

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 1 DECEMBER 1898

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LEGISLATIVE COUNCIL.

THURSDAY, 1 DECEMBER, 1898.

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

TRUSTEES AND EXECUTORS ACT
AMENDMENT BILL.

ASSENT.

The PRESIDENT announced the receipt of a message from the Governor, intimating that His Excellency had assented to this Bill.

APPOINTMENTS TO THE FEDERAL
COUNCIL.

The PRESIDENT also announced the receipt of a message from the Governor, intimating that His Excellency, on the advice of the Executive Council, had been pleased to appoint, as from the 30th November last, the Hon. A. H. Barlow, M.L.C., the Hon. J. F. G. Foxtton, and Mr. T. Glassey, M.L.A., to be representatives of Queensland in the Federal Council of Australasia.

TOWNSVILLE MUNICIPAL LOAN ACT
REPEAL BILL.

SECOND READING.

The POSTMASTER-GENERAL: This Bill came on for its second reading a short time ago in a thin House, and was rejected by a majority of two. I am given to understand that some hon. gentlemen who voted against it on that occasion did so under a misapprehension; and as the rejection of the Bill places the Townsville municipality in a very awkward position, I now bring it forward again. Hon. gentlemen will recollect that last year a Bill having been passed in another place enabling the Townsville municipality to borrow £100,000—which they considered at the time they would be able to obtain in the outside market at a very favourable rate—this House, on taking the matter into consideration, reduced that amount to £74,000. The municipality wished to borrow the money for three separate purposes—in the first place to repay the amount they owed to the Government; then they had an indebtedness on their waterworks; and the balance they proposed to expend in erecting offices, markets, and so on on a vacant piece of land they have in the centre of the town. This House, in its wisdom, considered that the

lastnamed project should not be allowed because they deemed that it would be expending money for speculative purposes. When I moved the second reading on the last occasion I explained this, but it appeared to one or two hon. gentlemen that it was injudicious, and in fact almost improper, that municipalities should have the power to borrow money for speculative purposes. I want to point out that that is not so. They do not wish to borrow money for speculative purposes. They wish, first, to repay their indebtedness to the Government, then they will repay what they owe to the waterworks, and the balance they would expend in erecting council chambers, and possibly markets, upon this vacant ground. That, I think hon. gentlemen will agree, is quite a legitimate thing for any municipality to do. It was put forward, as an objection, that Sydney had recently erected markets at a very heavy expense, and that the interest on the outlay came to a great deal more than the revenue the corporation was likely to derive from them. Very possibly Sydney and Melbourne have always been rivals. Each on many occasions has attempted to outdo the other. At first Melbourne must have a grand town hall; then Sydney got one better than Melbourne; then Melbourne must have the finest organ in the world; Sydney was not satisfied, and by-and-by it got the finest organ in the world; then Melbourne built magnificent markets in the eastern portion of the city; Sydney must outdo that, and the result we have seen. But those cities are very different places from poor little Townsville, which simply wishes to erect its own offices on its ownland, and possibly to add a very modest market. What I am saying now may be a little outside the question. All that Townsville wants is that the Act of last year should be repealed, so that it may be put in exactly the same position as if the Act had never been passed. If that Act had been passed in its original form, and the municipality had been enabled to borrow £100,000 at 3 or 3½ per cent., it would have done some good. But as the Act was altered by this House in such a way as to render it insufficient for their purposes, they now ask us to repeal it, and leave them as if it had never been asked for. I think that is a very fair thing, otherwise it places Townsville in a position different from that of any other municipality in the colony. Whether they want to borrow from the Government or not to erect these markets and offices I do not know. All I can say is that I have consulted the Treasurer on the point, and he tells me that no promise of any kind has been given by the Government. Other municipalities are able to borrow up to the amount of twelve months' rates from their bankers. As long as this Act remains unrepealed the municipality of Townsville cannot do so, and it is unfair that they should be left in that position. I ask hon. gentlemen to reconsider the matter from this point of view, and to allow the Bill to be now read a second time, which I beg to move.

The HON. W. FORREST: It will be remembered that last year a Bill came before us to enable the municipality of Townsville to borrow £100,000. That has been pretty well explained by the Postmaster-General; but I think he is wrong on one point. Of that amount £66,000 was owing to the Government, and £8,000 was to be used in adding to the waterworks, not in paying for them. The balance was to be expended in putting up certain buildings; and we had it on very good authority that the Townsville municipality contemplated the erection not only of markets and municipal chambers, but also of a public-house and a theatre. A great many of us objected to that; and if hon. gentlemen will take the trouble to look at page 1475 of

Hansard of last year, they will see very strong arguments urged against it. Those arguments were further urged in the committee stage of the Bill, and so satisfied were hon. members of the impropriety of what it was proposed to do, that every member of the Committee voted against it, save the representatives of the Government, who sat alone on that side of the House. I do not want to detain the House by reading those speeches, but I will ask hon. members to read them for themselves. This House, last year, had no objection to Townsville borrowing the £66,000 and the £8,000. We said in effect, "We do not object to your paying off the Government debt and borrowing money cheaper than the Government is charging you." We gave them permission to do so, but we absolutely refused to allow them to borrow money for the erection of public-houses and theatres. That is my view of the position; and I have very good reason for stating that a promise has been given to the municipality of Townsville to advance the whole of this money that we refused last year. You will see it will be squeezed out of the Treasury in spite of the Treasurer. He cannot very well refuse it; it would put him in a very awkward position. I am one of those who agree with the argument advanced last year that municipalities have no business to go in for speculative building—that the erection of theatres and public-houses and buildings of that sort is entirely beyond their functions. The waterworks are in a very different category. I am quite willing to repeal the Act to the extent of the £66,000 and the £8,000, but I do not want to give the municipality the power to borrow this £26,000 for the erection of such buildings as I have mentioned. With regard to Sydney, there is no doubt that they are now repenting in sackcloth and ashes of what they have done. An expenditure of £26,000 at Townsville for similar purposes would have exactly the same result. Last year the Hon. Mr. Deane told us what had actually happened at Townsville: The municipality had spent £2,000 on a building, and £100 in putting it in repair afterwards, and they were getting £30 a year for it. That is the way the rate-payers' money is squandered. I hope the House will resist the passing of this measure, unless the Postmaster-General gives us an assurance that no more than the £66,000 and the £8,000 are to be borrowed. If we get that assurance I will withdraw my opposition to the Bill.

The Hon. J. DEANE: As the question of those market buildings is not now before the Council, but only the question of repealing the Act and placing the municipality of Townsville on the same footing as other municipalities, the market question can be left on one side for the present. Although I opposed the proposal last year to enable the municipality to borrow £26,000 for the erection of market buildings, I should be very sorry to oppose the repeal of a measure that would have the effect of putting Townsville on the same footing as other municipalities. I should very much dislike to hamper the council in any way, and I am anxious to support the Postmaster-General in his motion to repeal the Act from that point of view. As to the matter of this £26,000, it will be time enough to talk about that when it comes before us.

The Hon. W. FORREST: It will not come before us.

The Hon. A. C. GREGORY: The last paragraph of clause 1 provides that—

Such repeal shall not affect anything done or suffered, or any right, claim, obligation, or liability acquired, accrued, or incurred under the said repealed Act.

Have the municipality of Townsville done any thing under the Act?

The POSTMASTER-GENERAL: Nothing whatever. The Hon. A. C. GREGORY: They have simply allowed their indebtedness to the Government to increase by £3,300 in the shape of unpaid interest?

The POSTMASTER-GENERAL: I could not tell you that. There is a debt to the Government, and a debt on the waterworks.

The Hon. A. C. GREGORY: Then we have no information before us to enable us to come to a conclusion.

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

CONTENTS, 8.

The Hons. W. H. Wilson, A. H. Barlow, R. Bulcock, F. T. Brentnall, J. C. Smyth, J. C. Haessler, J. Deane, and W. F. Taylor.

NOT-CONTENTS, 5.

The Hons. W. Forrest, J. Cowlishaw, J. S. Turner, H. C. Wood, and A. C. Gregory.

Resolved in the affirmative.

The committal of the Bill was made an Order of the Day for Tuesday next.

MINING BILL.

FIRST READING.

On the motion of the POSTMASTER-GENERAL, this Bill, received from the Assembly, was read a first time.

The POSTMASTER-GENERAL: I move that the second reading of the Bill stand an Order of the Day for Wednesday next.

The Hon. W. F. TAYLOR: This, I understand, is a very large Bill indeed, containing I do not know how many clauses.

The POSTMASTER-GENERAL: Two hundred and fifty-four.

The Hon. W. F. TAYLOR: I contend that it is utterly impossible for any hon. member to make himself acquainted with its contents between now and next Wednesday. I know I cannot even attempt to do so. It would be far better to take the second reading of the Bill on Tuesday week. We should by then have had time to study it carefully, and have made up our minds what course to take with it in committee. I make that suggestion to the Postmaster-General, and I am certain that if he consents to the postponement the consideration of the Bill in committee will be got through much more quickly than if the second reading is taken next Wednesday.

The Hon. A. H. BARLOW: Of course there is a great deal in the contention of the Hon. Dr. Taylor. At the same time I can assure the hon. gentleman, having carefully followed the debates on the Bill in another place, that the Bill looks a great deal more formidable than it really is. I cannot enter into the details of the Bill on this motion, but I may say that the two or three new principles involved in it can be very easily understood. Much of it consists of mere copies and adaptations of other Acts; in fact, it is to a large extent a consolidation of the Acts mentioned in the repealing schedule, of which there are no fewer than sixteen. All that is legislation which the House has already passed. The new principles I have alluded to will, no doubt, be fully explained by my hon. friend on the second reading, and I can assure hon. gentlemen, from what I know of the Bill, that they will not find the least difficulty in dealing with it in committee. After all the labour and trouble that has been expended on the Bill it is hoped that it will become law, with such amendments as this House may suggest, this session; and, as we are getting very near Christmas, I trust the hon. gentleman will allow the motion to be carried. After the exposition that will be given by my hon. friend, and with the assistance of two members of this Chamber who are adepts in mining—one of whom has been a goldfields warden and the other had very great

practical experience—the House should not have the slightest difficulty in getting the Bill through. If hon. gentlemen will look through the Bill with the aid of the synopsis which I understand is to accompany it they will find all the alterations in the existing law set forth in the clearest possible way.

The HON. J. DEANE: I quite agree with what has been said by the Hon. Mr. Barlow. The greater portion of the Bill is simply a re-enactment of the existing law, which has been in force a considerable time and has answered fairly well. The effect of the two or three new principles introduced into the Bill—which anyone can master in a very short time—will be to make our mining laws slightly more liberal than they have hitherto been. We have not done much work this session, and I think we might do a little overtime if necessary to get the Bill through.

Question put and passed.

ADJOURNMENT.

The POSTMASTER-GENERAL: In moving that the House do now adjourn, I may mention that a synopsis of the Mining Bill is being prepared, and I hope it will be in the hands of hon. gentlemen to-morrow.

Question put and passed.

The House adjourned at eleven minutes past 4 o'clock.