, and the capital they have invested will be forfeited.

Another witness gave corroborative evidence, and said—

Without exception I really believe everyone who has taken up a farm lately under the compulsory netting clauses has taken it up in the hope that the Act will be repealed.

Then he was asked with regard to a number of selections on the Paroo whether they were taken up in the belief that the Act would be repealed, and he replied, "Yes." That is the evidence given in one district, but in all the rabbit districts we visited similar testimony was given by selectors—that compulsory fencing by them at the present time would be ruinous in many instances; and, as the Minister pointed out, without any practical effect, because very often one selection is enclosed with wire-netting; an intervening space of fifty or sixty miles is without any fence whatever, and the rabbits have full play to come as they please, so that as a preventive of the incursion compulsory netting is a failure. Moreover, to impose on selectors a condition which involves the expenditure of from £1,500 to £2,000, in addition to their other expenses, is imposing upon them an unnecessary burden, and I am therefore very glad that the Minister has brought forward this amending Bill. I suggested incidentally just now that land commissioners should be empowered to grant permission to dispense with the erection of fences in the cases referred to in the Bill. I am aware that in many districts the persons holding the office of land commissioner or land agent have multifarious duties to perform, but I hope that in some districts the Minister will relieve those gentlemen and appoint his own officers. I could mention one district where I am perfectly satisfied that the gentleman who acts as land agent should not be in charge of the office. A more unsatisfactory witness, or one who was able to give less information in regard to the details of his office, I do not think the commission could possibly have examined. In fact, he proved that the sooner he is relieved of his duties in connection with the Lands Department the better it will be for the department and for selectors. But in other districts there are thoroughly competent officers. As I said on the second reading of the Land Bill, it is asking the Land Board to deal with details that could very well be attended to by efficient commissioners. Mr. Francis, the commissioner for Crown lands at Cunnamulla, is an exceedingly competent officer, and the evidence he gave before the commission was of a highly satisfactory character. He proved by his evidence that he was thoroughly acquainted with the work of his office, and that he discharged his duties to the satisfaction of the department and the country. Why, then, should you call upon selectors in a district like Cunnamulla to go through the formality of sending in an application to the Land Board?

The SECRETARY FOR PUBLIC LANDS: They have simply to write a letter, and the commissioner will probably be called upon to report on each case.

Mr. GROOM: After you pass Thargomindah and gradually come in towards the settled districts, the less apprehension there appears to be of an incursion of rabbits. The Rabbit Boards have erected two boundary fences between New South Wales and Queensland—one along the border, and the other about fifty or sixty miles inside—and those fences have largely prevented the rabbits from coming into the colony. The Rabbit Boards in the Thargomindah district have expended about £54,000 in the erection of rabbit-proof fences, and in doing so they have done good service to the colony. But when you come into the settled districts it does appear an injustice to call upon selectors, whose capital is very limited, to erect rabbit-proof fences that are unnecessary. While I agree that every facility should be given to pastoral tenants to erect these fences, I am one of those who think that a very grievous mistake was made when we agreed to an extension of their leases for seven years, and I hope that mistake will not be repeated.

An HONOURABLE MEMBER: Many of them have not taken advantage of it.

Mr. GROOM: All the stations held by financial institutions have done so, and it was an injustice to the colony to give them a long extension of their leases at the rental they now enjoy.

The SECRETARY FOR PUBLIC LANDS: It was done under a scare.

Mr. GROOM: I believe it was done under a scare. We do not now see what we saw just at the time the hon. gentleman refers to, when you could scarcely take up an issue of one of the daily papers in the city which did not contain sensational telegrams stating that rabbits had been discovered by the million in such-and-such a place. A special commissioner was employed for no other purpose than to go into New South Wales and write about the effects of the rabbit incursion there, and tell us what was likely to be the effect here supposing the rabbits got into this colony. A scare was created by these sensational stories and telegrams, and we committed the grievous mistake of extending the pastoral leases for another seven years. Of course the error has been committed, and those who have obtained the extension are reaping the advantage of it, but it should not be repeated. I shall vote for the second reading of the Bill.

Mr. KERR: Like the hon. member for Mitchell, I do not believe that this is such an innocent little Bill as it looks. The Secretary for Lands gave several reasons why this extension should be given. One reason was that the schedules which had been sent out to pastoralists had not been filled in in a proper manner and were returned to the Lands Department. There are other reasons why the delay has taken place, and it is just as well that the public should be given both sides of the question, because the taxpayers are finding the money for the wire-netting, and it is the pastoralists who are receiving the benefit.

Mr. LEAHY: They are paying 5 per cent. for the money.

Mr. KERR: The hon. member knows that it is much easier to pay 5 per cent. on the cost of an article than to pay for the article straight out.

Mr. LEAHY: Yes, but the Government make a profit of 2 per cent. on the transaction.

Mr. KERR: One reason why the squatters are asking for a further extension is because they have been unable to get the fences erected in time. Contracts have been let to men from New South Wales, who have sublet to others. After these sub-contractors have been at work for some time they have found that they will be unable to even make wages, and they have thrown up their contracts. Such facts have come under my notice in connection with Lansdowne, Nive Downs, Burenda, and other stations. A contractor from New South Wales sublet to others, who found that they could not make a living out of their contracts, and they threw up the work, and then could not get payment for the portion of the fence that they had erected.

The SECRETARY FOR PUBLIC LANDS: Would you penalise everyone because a thing of tha kind had occurred?

Mr. KERR: Then I have been informed that a number of hotelkeepers took contracts and sublet them, and *bonâ fide* working men in the district I represent have been unable to get employment because the contracts have been taken so cheap. That is one cause of delay. The Secretary for Lands told us that there has been a delay in supplying the pastoral lessees with netting. Several hon. members know that netting has been lying at the railway stations for some considerable time, and has not been removed by the pastoralists to their holdings.

The SECRETARY FOR PUBLIC LANDS: Not Government netting.

Mr. KERR: Government netting. Netting has been stacked at Alpha for some time. In 1890 and 1891 the carriers were paid a reasonable rate for carriage, but in 1895 a reduction was made by the Pastoralists' Association of 2d. per ton per mile, which made the rate 10d. per ton. Then at the meeting of the Pastoralists' Association this year at Charleville a further reduction was made to 8d. per ton per mile. At that rate the carriers consider they cannot make an honest and decent livelihood, and they have refused to take the loading away from the railway stations, and the men who have been supplied with wire-netting at the expense of the taxpayers of the colony have been allowed to stack it at the railway stations. And now they come down to this House and ask, through the Secretary for Lands, for an extension of time so that they may be enabled, as it were, to sweat the carriers and workers of the colony who have to help to find the netting for them.

Mr. LEAHY: Is that not board netting?

The SECRETARY FOR PUBLIC LANDS: Of course it is. It is quite impossible that it is Government netting for private owners.

Mr. KERR: It is netting. I am speaking for the men whom I represent. They have laid the facts before me, and, though I may not be so eloquent as the hon. member for Bulloo, I shall endeavour to do my best for those whom I have the honour to represent. When I was in Tambo during the recess men who had subcontracted came to the police magistrate and endeavoured to get summonses issued against the contractors because they could not get paid for the work they had done, and the money for which is found by the Government. It makes no difference if this netting was found for the boards. When hon. members voted for an extension of leases—and I was one who did—they voted under the belief that the Act would be put in force—that the men who got the extension would have to fulfil their part of the contract.

Mr. LEAHY: That netting is not found under this Act at all.

Mr. KERR: Allowing that, the pastoral lessees have failed to complete the work in the time specified, and they now ask for another extension. The Land Board has the power, as the hon. member for Mitchell pointed out, to grant an extension when delay arises from some unavoidable cause, such as a drought or a want of labour, until the end of 1898. If this Bill is passed the pastoral lessees will apply for the extension to be given by the Bill, and then when the time has expired they will apply to the Land Board for a further extension on the ground that they have been unable to obtain labour, or that the carriers will not carry their material out to the runs, and so they will be given until the end of 1899. That is too much time. The people who are living in those districts have come to the conclusion that the squatters have had a very fair extension of time already. If they had been kept up to their contract they would not have been able to let contracts as they have done; they would not have been able to stack the wire-netting as they have done, and they would not have been able to take the bread out of the mouths of carriers and other workers in the colony.

Mr. LEAHY: The hon. member who has just sat down rather confused things. He made statements that he certainly did not prove. He based all his arguments on the assumption that certain wire-netting stacked at the railway stations was for the use of persons who have taken advantage of the Act, whereas he had the assurance of the Minister that it was nothing of the kind. It is wire-netting, the proceeds of money voted yearly on the Estimates for erecting barrier fences across country that has not taken advantage of the Act.

Mr. KERR: The wire-netting that I know of is at Alpha Station.

Mr. LEAHY: There is a great deal of rabbit-infested country to which Alpha is the nearest station. When the Secretary for Lands, by interjection, explained to the hon. member that he was wrong he should have accepted that explanation, unless he is in a position to prove the contrary. I regret to see so much partizan feeling being displayed in a matter of this kind. Assuming that the pastoralist does get twelve months' extension to enable him to put up the netting, does it harm anyone? There is sufficient time yet to enable him to erect the netting and come under the Act if it is done at extraordinary expense, and the contention of some hon. members seems to be that he should be compelled to do it. It seems to be a sufficient satisfaction to them to know that the pastoralist would have to pay a great deal more for it than it ought to cost under reasonable circumstances. That is an extraordinary spirit to be exhibited by men who pretend to legislate in the interests of all classes of the community, and I must express my great regret at hearing such sentiments coming from any member of the House. As far as I am concerned, this Bill does not affect my electorate at all. I believe there is one station in the electorate which has taken advantage of the Act, and that is in the north-east, near Charleville. The owners of country most affected by rabbits have not taken advantage of the Act, and yet a great many of the stations are owned by large financial institutions. Let me tell the hon. member for Toowoomba that he is entirely mistaken when he says that all the stations owned by financial institutions had done so. I tell him he is entirely wrong. The hon. member has told us on several occasions that he has travelled over the country, and having seen for himself certain things, he has altered his old opinions. That is entirely creditable to him, and I think his views would have changed if he had known more about the country to which this Act applies. I venture to say that if he had travelled over this country, and seen it for himself, he would not have made the statement that the whole of the runs included within the boundaries of the Pastoral Leases Extension Act reaped a great advantage by coming under the Act, and much to the detriment of the State. If that is so, how is it that they have not taken advantage of this extended tenure? They have not done so in the south-west. I only know of one place that has done so. I believe one or two more applied to come under the Act, but they thought better of it. One of the runs in that district I know fenced on its own account some years ago, and is sorry for it. The fact is that a very large portion of the colony, and that portion which is most infested with the rabbit plague, has not taken advantage of the Pastoral Leases Extension Act, and when they have done so it was only to avoid assessment. It is just as well that we should clear up that point and come to a conclusion with a full knowledge of the facts before us.

There are a great many cases in which much employment could be afforded in the West by the erection of these fences, and I can assure hon. members opposite that in taking the steps they are they are doing a very serious injury to a class of men whom they profess to be animated with a desire to serve. I venture to say that no class of men—not excepting shearers—earn better wages than rabbit fencers. In many cases they make £4, £5, and £6 a week, but of course that is not by working eight hours a day. They are on piece-work, and put in as much as twelve and fourteen hours a day.

Mr. McDONALD: One man does two weeks work in a week and deprives another of work.

Mr. LEAHY: The hon. member gets two men's wages but he does not share it with anyone.

Mr. McDONALD: You get a thousand a year and do not share it with anyone.

Mr. LEAHY: If I do not share what I have, I do not advocate that others should share what they have. If I laid down that doctrine as the hon. member does, I should endeavour to give effect to it in practice. There are some things in this Bill which are certainly in the interests of the class of settlers which hon. members take a great interest in. I may not be given credit for it, but I am strongly in favour of close settlement, and there are provisions in this Bill which will enable the Minister to assist close settlement. The time is fast approaching when close settlement will be the ruling power in the land, and it will be a very good thing that every man should have an opportunity of making a home for himself and his family. There is a provision in the Bill enabling the fencing to be erected on the outside boundaries, and it is a most reasonable thing. It is a matter of very great relief that that provision should be extended, and it will be extremely useful for the small settler. I will repeat that I have not risen on behalf of any special interest. I have risen because I think that, having entered into this contract, and the opportunities for carrying it out being beyond the control of one party or the other—if it can be shown that no injury is done to the State or to any individual, but on the contrary that it will give a great measure of relief, we should accept the measure. A good deal has been said about the boundaries of the Pastoral Leases Act, passed two years ago, but it is too late to go into that matter now. I never supported those boundaries, and I admit that they include a good deal of country that will be required for close settlement. One effect of this Bill will be the erection of a barrier of fences across south-western Queensland, and if by its means we can prevent the incursion of rabbits into the fairest land in Queensland we shall be doing a very good action indeed; and any man who stands up here to oppose it—if that invaluable benefit can be brought about by its means—will be doing an injury to the colony; and only those should do so who are acting on the strictest personal knowledge of the facts.

Mr. BATTERSBY: It is amusing to hear the hon. member for Bulloo tell us that this Bill will only affect one station in his electorate. I am going to tell him that there are 175,000 acres in that one station. At an earlier stage to-night we passed the second reading of a Bill to consolidate our land laws, and now, five minutes afterwards, we are asked to amend the Pastoral Leases Extension Acts, 1892 to 1895. The Minister has given us no idea what it is all about. The 1st clause is all right. The 2nd is to amend sections 4 and 5 of the Act of 1892. If the hon. gentleman had told us what those sections were we should have been able to compare them with the proposed amendment. Clause 3 is to amend the 6th section of the Act of 1892; he might have told us what that section was. Clause 4 is to amend section 4 of the Act of 1894; why did he not explain that? Clause 5 is to further amend section 4 of the Act of 1894—it appears they could not put it all in—and to repeal section 5 of the Act of 1895. Clause 6 is to amend section 4; and the Bill finishes by saying it is printed by authority: Edmund Gregory, Government Printer. What is it? The best thing the Minister can do is to put this Bill in the fire, and embody its provisions in the Land Bill and have done with it. That is my opinion, and I give it for what it is worth. I say that our land laws from 1884 to the present have been a disgrace to those who made them at first and who have been trying to amend them afterwards. Burn them all and give us the land laws we had from 1868 to 1884, with perhaps a few amendments added. It will be better for the settled districts at any rate. If this Bill goes to a division I shall vote against it.

Mr. HARDACRE: This Bill has some very good things, and also some very objectionable things. The provision giving the Minister power to exempt grazing farms from the necessity of constructing rabbit-proof fences deserves the thanks of grazing farmers generally in those areas. I have had letters on various occasions, some quite recently, asking me particularly when the matter came up in the House to try and get something of that kind within the Land Bill. The possibility of having to go to an enormous expense to construct rabbit-proof fencing has proved to be on obstruction to settlement, especially in cattle country. With regard to the second clause of the Bill, providing that it shall not be necessary to erect a fence on any boundary whose natural features are of such a character as to be sufficient to prevent the passage of rabbits. I suppose this is really a corollary to the Fencing Bill we passed the other day dealing with trespass by cattle.

The SECRETARY FOR PUBLIC LANDS: It is not intended to have any reference to that. What clause are you speaking of?

Mr. HARDACRE: Clause 2. It seems rather a strange thing that although we are going to give this concession, the lessee is to be enabled to get the same term of lease as if he was compelled to find the full cost of fencing in the whole of his holding. If the concession is permitted it is only fair that there should be a reduction in the extended term of lease granted in proportion to the reduced cost to the lessee on account of the concession. The principal clause in the Bill, extending the time within which lessees can take advantage of the extension of lease, will receive opposition from me. It is perhaps the only objectionable thing in the Bill. I cannot quite understand the attitude of the Minister to-night. On the one hand, he pictures the terrible evil of the spread of the pest, and on the other, he admits that the Act of 1895 was passed in a panic, under a fear for which there was no real foundation. I strongly protested against the passing of that Act, and was almost insulted for the attitude I took up at the time.

Mr. LEAHY: I can tell you there is a very big danger yet.

Mr. HARDACRE: If the Minister's attitude surprises me, the attitude of the hon. member for Bulloo surprises me more, because no one fought more strongly against the Act of 1894 than that hon. member did.

Mr. LEAHY: I never spoke at all on it.

Mr. HARDACRE: I do not know whether he made a speech, but he spoke a good deal by interjections. He told us that only eight grazing farmers in his district have taken advantage of

the Act. He said at that time that the Bill was perfectly useless, and he comes down to-night and supports this Bill. I interjected that the Minister had forgotten his own report, and I think so more strongly than ever now after his explanation. There are some very pertinent and strong remarks on the subject in the report of the department. Speaking of the increase of rabbits the Under Secretary says—

Undoubtedly the worst portion of the colony, and one by reason of local characteristics calculated to act as a breeding-ground, is the area at its south-west corner, as shown hatched red on the lithograph accompanying this report. To the northward and eastward the pest gradually decreases.

Mr. Inspector Avery observes, in his report of the 8th December last—

On the whole the pest has not increased or advanced in the three districts—Leichhardt, Mitchell, and Gregory North—as much or as rapidly as during the previous year, but this is entirely owing to the extremely dry state of the country.

Mr. LEAHY: Is Avery down on Bulloo Downs?

The SECRETARY FOR PUBLIC LANDS: No; he does not go down there at all.

Mr. HARDACRE: I am quoting from the last report laid on the table as I find it. Mr. Avery's report goes on to say—

And I am of opinion that, provided the lines of fencing are looked after, and the odd lots of rabbits which are north of the fences kept in check by poison, etc.; and taking into consideration the many dry seasons which occur in the far West, there is no very great danger of the country and North part of the colony being over-run.

Mr. LEAHY: So long as you do certain things.

The SECRETARY FOR PUBLIC LANDS: In consequence of the fences.

Mr. HARDACRE: Why are you going to give an extension of lease to the pastoral lessees for fencing in their holdings if it is the border fence that is the real protection? The report further says—

Mr. Dividing Commissioner Gibson, whose experience in the south-west of the colony is second to none, states in his report of 12th December:—

Referring to your request that I should give you the result of my observations in the south-west portion of the colony that I have lately been inspecting as to the increase of rabbits during the last twelve months, I beg to state that, in my opinion, formed on very careful observation, I have reason to think that no headway whatever has been made by the pest.

The SECRETARY FOR PUBLIC LANDS: Again in consequence of the fencing.

Mr. HARDACRE: If it is in consequence of the border fencing, why should we give an extension of lease for fencing that is no protection at all?

The SPEAKER: Order! The hon. member seems to me to be arguing against an extension of lease, which is not dealt with in the Bill.

Mr. HARDACRE: I think so. The clause I am now dealing with provides for an extension of the time within which the provision for an extension of lease may be taken advantage of.

The SPEAKER: I think that is a correct interpretation of the clause, but the hon. member is arguing against an extension of lease—a matter which is not contained in the Bill.

Mr. HARDACRE: I am arguing that there is no reason for giving extensions of these leases at all, and if there is no fear of the rabbits spreading there is no necessity for the clause.

The SECRETARY FOR PUBLIC LANDS: There is great fear.

Mr. HARDACRE: It it as well to get at the facts. Commissioner Gibson also says that on no station had he seen or heard of any systematic efforts in the direction of exterminating rabbits, and he did not think there was a single man employed in rabbiting on the Bulloo, which led him to the conclusion that the lessees did not consider the condition of things as very serious. He did not think that the carrying capabilities of the land had been depreciated by the rabbits, and what forfeitures there had been had no connection with the rabbit question. All this points to the fact that the object in passing the principal Act was not to protect the colony from a pest, but to enable certain pastoral lessees to fence in the pick of their holdings. A deputation waited upon the Secretary for Lands, consisting of lessees from the Central district, hundreds of miles from where any rabbits had been seen, but those are the stations which had been fenced in, while the country in the south-west corner where injury is being done have not been fenced. At the time that Act was introduced there were telegrams in the papers stating that rabbits had been seen near Barcaldine, but there are always alarms when fresh concessions are required. The Minister is very inconsistent, because on the one hand he says that it is desirable to encourage this kind of improvement, while on the other he admits that the Act was passed in a state of panic.

The SECRETARY FOR PUBLIC LANDS: I did not say that.

Mr. HARDACRE: The hon. member said it was passed in the midst of a panic, upon false assumptions, or at least that is a fair inference to draw from his statements. The only reason I can see for the extension of time now asked is that a delay has taken place for which the lessee cannot be blamed. The delay was altogether on the part of the Government, and that being the case I have no hesitation in supporting this clause so long as it does not apply to any new lessee. Whether the information of the hon. member for Barcoo is correct or not I do not know, but I do know that Alpha is not the nearest station to any place where there is a board wire-wetting fence.

The SECRETARY FOR PUBLIC LANDS: Is it Government wire-netting?

Mr. HARDACRE: It cannot possibly be, and there was a statement in a Rockhampton paper that it was for a station near there, Greendale, I think. The Minister admitted that one of the reasons for the delay was that they could not give security, but was that the fault of the Government, or that the lessees could not find security and wanted a longer time?

The SECRETARY FOR PUBLIC LANDS: Neither one nor the other. It was inevitable.

Mr. HARDACRE: If it was solely the fault of the Government, then it is a fair thing to give the lessee an extension of time, but I would suggest that the date should be altered in the second paragraph of clause 4 of the principal Act instead of the first paragraph. However, that is a matter we can discuss in committee. The Bill has some good points, and for the sake of the good things in it I shall vote for the second reading, and reserve the right to oppose the objectionable clauses in committee.

Mr. STORY: I thought when this Bill was introduced there would have been only one or two speeches, and they would have contained a hearty welcome to such a Bill. If we had more legislation of this type it would be better for the country. It is a short measure; it is eminently useful, and people have been looking out for it for a considerable time. I think that in a certain way it will do as much actual good as the Land Bill itself. The fact of not confining the erection of fences to the exact boundaries is in our district a wise provision; and the compulsory netting clause has been considered so unjust and unnecessary as applied to certain lands that people have confined themselves to other improvements in the hope and faith that they would not be forced to wire-net their

holdings, because it is of no advantage either to themselves or to the district. The Rabbit Board has power to order the erection of rabbit-proof fences wherever they are necessary, so that there is no danger to be feared from the exemption. The last clause in the Bill giving an extension of time for lessees to put up wire-netting is necessary almost entirely on account of circumstances. The drought has been bad in some places, and when the whole of the cattle and sheep have to be taken away because there is no water, and there is not a single riding horse left on the station, it is not possible for a man to get contractors to put up a fence miles away from water. If a man has given notice that he intends to fence, and cannot do so or does not want to fence, he will not do so any the more by getting a year's extension of time; but if he is anxious to fence and circumstances have been against him, it is only fair that he should have a chance. It would be hard to say to a man, "You are not in fault, nevertheless you must suffer the penalty." I look upon this Bill as one of the best measures introduced since I have been in the House, and I shall give it my hearty support.

Question put and passed; and committal of the Bill made an order for Tuesday next.

The House adjourned at seventeen minutes past 10 o'clock.